

Proposed diversion of D6 and D43

I have lived in Hungarton since 1985 and frequently walk along bridleway D6.

From the advice given in two government documents, “A guide to definitive maps and changes to public rights of way – 2008 Revision” published by Natural England and “The Planning Inspectorate - Rights of Way Section - General guidance on public rights of way matters 9th Revision January 2018”, it seems that there are two relevant criteria to be considered before this diversion application could be approved.

1. the effect that the diversion would have on the public enjoyment of the way as a whole
2. that the diverted path will not be substantially less convenient to the public in terms of, for example, features which readily fall within the natural and ordinary meaning of the word ‘convenient’ such as the length of the diverted path, the difficulty of walking it and its purpose.

There is no doubt that public enjoyment of the bridleway would be very substantially adversely affected by this diversion. At present the bridleway, which is well used both by serious and casual walkers as well as horse riders, offers a magnificent view of the facade of Quenby Hall as you approach from the west along the driveway. In addition there are panoramic views of the landscape on both sides as the track follows a prominent ridge. Approximately 100m from the hall the path goes to the right of the hall and down slightly, passing the south side of the hall at a minimum distance of 50m from it and the other side of a ha-ha some 2m below the hall’s garden, so very well hidden from the hall.

What is proposed would divert walkers off the driveway in a sharp rightwards direction some 340m from the hall, and would take away the panoramic view of it, and the landscape either side, for which this bridleway is widely known and appreciated. It would continue, at a minimum of 220m from the hall, dropping quite steeply and going round the back of a wood, from which the hall is completely obscured. It would then climb up to rejoin the current track some 340m from the rear of the hall.

The proposed diversion would be substantially less convenient to the public, comprising a lengthy diversion over undulating terrain, involving substantial descent and climb and having a dog-leg in the middle of it. The council must have regard to the needs of people with disabilities and the diversion would prevent them experiencing the enjoyment of using the well-surfaced track to get relatively close, albeit some 100m away, to the main facade of the hall. In addition, those slightly less disabled can, currently, rejoin the track at the back of the hall and enjoy a linear walk with its amazing views. This would be rendered impossible for them with the lengthy and challenging diversion proposed. Walkers with pushchairs/buggies would be similarly discriminated against.

Mention has been made that some users abuse the route. This comes as a surprise as the previous owners, who lived at the hall for almost 50 years, never complained about any problems to my knowledge. Of course, the new owners would have been aware of the bridleway when they purchased the hall and it is of concern that there has been a recent spate of people buying country properties, in the full knowledge of nearby footpaths and bridleways, and then deciding that they want to increase their “privacy” by diverting them. Furthermore, the new owners have taken it

upon themselves to block up two gates and relocate one of them, signs have gone missing and others have been relocated, in order to try to divert people away from the hall, and along the already-constructed diversion route, the surface of which is uneven, quite steep in places, muddy when wet, and generally difficult to walk on.

I consider the Italianate garden issue to be a red herring. This could be restored without diverting the bridleway. Otherwise, an application could be made to divert the bridleway to the north side, between the house and formal gardens, meeting up with the track at the back of the hall, as it would have done originally. Furthermore, there is also no public benefit, should the garden be restored, as it would not be accessible to the public.

In conclusion, the application is made solely in order to give the owners more privacy by creating a large exclusion zone round the hall. This is despite the substantial distance the existing bridleway is from the hall and its being hidden behind a ha-ha at its closest. Locally, many houses have rights of way right outside their houses, and typically a few metres away, yet residents are able to maintain their privacy. The adverse impacts, in terms of the very significant reduction in public enjoyment and the fact that the diversion would be substantially less convenient to the public, far outweigh any benefits to the applicant and so I urge you to refuse this application.

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