

Dear Jillian

Please include this in the objections to the proposed development at Birdsedge.

Kind regards

PUBLIC RIGHTS OF WAY AND RECREATIONAL AMENITY

A Significant and Underestimated Planning Harm

The impact of this proposal on the Public Rights of Way network should be given **substantial weight** in the determination of planning application **2026/60/91494**.

This is supported by the **National Planning Policy Framework (NPPF)**, which requires planning decisions to recognise that planning should support **healthy and safe communities**, including through the protection and enhancement of **public rights of way and access to high-quality open spaces and opportunities for sport and recreation** (NPPF Chapter 8, particularly paragraph 96).

The application site is located within a particularly sensitive recreational landscape, surrounded by an unusually extensive network of established Public Rights of Way and Long Distance Walkers Association (LDWA) routes

The significance of this network is considerably greater than simply the existence of individual footpaths. These routes form an interconnected recreational resource through which residents and visitors experience the open countryside around Birdsedge.

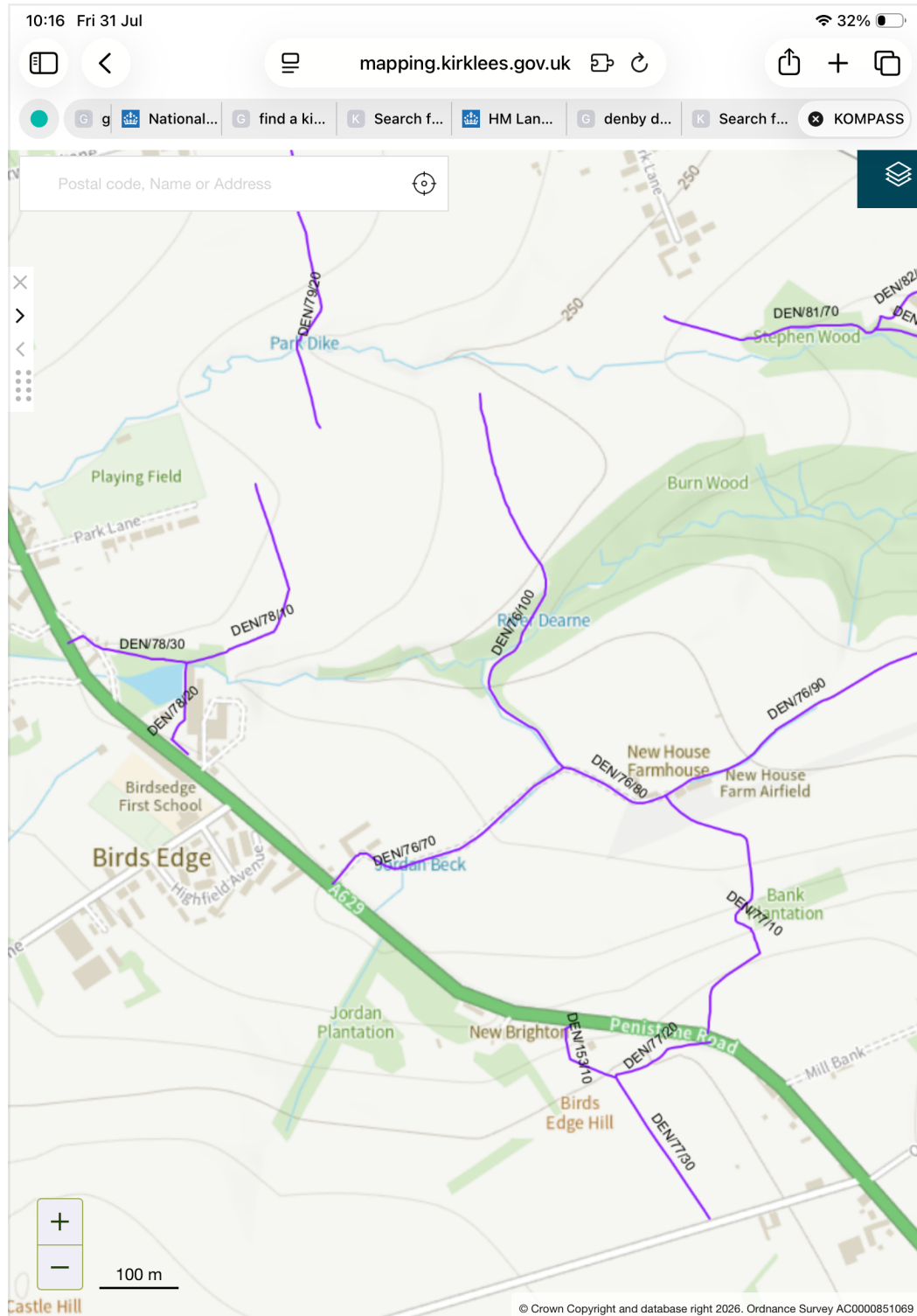
The development would fundamentally change the character and visual setting experienced by users of these routes, contrary to the objectives of **Kirklees Local Plan Policy LP23 (Core Walking and Cycling Network)** and **LP47 (Healthy, Active and Safe Lifestyles)**, both of which seek to protect and enhance active travel and recreational connectivity.

1. EXTENSIVE NETWORK OF PUBLIC RIGHTS OF WAY

The routes of particular concern include:

- **DEN/78/20**
- **DEN/78/10**

- Park Lane, Birdsedge
- DEN/76/100
- DEN/76/70
- DEN/77/10
- DEN/77/30
- DEN/153/10
- DEN/77/20



The number and proximity of these routes is important.

This is not a development affecting one isolated footpath.

It is a proposal within a landscape containing a **network of interconnected public routes**, many of which allow people to walk through and around the countryside without encountering significant urban development.

This directly engages **NPPF paragraph 104**, which requires planning policies and decisions to protect and enhance public rights of way and access, and **Kirklees Local Plan Policy LP31 (Strategic Green Infrastructure Network)**, which recognises the importance of connected green infrastructure for recreation, movement and wellbeing.

The cumulative recreational importance of this network should therefore be properly recognised in the planning assessment.

2. THE SETTING OF A PUBLIC RIGHT OF WAY IS PART OF ITS AMENITY VALUE

A Public Right of Way does not exist in isolation from the landscape through which it passes.

The enjoyment of a rural footpath is intrinsically linked to its surroundings.

This is consistent with **NPPF paragraph 96**, which requires planning decisions to ensure that access to high-quality open spaces and opportunities for recreation are protected and enhanced.

Walkers use these routes precisely because they provide access to open countryside, attractive views, tranquillity, contact with nature and a sense of separation from the built environment.

Consequently, the fact that a footpath may remain physically accessible after development does **not** mean that there is no planning impact.

A route can remain legally open while its **recreational quality and visual amenity are substantially degraded**.

That is the concern in this case.

The proposal would therefore conflict with **Kirklees Local Plan Policy LP32 (Landscape)**, which seeks to ensure that development respects and enhances landscape character and does not result in harmful visual intrusion.

3. URBANISATION OF THE WALKING ENVIRONMENT

The development would introduce a range of urbanising features into the immediate surroundings of these routes, including:

- houses
- estate roads
- vehicles and parking
- domestic gardens
- fencing and boundary walls
- lighting
- hardstanding
- driveways
- domestic paraphernalia
- associated residential activity.

The combined effect would be to introduce a distinctly suburban character into a landscape currently experienced as open countryside.

This would be contrary to **NPPF paragraph 174(b)**, which requires planning decisions to recognise the intrinsic character and beauty of the countryside.

It would also conflict with **Kirklees Local Plan Policy LP1 (Place-Shaping Principles)**, which seeks to ensure that development respects local character and enhances the quality of the built and natural environment.

For walkers, this would result in a fundamental change in the experience of the routes.

Instead of walking through an open rural landscape, users would increasingly be walking alongside or looking towards a residential development.

That represents a **material loss of recreational amenity**.

4. LOSS OF RURAL TRANQUILLITY

One of the principal qualities of these routes is their rural tranquillity.

The introduction of a this substantial residential development would inevitably increase:

- visual activity

- vehicle movements
- pedestrian activity
- domestic noise
- lighting
- artificial structures
- the general sense of human occupation.

This directly conflicts with **NPPF paragraph 185**, which requires planning decisions to protect and enhance valued landscapes and recognise the intrinsic character of the countryside, including tranquillity where it contributes to landscape value.

It also conflicts with **Kirklees Local Plan Policy LP32 (Landscape)** and **LP47 (Healthy, Active and Safe Lifestyles)**, both of which recognise the importance of high-quality environments for wellbeing.

Totally harming the tranquillity currently experienced by walkers.

The value of a countryside walk is not merely the distance travelled.

It is the **quality of the environment through which the person walks**.

5. LOSS OF OPEN VIEWS FROM PUBLIC FOOTPATHS:

The surrounding Public Rights of Way currently provide access to views across open countryside.

The proposed development would introduce built form into those views.

This is directly relevant to **NPPF paragraph 174(a)**, which requires decisions to protect and enhance valued landscapes, and **paragraph 130(c)**, which requires developments to be sympathetic to local character and landscape setting.

From the perspective of a walker, this would result in:

- interruption of existing views
- loss of visual openness
- increased prominence of built development
- reduced sense of countryside
- increased suburbanisation of
- a diminished appreciation of the surrounding landscape.

This is particularly significant because walkers experience the landscape at ground level and often at relatively slow speeds.

They therefore have prolonged exposure to the visual consequences of development.

6. IMPACT IS NOT LIMITED TO A SINGLE VIEWPOINT

The impact should not be assessed from one representative viewpoint alone.

This is consistent with **Landscape Institute guidance and NPPF paragraph 174**, which requires consideration of cumulative and landscape-scale effects.

Users of the surrounding network will encounter the development from multiple directions and at multiple points along their journeys.

The experience will change as walkers approach, pass and move away from the site.

The development may therefore be visible:

- on approach to the site
- alongside the development
- from elevated sections of routes
- through gaps between buildings / trees
- from connecting paths and circular walking routes.

A single photomontage or viewpoint cannot adequately represent this cumulative experience.

The assessment should consider the **sequential experience of a pedestrian moving through the landscape**.

7. THE DEARNE WAY

Particular consideration should be given to the **Dearne Way**.

The Dearne Way is an established Nationally recognised long-distance walking route, marked on the OS map. It is associated with the Long Distance Walkers Association (LDWA) and begins in Birdsedge. The view points associated with the River Dearne both at Jordan Beck and Burns Wood would be totally obscured by the proposed development as would the Ancient Woodland.

Its recreational value depends upon the quality and continuity of the countryside landscape through which it passes.

This engages **NPPF paragraph 96**, which explicitly supports recreational routes and access to the countryside.

Birdsedge therefore has a particular role in the route's identity and being able to appreciate the River Dearne at Jordan Beck and Burns Wood at the beginning of the walk from an open view points is an essential part. The route follows the Dearne for 30 miles to Mexborough where it joins the River Don.

Development which introduces substantial modern housing into the landscape around the route would diminish the rural setting experienced by walkers.

The issue is not whether walkers can technically continue along the route.

The issue is whether they will continue to experience the **same quality of rural landscape and recreational environment**.

They will NOT.

Birdsedge (beginning of the Dearne Way) looking over the proposed development site towards Burn Wood and Emley Moor:



Birdsedge looking towards the Ancient Woodland and Jordan Beck:



Viewpoint from DEN/78/10 over proposed site:



Viewpoint from DEN/78/10 over proposed site:



View from Park Lane Track:



8. TRANS PENNINE 100 LONG DISTANCE WALKING ASSOCIATION (LDWA) Section 3 and Section 4

The relationship between Birdsedge and the **Trans Pennine 100** further

demonstrates the wider importance of the landscape.

Sections 3 and 4 of this long-distance walking route have their relationship with Birdsedge village.

This means that the landscape around Birdsedge contributes to an established long-distance recreational journey rather than merely serving a local footpath network.

This is directly relevant to **NPPF paragraph 96**, which supports recreational routes of wider than local significance.

The Council should therefore consider the proposal's impact upon the experience of visitors and long-distance walkers as well as local residents.

The development risks diminishing the attractiveness of an established walking destination and weakening the rural character associated with these routes.

9. BIRDSEDGE–HIGH FLATTS CIRCULAR WALK

The **Birdsedge–High Flatts Circular Walk** provides further evidence of the recreational importance of this countryside.

The route is supported by the **Denby Dale Area Committee as Park of the Kirklees Walk Your Way to Health programme**, directly aligning with **NPPF paragraph 96** and **Kirklees Local Plan Policy LP47**, which promote active lifestyles and access to green infrastructure.

The landscape therefore provides an established opportunity for:

- walking
- physical activity
- mental wellbeing
- social interaction
- recreation and
- contact with the countryside.

If the landscape is progressively urbanised, the quality of the recreational resource is in progressively reduced.

10. CUMULATIVE IMPACT ON THE NETWORK

The Council should specifically consider the cumulative impact across the

whole network.

This is required by **NPPF paragraph 174**, which requires consideration of cumulative landscape effects.

The relevant question is not:

> "Does the development prevent somebody from walking along the footpath?"

The relevant planning question is:

> **"What effect will the development have on the character, visual setting, tranquillity, attractiveness and enjoyment of the interconnected public walking network?"**

The answer is that the development would cause significant harm.

Multiple routes would be affected by the same change in landscape character.

The impact therefore extends beyond an individual footpath and affects a **wider recreational landscape**.

11. PUBLIC ACCESS IS NOT THE SAME AS PUBLIC AMENITY

It is important that the planning authority distinguishes between:

physical access and **quality of experience**.

This distinction is embedded in **NPPF paragraph 96**, which refers not only to access but to the **quality and availability of recreational opportunities**.

A footpath may remain open whilst the amenity associated with that footpath is substantially diminished.

12. EFFECT ON WALKERS AND RECREATIONAL USERS

The proposal should also be considered from the perspective of the people who actually use these routes.

This aligns with **NPPF paragraph 8(c)**, which promotes social objectives including health, wellbeing and quality of life.

The development would reduce the quality of that experience for a potentially

large number of users over an extended period.

This is a **public impact**, not merely a private impact.

13. HEALTH AND WELLBEING

The Public Rights of Way network provides an important opportunity for active travel, exercise and access to nature.

This is directly supported by:

- **NPPF paragraph 96 (healthy communities)**
- **Kirklees Local Plan Policy LP47 (Healthy, Active and Safe Lifestyles)**
- **Kirklees Local Plan Policy LP50 (Sport and Physical Activity)**

The loss of tranquillity and rural amenity would therefore undermine some of the qualities which encourage people to use these routes.

14. THE IMPORTANCE OF THE LANDSCAPE TO THE FOOTPATH NETWORK

The value of these Public Rights of Way comes partly from the fact that they provide access to **open countryside**.

This is explicitly protected under **NPPF paragraph 174(b)**.

If the countryside surrounding the routes is progressively developed, the network may remain on the map but its character can be fundamentally changed.

They are part of the **landscape and recreational infrastructure of Birdsedge**.

15. PHOTOGRAPHIC EVIDENCE

Photographs submitted with this objection should be considered as evidence of the **existing baseline condition**.

They are material to assessing compliance with **NPPF paragraph 174 (landscape protection)** and **LP32 (landscape character)**.

DEN /76/100 looking on to the proposed development site



DEN/76/70 looking on to the proposed development site



DEN/77/30 looking onto the proposed development site



DEN/153/10 looking into the proposed development site



DEN/77/10 looking on to the proposed development site



DEN/77/10 looking on to the proposed development site





16. REQUEST FOR A PROPER PROW ASSESSMENT

I respectfully request that the Local Planning Authority does not rely solely upon a statement that the Public Rights of Way will remain physically open.

A proper assessment is required under **NPPF paragraph 174 and paragraph 96**, including:

- visibility of the development from each affected route;
- sequential experience of walkers;
- landscape character change;
- recreational amenity impacts;
- cumulative effects across the network;
- impacts on long-distance routes; and
- impacts on health and wellbeing objectives.

17. CONCLUSION – PUBLIC RIGHTS OF WAY SHOULD CARRY SUBSTANTIAL WEIGHT

The Public Rights of Way around this site represent a significant and established public recreational asset.

The proposal would therefore conflict with key national and local planning policy objectives, including:

- NPPF paragraphs 96, 104, 130, 174 and 185
- Kirklees Local Plan Policies LP23, LP31, LP32, LP47 and LP50

The development would diminish:

- openness of the landscape
- rural setting of footpaths
- tranquillity
- visual amenity
- recreational value
- enjoyment of countryside
- long-distance route experience
- health and wellbeing benefits.

For these reasons, the impact on Public Rights of Way should be treated as a **significant and policy-supported reason for refusal**, not a minor or technical matter.

The footpaths may remain physically accessible, but the countryside experience that gives them value would be permanently diminished.

Please refuse this application and permanently protect these beautiful public rights of way and the countryside openness appreciated by all.