THE BROWN RURAL PARTNERSHIP

CHARTERED SURVEYORS • VALUERS • LAND AND MINERAL AGENTS

Our Ref: JRS/lg

Your Ref: 68C-16944

Date: 9th September 2014

Mrs Parveen Akhtar
Head of Legal and Democratic Governance
Corporate and Support Services
Stockport Legal Services
2nd Floor, Stopford house
Stockport
SK1 3XE
For the attention of John Hill

Dear Mrs Akhtar

The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchaser Order 2013 and

The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (Side Roads) Order 2013

Public Local Inquiry – 30th September 2014 – Proofs of Evidence

Our Client: Mrs Angela Mary Rowland

I am pleased to attach herewith our Proof of Evidence on behalf of our above client.

I confirm that one hard copy will follow in the post, with three further hard copies being posted to Persona Associates.

Yours sincerely

J R Seed
For and on behalf of the Brown Rural Partnership
Email: jrs@brownrural.com

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Public Local Inquiry into

The Metropolitan Borough of Stockport
(Hazel Grove (A6) to Manchester Airport A555 Classified Road)
Compulsory Purchase Order 2013 and

The Metropolitan Borough of Stockport
(Hazel Grove (A6) to Manchester Airport A555 Classified Road)
(Side Roads) Order 2013

Proof of Evidence of
John Seed MA (Oxon) FRICS FAAV
For
Mrs Angela Mary Rowland

8th September 2014

THE BROWN RURAL PARTNERSHIP

1. Introduction

1.1 I am John Seed and I have been a partner in the Brown Rural Partnership, based in Macclesfield Cheshire, since its inception in 1995. We undertake a full range of land agency and rural property work including compensation, and I have been practicing in the northwest of England, with occasional UK wide instructions, since 1973. I am a former Chairman of the regional rural practice division of the RICS and a former President of the Cheshire Agricultural Valuers Association.

1.2 I was instructed Mrs Rowland in November 2013.

1.3 Our client owns a paddock of approximately 4.08 acres (1.65 hectares), which is currently let on a Grazing Licence to Charles Jones. The CPO affects approximately 0.25 acres (0.10 hectares). Our client is concerned about the impact of the introduction of a new bridleway on to the only access track to their land. This concern is shared with Mr J Fielding, Charles and Richard Jones, and, to a lesser extent M and P Darnell.

1.4 Our client sumbitted a letter of objection to the CPO and SRO and the grounds of that objection still stand.

1.5 Appendices:

1.5.1 The Authority's Drawing No. 1007/3D/DF7/A6/MA/GA/308 to show width of existing access track.

1.5.2 Extract from John Nix Farm Management Pocket Book relating to cost of road construction.

1.5.1 Extract from The Highways Agency: The Geometric Design of Pedestrian, Cycle and Equestrian Routes.

1.5.2 Extract from The Countryside Agency: On the right track: surface requirements for shared use routes.

1.5.3 Extract from the British Horse Society: Advice on specifications and standards recommended for equestrian routes in England and Wales.

1.5.4 Extract from PROW Good Practice Guide

2. Impact on Land in Agricultural or Equestrian Use: General

2.1 The Acquiring Authority statement of case of May 2014 acknowledges the impact of the scheme on agricultural land:

"The scheme corridor comprises open space and broader countryside. The land use pattern is mainly agricultural land..." (20.2)

"Construction of the scheme will involve the loss of agricultural land..." (20.23)

"The Order land consists of mainly agricultural land and golf courses" (27.1)

"Construction of the relief road will involve the loss of agricultural land..." (Property Demolition, 31.1)

"The relief road will sever and fragment a number of agricultural holdings with potential implications for future operations. In addition to these permanent impacts there are potential temporary impacts on existing uses related to disruption to access" (31.2)

2.2 Given that the Authority states that agricultural land (and by extension land in equestrian use) is the main property type to be adversely affected by the scheme, it would be reasonable to expect an assessment of the impact on agricultural holdings both generally and specifically. Whilst the statement of case examines a range of impacts, including environmental, air quality, cultural heritage, landscape, ecology and nature conservation, geology and soils, noise and vibration etc., it offers no explanation of the impact on agricultural land, and how this is to be mitigated.

2.3 It is accepted that the Authority commissioned a limited Agricultural Impact Assessment; this has resulted in a brief section in the Environmental Statement but chiefly as an appendix to it. It was prepared, so far as I can determine, after minimal investigation and consultation; I was involved in an office meeting of approximately 1.5 hours with the agricultural consultant involved on 12th October 2012, but at an early stage of our being instructed by various clients. I am not aware of any detailed consultations by the consultant with our clients directly. The agricultural data sheets provide a brief summary of the impact of the scheme on various landholdings and a very brief note on proposed mitigation.

2.4 It is critical for the future use of retained land in agricultural or equestrian use that the scheme and/or its contractors employ specialist land drainage consultants and contractors to advise on and undertake appropriate land drainage remedial works, including new header drains, on relevant lands. This has been proposed as a standard accommodation work but does not appear to have been accepted by the Authority.

3. Permanent Acquisition

3.1 The scheme proposal includes the acquisition of the land by which our client enter her land form the access track to the west, without any provision to maintain the access she currently enjoys.

3.2 The land is not required for the construction of a new road, as the A555 road is already in existence.

3.3. The Authority does not seek to acquire an easement from Mrs Rowland's neighbour, Charles and Richard Jones, for the full extent of the access opening at the south western corner of the paddock. Accordingly the CPO/SRO is defective in that it does not maintain full access to Mrs Rowland's land.

4. Temporary Land Take

4.1 A revised plot plan (dated 07/07/2014) was sent to us by the Authority's Agents, by email, on the 1st September 2014, and this shows an area required for temporary licence, not shown on previous plot plans. It is not clear what the purpose of this area is, and there is no undertaking that it will be returned to our client post-construction.

5. Access to Retained Land

5.1 The track which is subject to the Authority's bridleway proposal was created specifically to deal with severance of lands to the north of the (existing) A555 road, and compensation was settled on the basis that full rights of way would be provided along the track to the subject land. It is the only means of access to the land.

5.2 The design of the new bridleway was carried out without consultation with the landowners and occupiers affected, and therefore without any consideration of the needs of the users of approximately 31.5 acres (12.75 hectares) of land affected.

5.3 The Authority are seeking to increase public rights of access on the back of the road CPO/SRO, but appears unwilling to pay for the mitigation of the impact on our client.

5.4 There is a sufficient footpath network in the area.

5.5 The existing track is in practical terms not wide enough for modern agricultural traffic: tractor widths are routinely 2.4 metres and hay harvesting equipment 2.6 metres: these compare with the current track width shown on the drawing at Appendix 1.5.2. The measurements taken on site for Appendix 1.5.2 followed hedge cutting; when hedges grow out, the practical widths available are less. There is insufficient width for modern farm machinery and other traffic to pass along the existing track.

5.6 In the circumstances introducing new pedestrian, cycle and equestrian traffic creates a safety hazard which offends one of the key objectives of the scheme.

5.7 Extracts from Guidance/Advice from the Highways Agency, The Countryside Agency, the British Horse Society and the PROW Good Practice Guide appear in the appendices. These include:

- Highways Agency: where horses are expected to pass, a preferred minimum width of 3 metres. A preferred minimum width for pedestrian and cycle routes of 5 metres.
- Countryside Agency: optimum width for bridleways: 4 metres; desirable minimum width for bridleways 2.9 metres.
- British Horse Society: recommended standard for bridleways: 5 metres.
- Rights of Way Act 1990 Schedule 12A: minimum and maximum width for bridleways: 3 metres.

It appears that such standards have not been considered in the design process.

5.8 The client has put forward a practical proposal involving the provision of a new track within the claimant's landholding, immediately to the north of the line of the existing hedge between the track and land affected by the proposal. The new track would be used solely by the claimant for agricultural and equestrian purposes, and will be maintained at the claimant's expense. This would leave the existing track (other than at its opening from Hall Moss Lane) to be used entirely by new pedestrian, cycle and equestrian traffic. This deals with all safety concerns (the opening at Hall Moss Lane could be widened to enhance safety).

5.9 The cost of a new 3.2 metre wide agricultural track, to include a new fence to the retained land, would be in the region of £25,000 to £34,000, depending on whether the surface base can be locally excavated material or imported (Ref. extract from John Nix Pocket Book at Appendix 1.5.1).

5.10 We have assessed the injurious affection compensation arising out of a restricted access way servicing the land owned by Messrs Fielding, Jones and Rowland at in excess of £150,000.

5.11 The Authority's first response to our clients concerns was to design occasional passing places. This proposal does not deal with our clients concerns as new users of the bridleway will not necessarily give way to existing agricultural traffic, meaning that agricultural traffic may have to reverse to the nearest passing place (notwithstanding any cyclists, horse riders etc. behind as well as in front of the vehicles.

5.12 The dual track option is considered to be "uneconomic" (email Henry Church to John Seed, 24/07/14) and "not considered a viable solution" (email Henry Church to John Seed, 05/08/14).

5.13 The Authority's second response was to widen the track by 1 metre (possibly including fencing). This was proposed in the email referred to above of the 5th August 2014 in which it was stated "SMBC has modified the scheme to allow for the widening of the line by 1 metre along its length, as per the attached plan. Please advise your clients accordingly." The latter comment is symptomatic of the Authority's attitude – it prefers to impose solutions rather than consult and discuss them. The additional 1 metre width is insufficient for horse riders.

5.14 We have requested the Authority to confirm:

- Their cost estimate of the dual track option.
- The cost of providing new cycling and equestrian routes on the scheme generally so that the Authority's comments about the actual and environmental costs of the dual track option can be considered in their full context.
- What detailed proposals exist for managing the shared access arrangement the Authority proposes, in terms of traffic movements and safety.

These questions remain unanswered.

6. Conclusion

6.1 Confirmation of the CPO/SRO whilst the status of the track and associated mitigation measures remain unclear it would be premature. At any rate the Acquiring Authority have failed to make a compelling case for the inclusion of the full extent of land involved in both permanent and temporary land take, and accordingly the CPO should not be confirmed on the lands in question.

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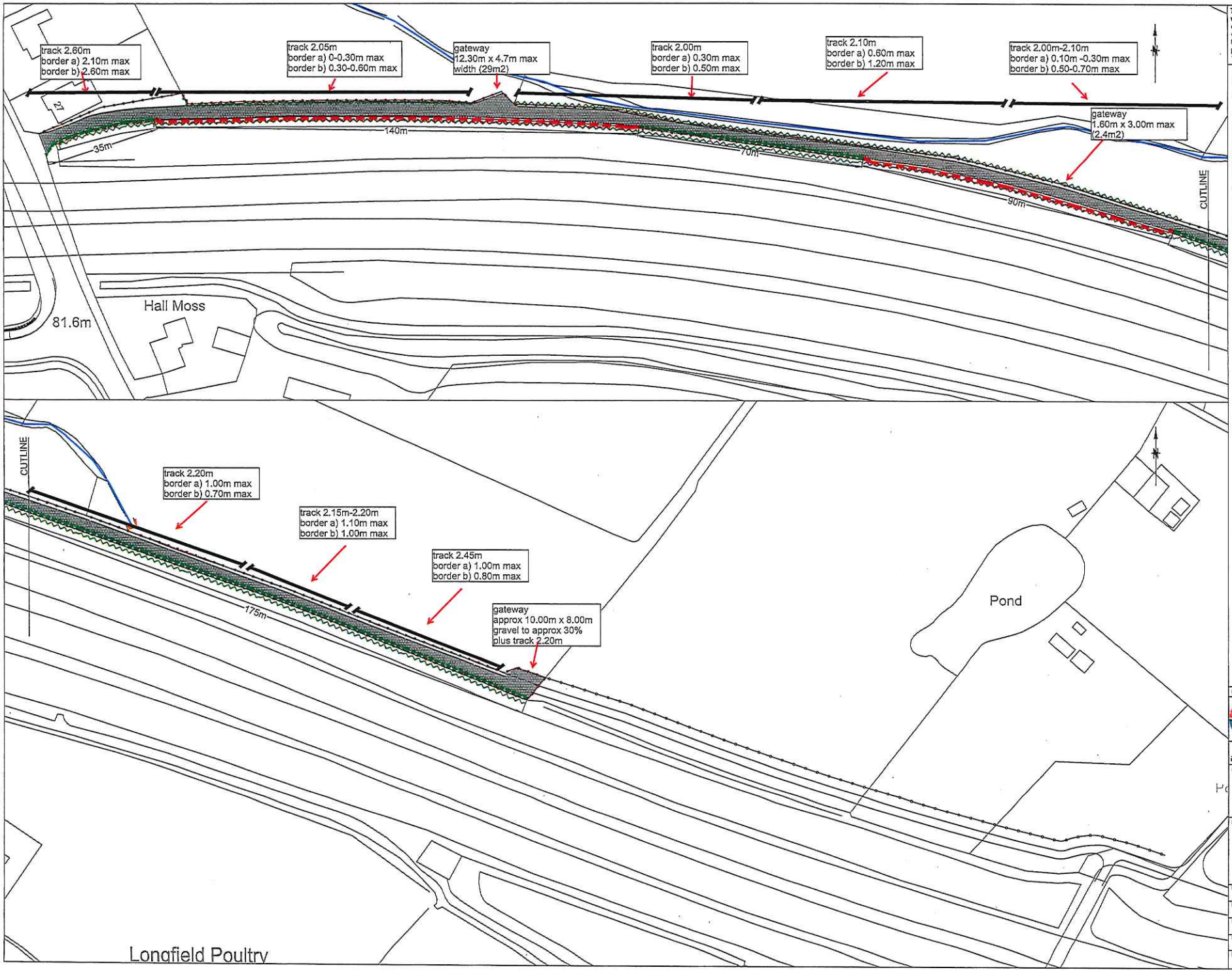
Brown Rural Partnership
29 Church Street
Macclesfield
Cheshire
SK11 6LB

8th September 2014

APPENDIX 1.5.1

The Authority's Drawing No. 1007/3D/DF7/A6/MA/GA/308 to show width of existing access track



KEY

- EXISTING HEDGEROW
- EXISTING FENCLINE
- EXISTING WATERCOURSE
- EXISTING TRACK
- PROPOSED REGULATING COURSE
- PROPOSED VEGETATION CLEARANCE
- PROPOSED FENCELINE
- PROPOSED 1.0m TRACK WIDENING WITHIN THE EXISTING FENCELINE
- PROPOSED 1.0m TRACK WIDENING OUTSIDE EXISTING FENCELINE

Rev.	Drawn	Checked	Date	Revision Details

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Job Title

SEMMMS - A6 TO MANCHESTER AIRPORT RELIEF ROAD

Drawing Title

CHARLES-JONES/ ROWLAND LAND - CYCLEWAY OPTION 1

Drawn	Engineer	Checked	Approved
JW	JW	NH	
Date 28.07.14	Date 28.07.14	Date 22.08.14	Date 22.08.14

Size	Scale
A1	1:500

OGC No. | Filename

Drawing No. 1007/3D/DF7/A6-MA/GA/308 | Revision -

APPENDIX 1.5.2

Extract from John Nix Farm Management Pocket Book relating to cost of road Construction

John Nix Farm Management Pocketbook

FORTY FOURTH EDITION (2014)
Published September 2013

Copies of this book may be obtained from:
The Pocketbook, 2 Nottingham Street,
Melton Mowbray, Leicestershire LE13 1NW.
(Tel: 01664 564 508 Fax: 01664 503 201)
And is also available online at
www.thepocketbook.co.uk

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Over 100 copies: *call us*
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ISBN 978-0-9576939-0-6

The John Nix Farm Management Pocketbook
published by Agro Business Consultants Ltd

2.	Finishing	*per baconer*
	(a) Prefabricated fattening house with part-slatted floors, trough feeding	£265
	(b) Prefabricated fattening house with part-slatted floors, floor fed	£255
	(c) Steel framed building with insulated blockwork walls, part-slatted floors, trough fed	£110
	(d) Automatic feeding systems for items (a), (b) and (c) above:	
	dry-feed system with ad-lib hoppers	£675
	dry on-floor feeding	£16.00
	wet feeding	£23
3.	Dry sows and boars	*per sow*
	(a) Yards with floor feeding	£375
	(b) Sow cubicle system	£600
	(c) Yards with electronic feeders	£1,050
	(d) Yards with individual feeders	£1,250
	(e) Two-yard system with flat-rate feeding	£1,350
	(f) Boar pens as part of sow house	£2,750 each
4.	Complete pig unit	
	Building costs calculated on basis of three-week weaning, 23 pigs per sow per year to bacon, excl. external slurry or dung storage, feed storage and handling/weighing facilities:	
	(a) Breeding and rearing only	£2,100 per sow
	(b) Breeding with progeny to bacon	£3,750 per sow

Poultry Housing and Equipment		*per bird*
1.	Intensive enriched cages with automatic feeding and egg collection; (new traditional cages were banned from 1st January 2003;only enriched cages complete with nest box, perches and scratching area are now allowed)	£24.00-£28.00
2.	Perchery/barn	£22.00-£27.00
3.	Free Range: new sites stocked at 9 birds per m²,	£27.50-£35.00
	existing sites stocked at 11.7 birds per m²	£22.50-£29.00
	smaller mobile units will cost	£32.00 plus
4.	Broiler Breeders, deep litter, 0.167 m² per bird	£29.00
5.	Pullets (cage and floor reared)	£16.50
6.	Broilers, deep litter, 0.05 m² per bird	£9.50-£10.50
7.	Turkeys, 20,000 pole barn fattening unit (cost varies with size of unit and degree of automation)	£21.00-£28.00

Grain Storage and Drying		*per tonne stored*
1.	Intake pit, conveyor, elevator, overhead conveyor and catwalk, storage bins within existing building	£240
	extra for low volume ventilation of bins	£95

2.	As 1 in new building	£340
3.	Portable grain walling for on-floor storage in existing building	£55
4.	On floor grain storage in purpose-built building	£125
	Extras:	
	(a) low volume ventilation	£9.00-£10.00
	(b) on-floor drying with above-ground main duct and laterals	£135
	(c) add to (b) for below-ground laterals	£17.00
5.	Sealed towers for moist grain, including loading and unloading equipment	£165-£210

Potato Storage		*per tonne stored*
1.	Pallet-box store with recirculation fans	£240
	Pallet boxes, 1 tonne	£85
2.	Bulk store, building only	£225
	Ventilation system: fans, main duct, below-floor lateral ducts	£55

Roads and Fences	*per m length*
3.2 m wide hardcore road with drainage ditches using locally excavated material	£35.00
using imported hardcore (£6.15/m³)	£50.00
extra for bitumen macadam surfacing, two coats	£57.00
Traditional 7-wire stock fence	£8.50
High tensile 7-wire stock fence	£6.50

Construction Equipment Hire	*hourly rate, with driver*
Excavator	£30.00-£40.00
Tipping lorry	£40.00-£55.00
10-tonne crane	£50.00-£70.00
	weekly rate
Concrete mixer, 100 litre (5/3)	£50
Compressor and heavy breaker	£140

APPENDIX 1.5.3

Extract from The Highways Agency: The Geometric Design of Pedestrian, Cycle and Equestrian Routes

THE HIGHWAYS AGENCY

SCOTTISH EXECUTIVE

WELSH ASSEMBLY GOVERNMENT
LLYWODRAETH CYNULLIAD CYMRU

THE DEPARTMENT FOR REGIONAL DEVELOPMENT
NORTHERN IRELAND

The Geometric Design of Pedestrian, Cycle and Equestrian Routes

Summary: This Advice Note provides guidance on the geometric design for NMU off-carriageway routes associated with trunk road or motorway improvement schemes.

VOLUME 6 ROAD GEOMETRY
SECTION 3 HIGHWAY FEATURES

PART 5

TA 90/05

THE GEOMETRIC DESIGN OF PEDESTRIAN, CYCLE AND EQUESTRIAN ROUTES

SUMMARY

This Advice Note provides guidance on the geometric design for NMU off-carriageway routes associated with trunk road or motorway improvement schemes.

INSTRUCTIONS FOR USE

This is a new document to be inserted into the manual.

1. Remove Contents pages from Volume 6.
2. Insert new Contents page for Volume 5 dated February 2005.
3. Insert TA 90/05 into Volume 6, Section 3.
4. Please archive this sheet as appropriate.

Note: A quarterly index with a full set of Volume Contents Pages is available separately from The Stationery Office Ltd.

7. CROSS-SECTION

7.1 The cross-section of an NMU facility will depend upon a number of factors, including:

- whether it is a shared use, adjacent use or unsegregated route;
- visibility;
- boundary design;
- whether the route is adjacent to a highway or away from it; and
- the need for street furniture within the facility.

7.2 Where obstructions are unavoidably present, the width of routes described in the following sections should be increased by at least the width of the obstruction. Obstructions at or near the centreline of a route may render the site too hazardous or too narrow to use.

7.3 Detailed advice on cross-sections of NMU routes is provided in draft LTN 2/04. Widths of NMU routes across footbridges are covered in BD 29 (DMRB 2.2.8). The remainder of this chapter summarises the key parameters of most relevance to typical routes adjacent to rural trunk roads.

Pedestrian-Only Routes

7.4 Table 7.1 provides values for the surfaced widths of unbounded pedestrian routes. A route is considered unbounded when it is not adjacent to a physical barrier such as a wall or fence at the edge of the route. Where it is not practicable to provide widths of 2.0m for the full length of a route, widths of 1.3m may be provided over short distances.

Preferred Width	2.6m
Acceptable Minimum	2.0m

Table 7.1 – Surfaced Widths of Pedestrian-Only Routes

Off-Carriageway Cycle Routes

7.5 Table 7.2 provides values for the surfaced widths of unbounded cycle-only routes.

Preferred Width	3.0m
Acceptable Minimum	2.0m

Table 7.2 – Surfaced Widths of Cycle-Only Routes

7.6 Where it is not practicable to provide widths of 2.0m for the full length of a route, widths of 1.5m may be provided over short distances.

7.7 At gates and where routes are signed for single file use at pinch points, the surfaced width of the route may be reduced to 1.2m.

7.8 Sections of off-carriageway cycle route where single file use is unavoidable should be signed accordingly. Single file sections should be no longer than the SSD for the route. Where there are different design speeds on either side of a single file section, the lower value of SSD should be used.

7.9 Transitions from one width to another should normally be tapered at a rate no sharper than 1:7 for design speeds greater than or equal to 30kph. For lower design speeds, the taper may be reduced to 1:5.

Equestrian Routes

7.10 There are very few equestrian-only routes, as in practice most rights of way are shared with other users. Therefore, the cross-section of a route will normally depend upon the likely interaction of equestrians with other users.

7.11 Ridden horses can occupy a width of around 1.5m, and a surfaced width of 2.0m should be provided as a minimum to accommodate this. Where horses are expected to pass, a minimum width of 3.0m should be provided.

7.12 Equestrian routes where single file use is unavoidable should be signed accordingly. Single file

sections should be no longer than the SSD for the route. Where there are different design speeds on either side of a single file section, the lower value of SSD should be used.

7.13 At gates, the likelihood of two equestrians meeting in opposite directions is low. BS5709:2001 specifies a minimum width for bridle gates of 1.525m between posts. A rider would expect to be able to turn 90° after passing through the gate to be able to close it from horseback. Hence, there should be a paved width of 3.0m on either side of the gate for a distance of 5.0m. Fencing for 1.5m each side of a gate should be free of barbed wire and overhanging trees.

7.14 There may be a need to turn a horse around at some point on an equestrian route. Designers should ensure that locations are available at intervals of no more than 1 km where this can be easily and safely undertaken. The surfaced width of the route at such locations should be a minimum of 3.0m.

7.15 There should be no sudden changes of cross-section on equestrian routes, except at gates, as these may unnerve the horse. Where changes in cross-section are necessary, tapers of no sharper than 1:7 should be used.

Shared and Adjacent Use Routes for NMUs

7.16 Shared use facilities should generally be restricted to where flows of either cyclists or pedestrians are low, and hence where the potential for conflict is low. Unsegregated shared facilities have operated satisfactorily down to 2.0m wide with combined pedestrian and cycle use of up to 200 per hour. However, the preferred minimum width for an unsegregated facility is 3.0m.

7.17 The potential for conflict between users increases where flows of more than one group are high. In this case it is normally necessary to have some form of segregation along the route. Route segregation should also be considered if disabled people, people with pushchairs or other vulnerable users are likely to make frequent use of the facility. When determining the method of segregation, consideration should be given to the issues above and site-specific factors. For more detailed information refer to draft LTN 2/04.

7.18 The preferred separation between different types of NMU is 1.0m, with an acceptable separation of 0.5m. Greater verge widths facilitate maintenance. Verges adjacent to field boundaries and existing hedgerows should be a minimum of 0.5m wide to allow hedges to overhang the route without interfering with its use.

7.19 If the separation described above cannot be provided, segregation may be achieved by use of a post and single rail fence, railings, kerbs or delineator strips. Guardrails should only be used in short lengths, because over any appreciable distance the risk of cycle handlebars and pedals colliding with them is increased. Fences and guardrails can also trap users on the 'wrong' side. The principles are set out in more detail in draft LTN 2/04 and 'Inclusive Mobility' (DfT, 2002).

7.20 Table 7.3 provides values for the surfaced widths of pedestrian/cycle routes segregated by line.

Preferred Minimum	5.0m (3.0m cycle route, 2.0m pedestrian route)
Acceptable Minimum	3.0m (1.5m cycle route, 1.5m pedestrian route)

Table 7.3 – Surfaced Widths of Unbounded Pedestrian/Cycle Routes Segregated by Line

Boundary Treatments

7.21 The above widths for pedestrian and cycle routes should be modified in particular circumstances as follows (see Figure 7.1):

- for a route bounded on one side (where the boundary height is up to 1.2m), an extra 0.25m should be provided to allow for 'kerb shyness' between the route and the barrier;
- for a route bounded on one side (where the boundary height is greater than 1.2m), an extra 0.5m should be provided to allow for 'kerb shyness' between the route and the barrier; and
- for a route bounded on both sides, an extra 0.25m or 0.5m should be provided on each side as appropriate.

7.22 It is desirable to provide physical separation between NMU routes and carriageways. For pedestrians and cyclists the preferred separation between the NMU route and the carriageway is 1.5m, with an acceptable separation of 0.5m. The higher value of 1.5m should, where possible, be used on roads with speed limits in excess of 40mph. If a hardstrip is provided, this can be considered as part of the separation. Where new routes

are introduced, street furniture and all vegetation (except grass) within the separation distance should be removed or the verge widened.

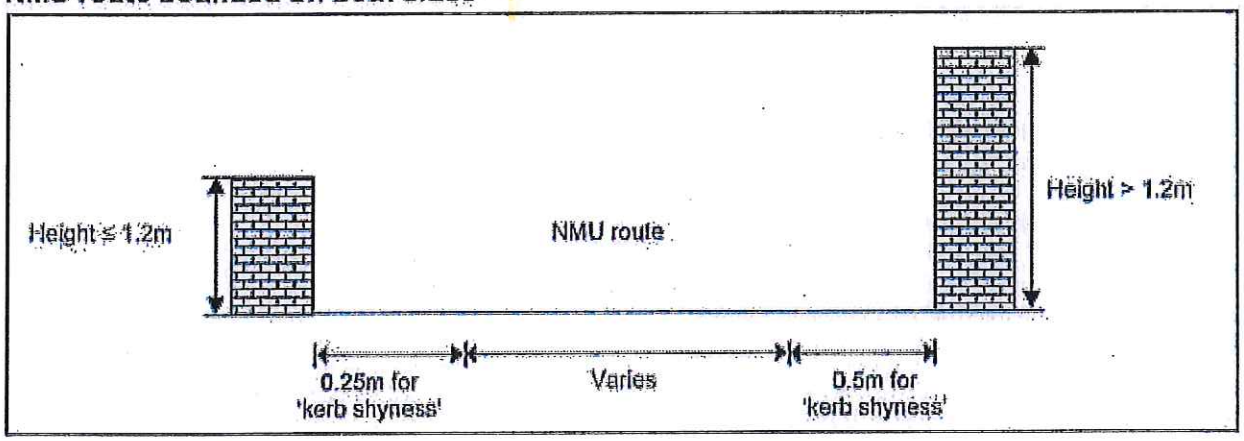
7.23 For routes used by equestrians, the separation of the route from the carriageway should be a preferred minimum of 1.8m. If a hardstrip is provided, this can be considered as part of the separation. Where near continuous screening is provided between the equestrian route and the carriageway, gaps should be avoided, as they may unnerve horses.

Hazards Adjacent to NMU Routes

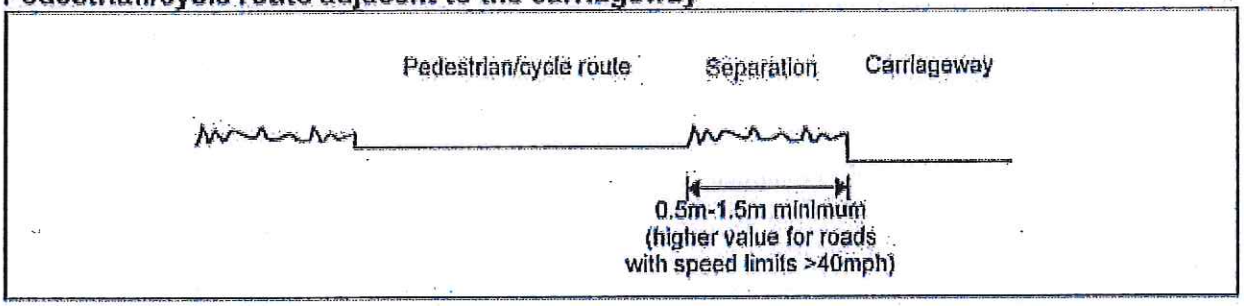
7.24 Where an NMU route is adjacent to hazards such as a ditch (or other water feature) or embankment slopes steeper than 1 in 3, a separation greater than that recommended in paragraphs 7.22 and 7.23 should be considered to minimise the risks. Designers should also consider providing physical barriers, such as dense shrubbery, guardrails or fences. Further information is provided in the Overseeing Organisations' standards for road restraint systems.

7.25 The risks described above are heightened at sharp bends, particularly for cyclists at night if the route is unlit. In such circumstances consideration should be given to lighting the bend, increasing the recommended separation and provision of warning signs.

NMU route bounded on both sides



Pedestrian/cycle route adjacent to the carriageway



Equestrian route adjacent to the carriageway

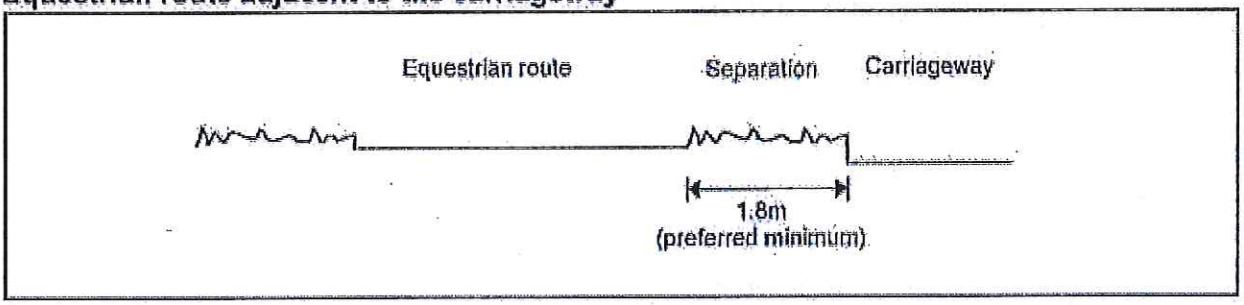


Figure 7.1: Boundary treatments for NMU Routes

APPENDIX 1.5.4

Extract from The Countryside Agency: On the right track: surface requirements for shared use routes

The Countryside Agency
Landscape
Access
Recreation

On the right track: surface requirements for shared use routes

(excluding mechanically propelled vehicles)

Good Practice Guide

Helping everyone to respect, protect and enjoy the countryside

On the right track: surface requirements for shared use routes

(excluding mechanically propelled vehicles)

Distributed by:
Countryside Agency Publications
PO Box 125
Wetherby
West Yorkshire LS23 7EP

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www.countryside.gov.uk

September 2005

7.2 Design considerations

The following aspects of route design should be addressed as part of the decision-making process:

- Route alignment.
- Balancing earthworks requirements (import/export of materials, using local sources).
- Surfacing type and construction (full depth or partial).
- Segregation, barriers and edging.

Waymarking is not considered in this Guide; information can be found in the County Surveyors Society Countryside Working Group's 'Report on the Surfacing of Bridleways' [CSS, 2005]. Drainage aspects and surfacing type and construction are discussed in detail in Section 9.

Photograph courtesy of Sustrans (www.sustrans.org.uk)

A segregated route for cyclists and pedestrians

Photograph courtesy of Scott Wilson Pavement Engineering (www.swpe.com)

Surface erosion of a route on a gradient

7.2.1 Route alignment

The alignment of shared use routes should be designed to suit or enhance the local landscape and environment and be sensitive to the natural surroundings. The realignment of existing routes should only be considered when there is a beneficial reason for doing so, such as producing an alignment that blends better with the landscape or protects archaeological or ecological features.

When planning route alignment, if possible, design the route to make it interesting for users, and to minimise potential conflicts. Routes should ideally follow natural contours or existing desire lines, to avoid users creating new short cuts. Long linear lengths with steep gradients, should be avoided, especially in high rainfall areas prone to erosion.

7.2.2 Segregation

Shared use routes, with segregated sections for different users, do exist. Segregation can range from a physical kerb or verge between different surfacings, to a tactile or painted line on the same surface. Whether segregation is needed, and what form it takes, depends on the expected level and type of use and should be considered as part of route design.

Guidance on types and minimum widths for segregation are provided in the 'Greenways Handbook' [Countryside Agency, 2000], Sustrans' 'National Cycle Network - Guidelines and Practical Details' [Sustrans, 1997] and the Department for Transport's 'Adjacent and Shared Use Facilities for Pedestrians and Cyclists' (Draft for consultation) [DfT, 2004b].

The Greenways Handbook recommends that segregated paths be considered when:

- There are significant user flows.
- There are concerns for blind/visually impaired people.

The Department for Transport's draft publication [DfT, 2004b] recommends "a presumption in favour of segregation" of pedestrian and cycle traffic. Reasons for and against segregation are given as:

Reasons to segregate a route

- If high flows of pedestrians or cyclists are expected.
- If disabled people or other vulnerable users are likely to use the facility frequently.
- If there is sufficient width available.

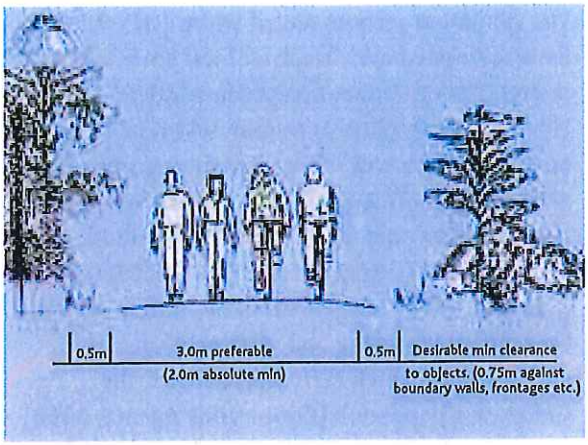
Reasons to not segregate a route

- If flows of pedestrians or cyclists are expected to be low.
- If flows of pedestrians in particular are expected to be very low.
- If disabled people or other vulnerable users are unlikely to use the facility.
- If there is limited width available.

For unsegregated cycling/walking routes, the Greenways Handbook [Countryside Agency, 2000], the Sustrans Guidelines [Sustrans, 1997], and the Department for Transport (DfT) draft publication [DfT, 2004b] recommend:

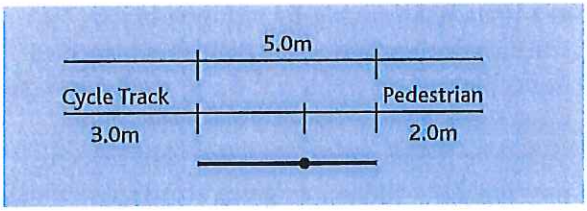
- A minimum width of 3 metres.
- An absolute minimum of 2 metres but only if traffic flows are less than 200 users per hour and there is a clear verge on each side of the route.

However, the Sustrans Guidelines [Sustrans, 1997] recognise that high cycling and pedestrian traffic flows can be accommodated on restricted width paths when the routes are delineated with a white line. Reference should be made to these guidelines for routes where smaller widths are available. Where segregation is not possible, but traffic flows are expected to be large, measures to encourage careful use must be included in the route design.



The desirable widths of shared cycle tracks/footpaths [Sustrans, 1997]

Canal towpaths and other routes by waterways can have a limited verge on either side of the route and are constrained by the waters edge. For cycling/walking routes on canal towpaths, the Sustrans Guidelines [Sustrans, 1997] recommend a minimum width of 2 metres for the route, with a clearance of 1.2 metres to the canalside; for example, to accommodate anglers or boat moorings. On towpaths, the route design needs to consider the construction of bank protection, such as tiebacks, piling and bio-engineering. Tiebacks must not jut into the towpath. Canal towpath work will normally involve British Waterways, who should always be consulted at an early stage (details provided in Appendix B).



The desirable widths of shared canal towpaths [Sustrans, 1997]

For segregated routes, the DfT draft publication [DfT 2004b] recommends a width for urban footways on local roads of 2 metres, which allows users with pushchairs or in wheelchairs to pass comfortably. The minimum acceptable width for a footway or footpath is 1.5 metres, which allows a pedestrian to pass a wheelchair user. An absolute minimum width of 1 metre is permissible if users are unlikely to need to pass or overtake one another. This absolute minimum should not extend for more than 6 metres along the route. Optimum widths for segregated pedestrian and cycling routes [Sustrans, 1997].

The minimum recommended width [DfT, 2004b] for a segregated cycle track on local roads is 3 metres. The minimum acceptable width is 2 metres. However, an absolute minimum width of 1.5 metres on a cycle track will allow users to pass one another with difficulty. This absolute minimum on a cycle track is not as onerous as the absolute minimum for a footpath or footway. The Sustrans Guidelines [Sustrans, 1997] suggest similar optimum widths for segregated cycling and walking routes.

For routes which carry horse-riders, the Greenways Handbook [Countryside Agency, 2000] recommends segregation from pedestrians and cyclists, and the provision of separate surfaces. For horse-riding routes, which can be segregated or shared use, the Handbook recommends:

- An optimum width of 4 metres, to take two horses abreast and allow passing.
- A desirable minimum width of 2.9 metres, which allows a horse to turn.
- An absolute minimum width of 2 metres. This absolute minimum should only be considered if there is an open verge, where traffic flows are low and where passing and turning are not necessary.

The British Horse Society suggests an ideal width of 5 metres for newly created or diverted routes, but confirms 4 metres as an optimum and recognises that many perfectly acceptable bridleways are 3 metres or less. It should be noted that, if the width of a route is proven, e.g. by inclusion in the statement accompanying the Definative Map, then that is the defined width (i.e. the minimum and the maximum). If the width of a shared use route cannot be proven, the minimum widths suggested may apply, not withstanding that actual space which may be available.

Tactile surfaces and raised dividing lines help blind and partially sighted people to position themselves and stay on the correct side of a segregated route [DfT, 1990]. Where raised dividing lines are used, care should be taken not to inadvertently create a trip hazard. The British Horse Society has some reservations about segregation, which could constitute a hazard on shared use routes.

7.2.3 Barriers

The use of barriers and physical segregation can be an obtrusive and unwelcome aspect of shared use routes. However, the occasional use of barriers may be required; for example, fencing stock control or balustrades on narrow under-bridge sections of canal towpaths. Barriers should not prevent access by mobility impaired users, whether on foot, in a wheelchair, on a pedal cycle, on horseback or driving a horse-drawn carriage.

There are circumstances - for example, where shared use routes intersect with busy roads - where access controls can increase the safety of legitimate users, making them aware of the road hazard and causing them to slow down. However, in general, the use of barriers as access controls should form part of the design considerations and be minimised wherever possible.

Photograph courtesy of CTC (www.ctc.org.uk)

Example of route furniture designed to slow cyclists as they approach a road crossing

Barriers are often used as access controls to prevent illegal use but this is often ineffective and causes inconvenience to the wide range of legitimate users. Regular use of shared routes by legitimate users can assist in minimising illegal use, thus eliminating the need for barriers. Route design can also minimise illegal use; for example, having convoluted and unattractive route entrances may minimise illegal motorcycling.

APPENDIX 1.5.5

Extract from the British Horse Society: Advice on specifications and standards recommended for equestrian routes in England and Wales

ADVICE ON

Specifications and Standards recommended for equestrian routes in England and Wales

The British Horse Society

The British Horse Society is often asked to provide specifications for various aspects of rights of way. We are also asked for advice on other facilities such as margins alongside roads, or bridges over roads or streams. Some standards are required by law, others have been agreed with the Department for Transport. In most cases a desirable specification is given and it is stressed that this recommended standard is to be regarded as the norm, but that a lesser standard may be acceptable in exceptional cases with local agreement.

Conditions of terrain and soil type in different areas affect requirements locally. Therefore, each case should be considered on its merits in consultation with the Society's local Access and Bridleways Officer.

This Advice Note provides a readily accessible summary of the main practical points about providing access for horses and riders, which are intended to complement and refer to other relevant sources of information, such as our publications on Gates and Cattle Grids.

Riders are no different from walkers and cyclists, or indeed, anyone else who enjoys the countryside in that they (and their horses) come in all shapes and sizes, with considerable variety in their interests, skills, needs and preferences. Some prefer well-defined, surfaced routes, whereas others enjoy the challenge of informal, ill-defined paths across remote hills.

The key is to provide a variety of routes, surfaces and experiences, and to take into account basic needs, aspirations and constraints of all users.

Recommendations

Widths

In Modification Orders

The Society will object if the width stated is less than that for which there is substantive evidence, or if a single whole route width is stated where there is evidence that the path is demonstrably wider in places.

In Diversion Orders

The Society encourages Order Making Authorities to adopt a Recommended Standard of 5m (16½ft) width for diverted bridleways.

The Society will usually object to bridleway diversion proposals where the width of the replacement bridleway is less than 4m (13ft) unless exceptional circumstances apply.

In Creation Orders

The Society encourages Order Making Authorities to adopt a Recommended Standard of 5m (16½ft) width for new bridleways but recognises that a lesser width may be necessary in order to create any path in some cases. The Society will encourage the provision of the standard 5m width whenever possible.

For greenways and those considered to be of strategic importance, 10m (33ft) allows for better segregation of different classes of user and for the provision of trees and hedges and benches for resting walkers, so making the route more pleasant for all users.

For general maintenance or enforcement purposes

Where there is no substantive evidence of a path's width, the Society will request that a width of no less than 3m (10ft) is cleared. If the Definitive Statement includes a width, then a minimum of that width should be reinstated so long as it is wide enough to be practical (at least 3m if bounded on one or both sides, 2m if open).

General points

Where it is required to turn a horse (in order to close a gate, for example), the ideal space required is at least 4m x 4m. Many large horses require more than 4m to turn easily. The absolute minimum space required is a diameter of 3m (9ft) on clear, flat ground with no protusions or overhanging vegetation. This will be too restrictive for some horses and could result in injury should a horse panic at being so constrained. It allows no leeway at all for a horse being startled by a sudden movement or sound, perhaps from wildlife in a hedge, or for coping with temporary conditions such as standing water or preferably more to avoid potential of injury on fencing, gates or other structures and if ground is uneven or there is overhanging vegetation.

The width between gateposts (S.145 Highways Act 1980) should be five feet on a bridleway, 10 feet on a restricted byway or byway open to all traffic or road (surfaced or not).

To avoid injury, posts should be rounded off and there should be no barbed wire or electric fence for at least 2m on either side of a gate.

lines. Sharply pointed signs should not be level with the head of horse or rider. Major signs should be placed at a height that allows riders to pass safely underneath.

Margins/Verges

Margins should be provided where it would be hazardous for riders to use the carriageway (S.71 Highways Act 1980) especially where the road forms an essential link to the rights of way network. Where there is significant usage a path may be hardened for riders' use (DfT Advice Note TA 57/87).

Road margins should not be allowed to become dumps for spoil. Verges are often legally part of the carriageway and should not be obstructed. They form a vital safety zone for riders. It is recognised that verges are sometimes used for conservation or ornamental purposes, but care should be taken to ensure that such use does not impede the passage of the public.

This Advice Note should be read in conjunction with other BHS advice which can be requested from the address below.

Access Department
The British Horse Society
Abbey Park, Stareton
Kenilworth, Warwickshire CV8 2XZ
Call: 02476 840515 Fax: 02476 840501
www.bhs.org.uk email: enquiries@bhs.org.uk

This advice note applies to England and Wales. For information on Scotland, contact Helene Mauchlen, BHS Director for Scotland, Woodburn, Crieff, Perthshire PH7 3RG
Telephone: 02476 840727 email: h.mauchlen@bhs.org.uk

For information on Northern Ireland please contact
Susan Irwin, BHS Director for Ireland,
Grove Farm, 5 Quarry Road, Greyabbey, Newtownards, Co. Down BT22 2QF
Tel: 02476 840736 Mob: 07808 141079 email: s.irwin@bhs.org.uk

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2014/7

The British Horse Society

APPENDIX 1.5.6

Extract from PROW Good Practice Guide

IPROW Good Practice Guide.

Widths

From GPG

See The ascertainment and recording of widths for public rights of way for a more detailed essay.

There is no general rule applying to the width of public rights of way and the width of a path is a matter of fact to be determined on each occasion based upon the following.

The width may be set out in the Statement accompanying the Definitive Map or following a legal order such as a diversion or modification order. In such circumstances the defined width set out in those documents is the legal width. The width may be set out in a historical document relating to the path and the weight of evidential value may vary according to the document, for example, an Enclosure Award will be legally binding if the path width has not been altered since, but other documents may have lesser weight.

The width of the way may be that between boundaries such as hedges, fences or ditches, although it will be necessary to consider the purposes for which the boundaries were set out, such as in relation to the highway or for other purposes (see Hale v Norfolk County Council (http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWCA/Civ/2000/290.html) [2000] EWCA Civ 290).

The width may also be that which the public has customarily enjoyed. In the absence of any evidence there may still be a requirement to determine a width. It would then be reasonable to require a width to be made available which would be sufficient for two users to pass. Authorities should publish the widths they would normally require to be available in any information to landowners. For a footpath, this could be regarded as 2 metres; a bridleway, 3 metres; and a byway, 5 metres.

An encroachment into the width of a public right of way is an obstruction and a criminal offence and Rights of Way Officers will need to deal with encroachments according to their policies and protocols, see enforcement default action, enforcement and enforcement procedures.

The Rights of Way Act 1990 Schedule 12A introduced the concept of minimum and maximum widths in circumstances of reinstatement following ploughing and cultivation in cases where there is no recorded width and provides for the following:

1. for cross-field paths:
   - footpath: minimum width 1 metre and maximum width 1.8 metres;
   - bridleway: minimum width 2 metres and maximum width 3 metres;
2. for field-edge (headland) paths:
   - footpath: minimum width 1.5 metres; maximum width 1.8 metres;
   - bridleway: minimum width and maximum width 3 metres;
3. other highways (including byways and restricted byways): minimum width 3 metres; maximum width 5 metres.

The minimum and maximum widths for field-edge paths and for other highways which may not be ploughed or otherwise disturbed provide a benchmark to assist the highway authority in determining whether or not the highway has been encroached upon.

Category: Enforcement