

28 March 2013

Development Control  
East Herts District Council  
Wallfields  
Pegs Lane  
Hertford  
SG13 8EQ

Dear Sir/Madam

Re: Planning application 3/13/0075 OP – land at Bishop's Stortford North

I am writing on behalf of the membership of Bishop's Stortford & District Footpaths Association (BSDFA) in order to draw attention to how current and future users of the existing Public Rights of Way (PROW), Bishop's Stortford BR8, FP1 and FP2, will be affected by these proposals.

BSDFA was founded in 1957 to "preserve, protect and maintain PROW in the Herts and Essex border area around Bishop's Stortford". Activities include a programme of guided walks throughout the year and the publication of booklets of local walks. BSDFA has a membership of 250+ households.

The land at Bishop's Stortford North is dissected north-south by three PROW, BR8, FP1 and FP2. These paths are very widely used by people of all ages, individuals, family groups, as well as organised walking groups from as far away as London. The paths offer excellent views of the open countryside, the gently undulating terrain of the Stort and Bourne valleys, and an opportunity to observe local flora and fauna.

BR8, FP1 and FP2 are now unique in Bishop's Stortford in providing direct access from the town centre (with its rail and bus connections) to the open countryside. Walk 5, "Bishop's Stortford, Hoggate's Wood, Rye Street" in our latest booklet "Walks in Herts & Essex Vol 4" (published 2012) ably illustrates this accessibility. The existing PROW within the application site provide the only traffic-free route under the A120, allowing walkers, horse riders and cyclists to enjoy the wider network to Stansted Mountfitchet, Farnham, Manuden, Albury, Little Hadham, Green Tye, Thorley Church, and beyond.

BSDFA believes that users' ability to enjoy the existing PROW (BR8, FP 1 and FP2) will be severely impacted by the proposed development in terms of amenity value (views and natural environment) and safety, during both the construction phase and on completion.

In particular we are concerned about the following:-

#### BR8 - Hadham Rd to Wickham Hall.

- The bridleway will be crossed by the primary estate road.
- Potential for primary estate road to carry traffic from all housing to the east of BR8, the estate/Park & Ride bus, plus traffic to the primary school and local centre (commercial/retail/employment) which will be located to the east of BR8.

#### FP1 - Dane O'Coys to Wickham Hall estate.

- FP1 appears to intersect with the proposed bus route as buses emerge on to Dane O'Coys
- Currently there are no adequate verges on Dane O'Coys to provide a 'safe haven' for pedestrians.
- FP1 will be crossed to the north of Hoggate's Wood by the primary estate road just before FP1 goes under the A120 (on the existing underpass).
- This road to north of Hoggate's Wood has potential to carry all the estate's traffic.
- Road to north of Hoggate's Wood has potential to be used as a 'rat run' for those seeking to avoid congestion between the new proposed A120 roundabout to the east and the A120 Tesco roundabout to the west.

#### FP2 - Wickham Cottages to Wickham Hall Estate at junction with BR5.

- FP2 will be crossed twice by the primary estate road (including bus route).
- FP2 will be crossed by at least two other residential streets (based on current indicative layout).
- Current plan shows houses will front on to FP2: vehicular accesses will also be fronting on to the FP2 and crossing it.
- FP2 will become an estate 'pavement'.
- FP2 will lead on to junction with the proposed A120 roundabout (to the west of the Farnham Rd).

All three paths will be crossed by the primary estate road and bus route. Traffic (or any other obstruction) does not have the right to interfere with the public's right to use these paths. It should be clear at the Outline Planning stage what measures will be in place during construction, and on completion, to ensure continued safe and unimpeded use of the existing PROW.

There is no indication in the submitted documents that underpasses, bridges, or light-controlled crossings will be constructed to enable safe passage for PROW users under/over/across the primary estate road. Given that horse riders use BR 8 this omission seems extraordinary. Furthermore BR 8 shares a route with the vehicular access to Wickham Hall. The application documents state that this access will be maintained. How will this be the case without an underpass/light-controlled crossing, and how will vehicles associated with the proposed development (residents, workers, visitors, etc) be prevented from driving onto BR8/the private access road?

Representatives of BSNC stated at a recent Green Infrastructure (GI) Forum (March 18, 2013) that they did not intend to provide underpasses, bridges or controlled crossing points which would afford users of the existing PROW protection against vehicular traffic. To support the claim that the proposed development will be sustainable the applicant has expressed an intention to encourage walking, cycling and horse riding. When placed in a shared environment with motor vehicles pedestrians', cyclists' and horse riders' primary consideration is safety. Provision should be in place to ensure the users of the existing PROW may enjoy continued and safe use of the paths in the first instance, before outline planning permission is granted.

The application makes reference to the creation of new footpaths/cycleways/ bridleways – 'Greenways'. It does not state whether these will be PROW. At the GI Forum (March 18, 2013) the applicant's representative stated new paths would be 'Permissive Paths'. Permissive Paths do not have the same status and legal protection as PROW; they do not appear on the Definitive Map and Statement, and use of them can be withdrawn by the landowner. At this stage it is not clear who will own the land over which the proposed new paths will run, nor who will be responsible for their maintenance. It is imperative that they are adopted as

PROW, and the proper orders put in place, prior to outline planning permission being granted. The applicant should demonstrate their commitment to limit private car use and promoting a healthier lifestyle by bearing the cost of this through the s 106 Agreement (or other). Current Hertfordshire residents already make a contribution to maintaining PROW through their Council Tax payments, and so will future residents. The applicant should observe Planning Policy LRC9 PROW:

“Any proposals for development must not adversely affect any PROW and, where possible, should incorporate measures to maintain and enhance the rights of way network. “

Finally, BSDFA would like to highlight the impact the increase in traffic resulting from a major development such as this will have on current, and future, residents' ability to enjoy and safely access the PROW network beyond the A120/A1184 by-pass. There are some twelve PROW that cross the by-pass between the Tesco roundabout and Thorley Wash and of these only two avoid the traffic by way of a footbridge and road bridge. The by-pass borders the estates of Bishop's Park, St Michael Mead and Thorley Park and the PROW are heavily used by local people to access the countryside.

In light of the issues raised BSDFA request that planning permission be refused for this application in its current form.

Yours faithfully

Dave Webber  
Chairman  
Bishop's Stortford & District Footpaths Association

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cc

Councillor Allen Burlton  
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Councillor Tim Page  
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