

Ramblers Warwickshire Area – Footpath & Planning Report – November 2024

REF	Date	From	Location	Description	Action Taken
1014	21/08/2024	Stratford on Avon District Council - 24/00009/FUL	Radway, Applecross Fields, Tysoe Road (150m NW of King Johns Lane)	Change of use of land to children's forest school, including associated access track, car parking area and ancillary structures such as composting toilet (retrospective). Public Footpath SS22 runs through the woodland site.	Providing public footpath SS22 remains unobstructed and open for public use at all times, Area would be happy to support this application. However, safeguarding issues concerning a PROW through a site used by young children could be raised and, until any safeguarding issues can be resolved, to protect public use of footpath SS22 Area must (reluctantly) register an objection to this application.
1015	29/08/2024	Stratford on Avon District Council - 24/01994/FUL	Studley, The Old Granary, 2 Hardwick Lane B80 7AE	Demolition of existing cottage and former dairy building and construction of replacement dwelling (In lieu of existing cottage), retention in part of demolished cottage as ancillary storage space for The Old Granary and associated works. Requires part diversion of public footpaths AL140 and AL140c. Resubmission of 24/00007/FUL.	Area have responded that the application would require SDC to make legal diversion orders for Public Footpaths AL140 and AL140c under section 257 of the TCP Act 1990 'to permit development'. Under WCC Rights of Way Improvement Plan (ROWIP) Policy RW5c, unenclosed footpaths diverted by legal order are required to have a width of 2m, and enclosed footpaths 3m.
1016	30/08/2024	Stratford on Avon District Council - 24/02003/FUL	Upper Tysoe, Tysoe Manor, Shipston Road CV35 OTR	Conversion and extension of barns to form wellness centre with accommodation and creation of parking area. Public Footpath SS41 (Centenary Way) runs adjacent to the site southern boundary.	Providing that Public Footpath SS41 is not obstructed and remains open for public use at all times Area would raise no objections to this application on footpath grounds.
1017	30/08/2024	Stratford on Avon District Council - 24/02115/COUQ	Lighthorne, Kingston Holt Farm, Banbury Road CV35 OAE	Prior Approval application for the change of use of an agricultural building into 3 larger residential dwellings (C3) and associated operational development under Class Q parts (a) and (b) of the General Permitted Development Order (GPDO) at Kingston Holt Farm. Access to the site uses the same M40 overbridge as Public Bridleway SM193.	Access to the site uses the same M40 overbridge as Public Bridleway SM193, but otherwise does not impinge on the Bridleway or adjacent Public Footpath SM193a. Area have no objection to this application.
1018	20/09/2024	Stratford on Avon District Council - 24/02039/FUL	Priors Hardwick, Weavers Cottage, Church End, Southam CV47 7SN	Change of use of garden land to enable alterations to existing garage to create a ground floor accessible bedroom suite, construction of new pool house and swimming pool for the needs of a disabled child and provision of garage building with accommodation over in place of existing outbuildings, with materials to match existing outbuildings. Public Footpath SM115a and SM55 run across the site but are not acknowledged in the application.	Until we can be assured that this application recognises the existence of the two public footpaths that run across the site, and that the two footpaths will not be obstructed by the proposed development but remain open for public use, and that the biodiversity enhancements intended for the public footpath SM55 corridor will not impinge on the line of the footpath, Area must maintain an objection to this application on footpath grounds. ASSURANCES RECEIVED FROM APPLICANT AND AREA OBJECTION WITHDRAWN 01/10/2024.

REF	Date	From	Location	Description	Action Taken
1019	06/09/2024	Rugby Borough Council - R24/0733	Cawston Lane and land to West and East, Cawston Lane, Dunchurch.	Demolition of existing buildings, alterations to Cawston Lane, formation of a single carriageway road (the Community Spine Road), formation of a temporary access road to Cherry Tree Farm, construction of footways, cycleways and crossing points and associated works (including landscaping and drainage). Public Bridleways R169c and R169d and Public Footpath R167 cross Cawston Lane.	Area have no objections. Bridleways R169c and R169d cross both Cawston Lane and the new 'community spine road' on Pegasus and Toucan Crossings, while Footpath R167 crosses Cawston Lane on a Toucan Crossing. Public Footpath R167 is shown to be slightly realigned on either side of the crossing on the 'Bridleway & PROW' Layout Plan, and will require a legal diversion order.
1020	11/09/2024	Stratford on Avon District Council - 24/02072/FUL	Moreton Morrell, land E & W of the Fosse Way.	Installation and operation of solar farm including DNO substation, site accesses, cable connection, landscaping and ancillary infrastructure. The site is 81ha, not Green Belt, no PROWs affected, and Grade 3b agricultural land so not Best & Most Versatile (BMV) agricultural land. Deer's Leap Solar - temporary for 40 years!	Area objection citing SDC Landscape Policy CS.5 on cumulative development as there are already two solar farms with granted planning permission in close proximity to this latest proposed development. Elm's Farm Solar (39ha) 1½ miles to the west, and Chesterton Fields Solar (100ha) 1 mile to the north.
1021	13/09/2024	Grand Union Canal Transfer (GUC)	Coventry Canal: Atherstone to Hawkesbury Junction, Oxford Canal to Braunston Junction.	Public consultation on scheme to transfer water from Minworth Waste Water Recycling Centre, to the Coventry Canal at Atherstone via underground pipeline. Then via the Coventry, Oxford & Grand Union Canals (requiring some new infrastructure such as pumping stations and gravity bypasses) to a proposed water treatment works and water storage at Leighton Buzzard, Bedfordshire.	The Coventry Canal will be used from Atherstone to Hawkesbury Junction, then the Oxford Canal to Braunston Junction with the Grand Union – so they won't be using the Grand Union Canal in Warwickshire. Nevertheless, this will obviously effect parts of the Centenary Way and Coventry Way which both use sections of the Coventry and Oxford Canals, and might result in some lengthy closures of the towpath. A point to note is that canal towpaths are, generally speaking, not PROWs – although there are short sections of the Coventry Canal at Heartshill and the Oxford Canal at Ansty, Napton and Wormleighton which are also public footpaths as well!
1022	30/09/2024	Stratford on Avon District Council - 24/02307/FUL	Sambourne, The Slough.	Infilling of land depression within existing farmers field. <i>"Due to the depression, modern farming machinery faces difficulties, and the land suffers from drainage problems due to its contours. The proposal involves infilling the depression to restore pre-extraction levels. This will normalise the land contours, facilitating easier farming with modern equipment."</i> Public Footpath SL131c runs adjacent to the site NW boundary.	Public Footpath SL131c runs in the next field, immediately adjacent to the site NW boundary and would not be affected. Area would therefore raise no objection to this application on footpath grounds.

REF	Date	From	Location	Description	Action Taken
1023	24/09/2024	Rugby Borough Council - R24/0816	Monks Kirby, 3 Fieldside House, Gate Farm Drive CV23 0RY	Erection of tractor and machinery store together with associated works (Re-submission in part of Application R23/0929). Requires diversion of public footpath R55 around site.	While Area would raise no objection to public footpath R55 being diverted onto the proposed route around the site as shown on the PROW Plan submitted with the application. It would be necessary for RBC to Make a Diversion Order under the Town and Country Planning Act 1990 section 257, to permit development.
1024	03/10/2024	Rugby Borough Council - R24/0910	Cawston Lane, Dunchurch Rugby CV22 7RX	Request from RBC for an Environmental Impact Assessment (EIA) Scoping Opinion – hybrid application (part full/part outline) for up to 1600 homes, a new local centre, primary and secondary schools, areas open space, sustainable transport corridor, estate road from the Community Spine to the land to the north and estate road from the Alwyn Road Roundabout, demolition of buildings.	Area response confined to the existing public rights of way (PROW) network and surrounding countryside. 1: The Environmental Impact Assessment (EIA) to be submitted in support of a planning application should emphasise that all developments within the South West Rugby allocation area should include maximum environmental mitigation to reduce the impact of urbanisation on this most attractive area. 2: The EIA should detail all PROWs crossing and adjacent to the Site, together with their full legal status. 3: The EIA should emphasise the importance of retaining existing PROW connectivity through the Site with the wider PROW network beyond. 4: The EIA should emphasise that PROWs should be open to view, following spacious green corridors through the Site and not enclosed or hidden away behind tall fencing or diverted onto estate road footways.
1025	05/10/2024	Stratford on Avon District Council - 24/20335/COUQ	Shipton-on-Stour, Barns, Hetherington House Estate CV37 7PG	Proposed change of use of agricultural barn structure to form one dwelling. Public footpath SS172d (the route between the B4455 Fosse Way and Fulready) forms part of the access track to the site passing immediately in front of the southern boundary of the application curtilage.	Provided SS172d is not obstructed in any way and remains open for public use at all times, Area has no objection on footpath grounds.
1026	10/10/2024	Warwickshire County Council - Harbury Lane Reg3	Warwick, Harbury Lane	Warwickshire County Council are considering making a Cycle Tracks Order pursuant to the Cycle Tracks Act 1984, the effect of which would be to convert a footpath into a 3 metre wide shared use cycle track with a right of way for pedal cycles and on foot. Includes a Public Path Creation Agreement under the Highways Act 1980 section 25, Made on the 29 July 2024 between WCC and WDC, relating to the land at Harbury Lane, Warwick.	This is the first the Area has heard of the Making of this Public Path Creation Order... but then, cycling interests have never shown the slightest concern for the interests of path users!

REF	Date	From	Location	Description	Action Taken
1027	12/10/2024	Stratford on Avon District Council - 24/02333/OUT	Wellesbourne Mountford Airfield, Wellesbourne CV35 9EU	Application accompanied by an Environmental Statement has been made to SDC for a Hybrid Planning application comprising: (1) Full Planning Application incorporating removal of existing runways & construction of a single new runway & associated taxiway. (2) Outline Planning Application (all matters reserved) for the remainder of the airfield-related development, R&D industrial floor space & general industrial, storage or distribution distribution, etc. Although there are two public footpaths adjacent to the airfield there are no PROWS within the site.	Although now a small working airfield the current site still retains the ghostly imprint of a wartime airfield, an evocative historical setting for its resident Vulcan Bomber despite the looming warehousing on the eastern side of the field. Permitting further industrial develop to encroach on the remaining airfield and destroying the footprint of the surviving wartime runways though would completely destroy anything that remains of this historical ambiance. And for what? Yet more warehousing and distribution adding to the HGV traffic already choking the surrounding road network.
1028	16/10/2024	Stratford on Avon District Council - 24/02163/FUL	Dan Skelton Racing, Lodge Hill, Shelfield Green, Alcester B49 6JR	Proposed additional Stables, Horse Walker, Exercise Ring and associated Gravel Tracks, as a northward expansion of the second northern stable yard; including creation of a pond and spinney for Biodiversity Net Gain. Public footpath AL105 (The Arden Way) runs just inside of the NE boundary of the site and shares the access drive and gate. Runs just inside of the NE boundary of the site and shares the access drive and gate.	Providing public footpath AL105 remains open for public use both during construction and after, Area have no problems with this application.
1029	20/10/2024	Warwick District Council - W/24/1404	Land W of Fosse Way & SE of Radford Semele CV31 1XJ	Construction of a Solar Farm and Battery Storage together with all associated works, landscaping, equipment and necessary infrastructure. Five fields totalling 86ha, 24% of which is Grade 3a BMV agricultural land, and 72% Grade 3b. Public Bridleway W122 and Public Footpaths W122a and W120c run through the site. Site is immediately adjacent to Middle Road Solar Farm of 89ha on opposite side of the Fosse Way.	Area Objection on Bridleway, Footpath, and Agricultural BMV land grounds... and, most importantly, the Cumulative Impact that yet another solar farm in the Feldon Vale will have on the rural landscape and countryside.
1030	29/10/2024	Stratford on Avon District Council -	Wilmcote, Moat Orchard, Old School Lane	Single story link extension. The intention is to build the link extension across the definitive line of public footpath AL79. Despite the application requiring the stopping up of a public footpath, Area was not consulted by SDC on this application!	Area objection citing SDC Core Strategy Policy CS.9 (3.8 Design and Distinctiveness) which requires development to enhance the network of footpaths and retain existing rights of way. Public Footpath AL79 is not (yet) an "Extinguished Public Right of Way" as described on the applicant's plan PL006B. If this application is granted SDC will need to make a public path stopping up order under section 257 of the Town and Country Planning Act 1990 to (part) stop up Public Footpath AL79, and to which Area would have to object!

REF	Date	From	Location	Description	Action Taken
1031	07/11/2024	Rugby Borough Council - R24/0952	Newton House Farm, Pilgrims Lane, Newton, Rugby CV23 0ED	Prior Approval change of use of agricultural buildings to form five dwellings (Class Q). Neither Area or WCC ROW Team were consulted on the application, and we must conclude that neither RBC nor the applicant are aware that public footpath R110 runs through the 5m gap between Barns 1 and 2 and thus would be obstructed by the Curtilage and Private Patio Gardens of proposed plots 4 and 5.	Until we can be assured that public footpath R110 will be acknowledged and adequate provision made for its accommodation through the site, Area must maintain an objection to this application. Area has copied this objection to WCC Rights of Way Team for information.
1032	07/11/2024	British Horse Society via Ramblers Central Office	Wellesbourne	Since horseriders would benefit from our application the British Horse Society have asked the Ramblers to seek a direction from the Secretary of State to WCC requiring the Council to determine Area's Definitive Map Modification Order (DMMO) Claim MSD119, dated 19 June 2005, for a Byway Open to all Traffic (BOAT) running from Kineton Road, Wellesbourne, to the end of cul-de-sac Bridleway SD311.	Area have agreed to the British Horse Society request, providing that Ramblers Central Office do the necessary paperwork. The claimed Route was set out in the Wellesbourne Hastings Inclosure Award 1733, and completes the cul-de-sac Bridleway SD311 so should be a cast iron case! Our application date is after the National Environment & Rural Communities Act (NERC) 2006 s 67 Relevant Date of 2 May 2006, so the route could now probably be determined as a Restricted Byway.
1033	19/11/2024	National Transport Casework Team via Pathorders@ramblers	Cherington Hill, Cherington, Shipston-on-Stour CV36 5HZ	The Secretary of State authorises the diversion of the highway specified in the Schedule to this Order and shown on plan numbered NATTRAN/WM/S247/5858, to enable development to be carried out in accordance with the planning permission granted by Stratford-on-Avon District Council, under reference 24/01621/FUL.	Area were not consulted on this Diversion Order but have no objections. But why were the National Transport Casework Team(NATRANS) involved in a simple planning application for the "partial resurfacing of of existing drive, replacement gates and new associated piers", requiring the part diversion of public footpath SS61a, when SDC could have made the Order under TCP Act 1990 s 147 themselves? Very peculiar!
1034	21/11/2024	Stratford on Avon District Council - 24/02783/VARY B50 4LX	Bidford Grange Golf Club, Stratford Road, Bidford-on-Avon, Alcester	Variation of condition 2 pursuant to planning permission 23/00701/FUL 'Erection of 24 holiday lodges and landscape', Date of Decision:20/12/2023, to revise the design and position of 4 of the lodges to create 4 smaller 2 bed holiday lodges. Public Footpath AL29 runs north of the site and Public Footpath AL28 runs south of the site.	Area did not object to previous application 23/00701/FUL, and has no objections to this application on footpath grounds.

Further Developments or Resolution of Earlier Cases

REF	Date	From	Location	Description	Action Taken
865	16/06/2022	Rugby Borough Council - R22/0551 (FULL)	Rugby, land NE of Castle Mound Way.	full planning permission for storage and distribution floorspace (Class B8 use), with ancillary offices, associated car parking, HGV parking landscaping, and infrastructure. Requires Part Diversion of Public Footpath R105 (leading to M6 motorway underpass). The development is on allocated site DS3.1 in the Rugby Local Plan.	Area has no objection to the Part Diversion of Public Footpath R105, but as it connects with an underpass allowing one of the few safe pedestrian crossings of the adjacent M6 Motorway, have ask that Public Footpath R105 is only closed for as short a period as possible and certainly not for the full duration of the development. Consultation on Diversion of Public Footpath R105 Received 26/01/2023. ORDER MADE 24/07/2024. ORDER WITHDRAWN & NEW ORDER MADE 25/09/2024 to reflect change in the surface of the new footpath from tarmac to crushed gravel as required by WCC to ensure status of footpath and clear definition from the cycle way to be created!
919	10/03/2023	N Warwickshire Borough Council - PAP/2023/0071	Fillongley, Meriden Road, South Of Park House Farm	Construction of a “temporary” solar farm to include the installation of ground-mounted solar panels – sterilising the land under 61ha of solar panels for 40 years before it can be bought back into agricultural production – or “pausing it’s productive use” as it is so quaintly described in the Design and Access Statement! 95% of site is in the “best and most versatile” grades of agricultural land classification. Public Footpath M294 runs through site. Site is in the Green Belt.	This application takes the biscuit for ticking all the wrong boxes! (1) The site is Green Belt... within which solar farms are considered by the NPPF to be “inappropriate development”. (2) By the application’s own admission the site’s land classification falls within the “best and most versatile” grades of agricultural land from which DEFRA consider that solar development should be excluded. And (3) attempting to claim that the 40 years life sought for this application can be described as “temporary” is fatuous! REFUSED 10/07/2024 but APPEALED 17/10/2024.
922	28/03/2023	Stratford on Avon District Council - 23/00701/FUL	Bidford Grange Golf Club, Stratford Road, Bidford-on-Avon B50 4LX	Erection of 24 holiday lodges and landscape to reinstate development permitted by planning permission 13/00789/VARY. Public Footpath AL29 runs north of the site. Public Footpath AL28 runs south of the site.	Neither path is shown on any of the plans, but as far as we can determine this application to reinstate permission for 13/00789/VARY for 24 lodges, does not impinge on either public footpaths AL29 or AL28. Consequently, Area would raise no objections to this application on footpath grounds. Permission with Conditions 07/03/2023.
927	06/04/2023	Rugby Borough Council - R23/0398	Tritax Site, Coventry Road, Thurlaston.	Erection of two buildings; ancillary structures; with associated access roads; servicing yards; car parking; external plant and access; landscaping; security fencing. Approval of reserved matters access, appearance, layout, scale and landscaping, relating to R16/2569. Requires diversion of public footpath R168y, and the bridleway “offering” extension of public bridleway R168x.	Area have commented on errors in the Rights of Way Plan submitted with the application and have pointed out that these must be corrected before being transferred from the proposal drawings into sealed legal orders for footpath diversion and bridleway creation! Rights of Way Plans reissued, but these now contain further errors which we have asked to be corrected! DIVERSION ORDER FOR PUBLIC FOOTPATH R168Y MADE 14/02/2024. WCC ROW Team have commented to Area that the Order needs to be remade as a Bridleway if cycling is to be permitted on the route! ORDER WITHDRAWN - REMADE 17/10/2024 (PUBLIC FOOTPATH ONLY).

REF	Date	From	Location	Description	Action Taken
994	11/04/2024	Rugby Borough Council - R24/0311	Tritax Site, Coventry Road, Thurlaston N of zones C & D.	Creation of spur road, approval of reserved matters in relation to outline application R16/2569 (area within outline application site).	Area have confined our comments to the Highway Works GA, which shows public footpath R168y as a proposed Footway and Cycleway, and the Site Plan, which shows the diverted footpath as a PROW. A Diversion Order for this footpath onto the line shown on the Site Plan was MADE by RBC 14/02/2024. Area have asked that the Order be remade due to mistakes in the drafting! And WCC ROW Team have commented that the Order needs to be remade as a Bridleway if it is intended that cycling is to be permitted on the diverted route! APPROVAL OF RESERVED MATTERS 25/10/2024.
1008	27/06/2024	Stratford on Avon District Council - 24/01228/FUL	Burton Dassett, The Grove, CV47 2AB	Demolition of conservatory, erection of single storey rear extension, etc. Erection of detached garage and garden wall to form courtyard, and diversion of footpath. Area believe that an unstopped-up length of E Road E6405 also runs through the site, and if this is the case then, as well as the footpath being diverted, E6405 would also require stopping up to permit the proposed development! Area was not consulted on this application!	The footpath to be diverted is not shown on the DMS but appears to be the continuation of cul-de-sac public bridleway SM213. Area understand that WCC are considering the stopping-up of E6405, and proposing that the footpath be created as a public bridleway, thus ensuring continuity of bridleway status through to the connecting bridleway SM213. If this is indeed the case, Area would support the creation of the diverted footpath as a public bridleway and raise no objection to the stopping-up of the E Road. APPLICATION WITHDRAWN 01/10/2024.
1010	29/07/2024	Stratford on Avon District Council - 24/01540/FUL & (23/01553/COUQ)	Norton Lindsey, Longdon House, Wolverton Fields CV35 8JN.	Conversion of agricultural building to single dwelling for self build use. Resubmission of 23/01553/COUQ (prior approval granted on the 4 Au 2023) but with omission of car port. Public bridleway SD167 runs through the gap between the back of the barn and the field boundary but is nowhere mentioned or shown on any plans for both applications!	While Area have no objection in principle to this modest development, we must raise an objection until public bridleway SD167 is acknowledged in the application and Area assured that sufficient allowance will be made in the development for the bridleway to remain accommodated at a suitable width on its current definitive line between the back of the building and the boundary hedge. WCC ROW Team objection on similar grounds. 11/10/2024 Amendment: Additional tree planting and a site plan showing the position of the public right of way has been added. AREA HAVE NOT WITHDRAWN OUR OBJECTION!