

Appendix B Figures and Photos

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Figure 1: Extract from 1985 Definitive Map showing Farnley Bank Wood

Source: Kirklees Council Kompass Mapping

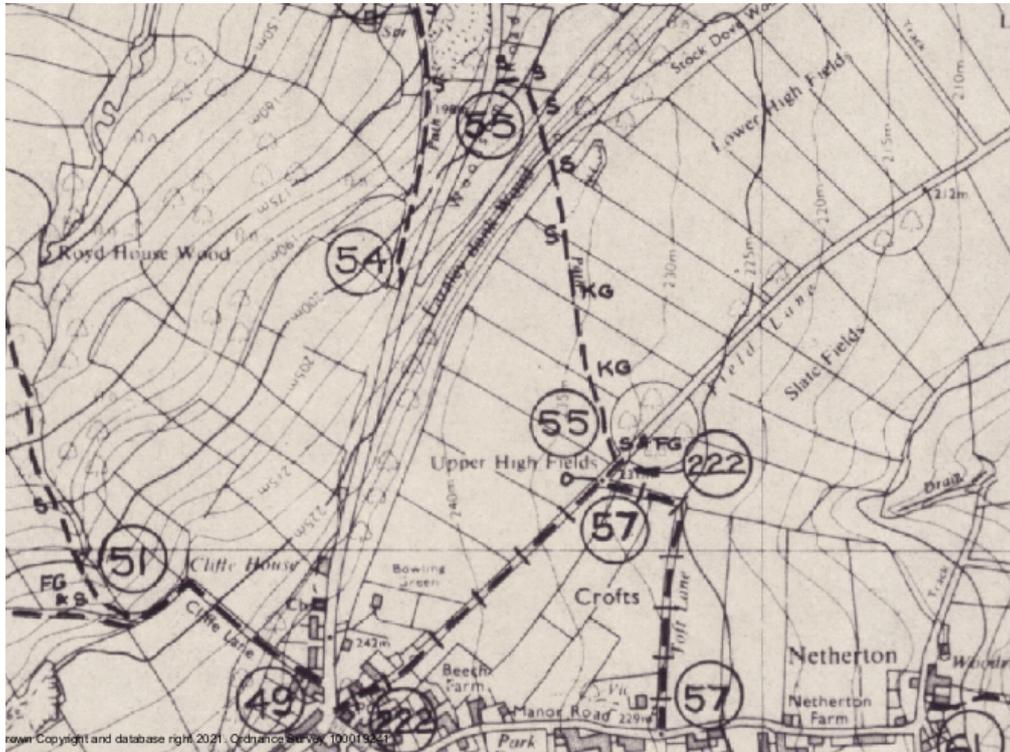


Figure 2: Extract from 1985 Definitive Statement for Kirkburton 55 Public Footpath

Source: Kirklees Council electronic file

Kirkburton							Kirkburton
Path Number	Map Reference	Description of Route	Nature Of Surface	Length (M)	Width (M)	General	
055	SE 11SE / 1613	Footpath from Woodsome Road in a southerly direction over Upper High Fields to its junction with Field Lane.	Pasture	483	1.2	1 Field Gate 2 Kissing Gates 6 Stiles	

Figure 3: DMMO S14217 Application Map

Source: Kirklees Council electronic file

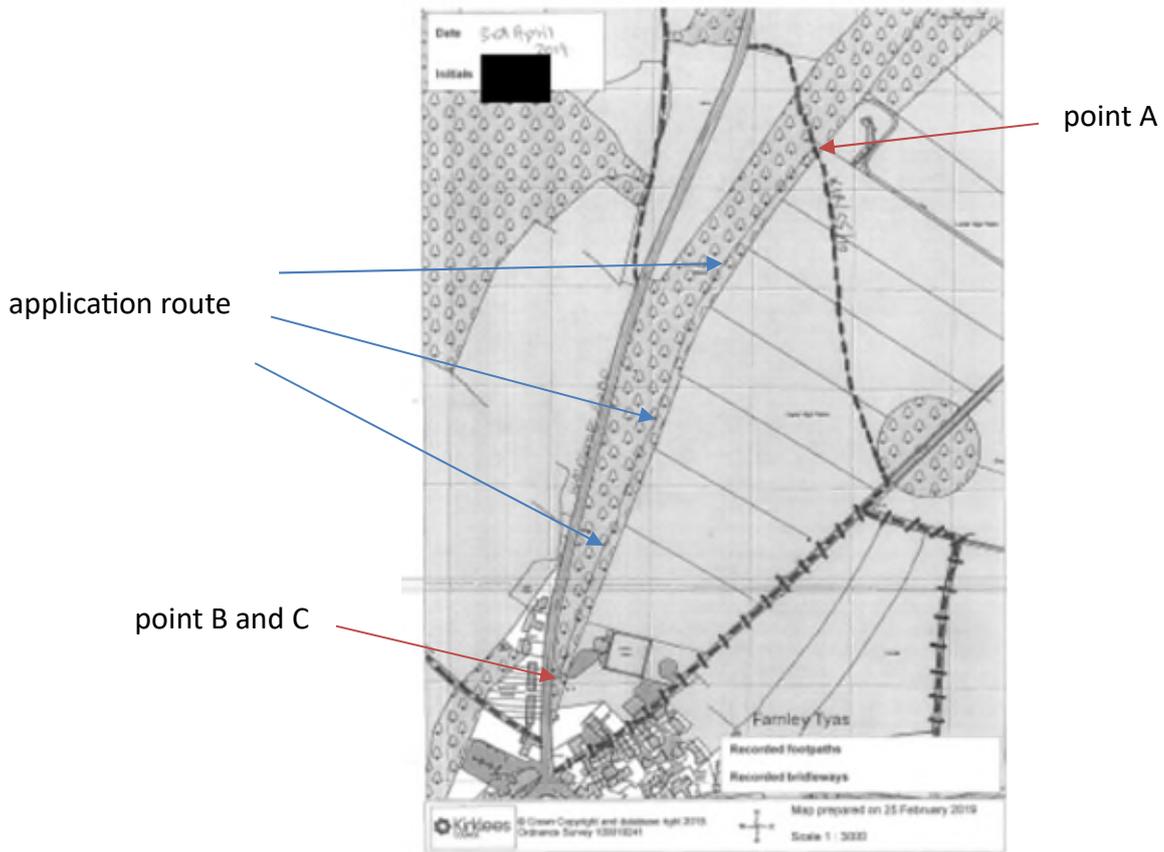


Figure 4: Boundary fence across application route

Source: Applicant's photo January 2019, near point B, Dartmouth Terrace, Woodsome Road



Figure 5: Physical characteristics of the application route in 2019 and 2021

Source: Officer photos



Photo 1: Stile on KIR/55/10 into Farnley Bank Woods at point A. Route turns left into wood. 18/2/2019



Photo 2: Route in middle, signage on tree, Woodsome Road to right. 18/2/2019



Photo 3: Close up of signage in photo 2. 'PRIVATE NO PUBLIC RIGHT OF WAY'. 18/2/2019



Photo 4: Looking back towards photo 1, route visible to left of centre. 18/2/2019



Photo 5: Continuing through wood, worn route in middle. 18/2/2019



Photo 6: Continuing through wood, worn route in centre, boundary wall to fields on left. 18/2/2019



Photo 7: Continuing through wood, worn route in centre, boundary wall to fields on left. 18/2/2019



Photo 8: Continuing through wood, worn route in centre, boundary wall to fields on left. 18/2/2019



Photo 9: Looking backwards from photo 8. 18/2/2019



Photo 10: Continuing through wood, worn route in centre, boundary wall to fields on left and ahead. 18/9/2019



Photo 11: Continuing through wood, worn route in centre, boundary wall to fields on left and ahead. 18/9/2019



Photo 12: Continuing through wood, worn route in centre, leaf litter and understorey. 18/9/2019



Photo 13: View from route in wood, across and down Woodsome Road to Castle Hill. 18/2/2019



Photo 14: View from route in wood across Woodsome Road to Castle Hill. 18/2/2019



Photo 15: Continuing through wood, worn route in centre. 18/2/2019



Photo 16: Looking back through wood, leaf litter on route in centre. 18/2/2019



Photo 17: Looking back continuing through wood, worn route on grass in centre. 18/2/2019



Photo 18: Looking back continuing through wood, worn route on grass in centre. 18/2/2019



Photo 19: Boundary fence across full width of wood. 18/2/2019



Photo 20: Boundary fence from Woodsome Road, across full width of wood. 18/2/2019



Photo 21: Looking back from other side of boundary fence across full width of wood, signage on tree 'PRIVATE NO PUBLIC RIGHT OF WAY. 4/9/2021



Photo 22: Route is overgrown but still visible in centre, joining access road to Farnley Tyas Bowling Club, at point B. 4/9/2021



Photo 23: Looking back at sign on tree at point B 'Private No right of way No horses. 4/9/2021



Photo 24: Looking back to point B from access road to the Club, overgrown route in centre, consultation notice to right, sign in photo 23 in middle. 29/10/2021

Figure 6: Aerial photos 2006 and 2012

Source: Kirklees Council Kompass Mapping

Purple lines indicate public footpaths, Green lines indicate public bridleways



Photo 25: Aerial photo 2006

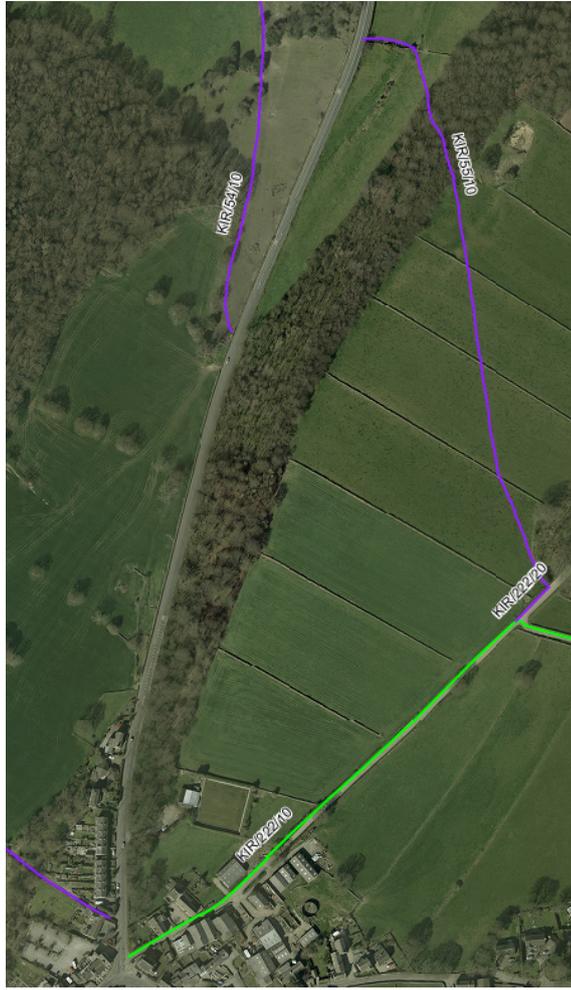


Photo 26: Aerial photo 2012

Figure 7: Applicant's photos - 2010, 2013, 2015



Photo 27: Worn route in woods. May 2010



Photo 28: Worn route in woods. May 2010



Photo 29: View across Woodsome Road. May 2013



Photo 30: Worn route in woods. May 2013



Photo 31: Worn route in woods. May 2013



Photo 32: Worn route in woods. May 2013



Photo 33: Worn route in woods. April 2015



Photo 34: Worn route in woods. April 2015



Photo 35: Worn route in woods. December 2015

Figure 8: Letter from Secretary of Farnley Tyas Community Group

Source: Applicant

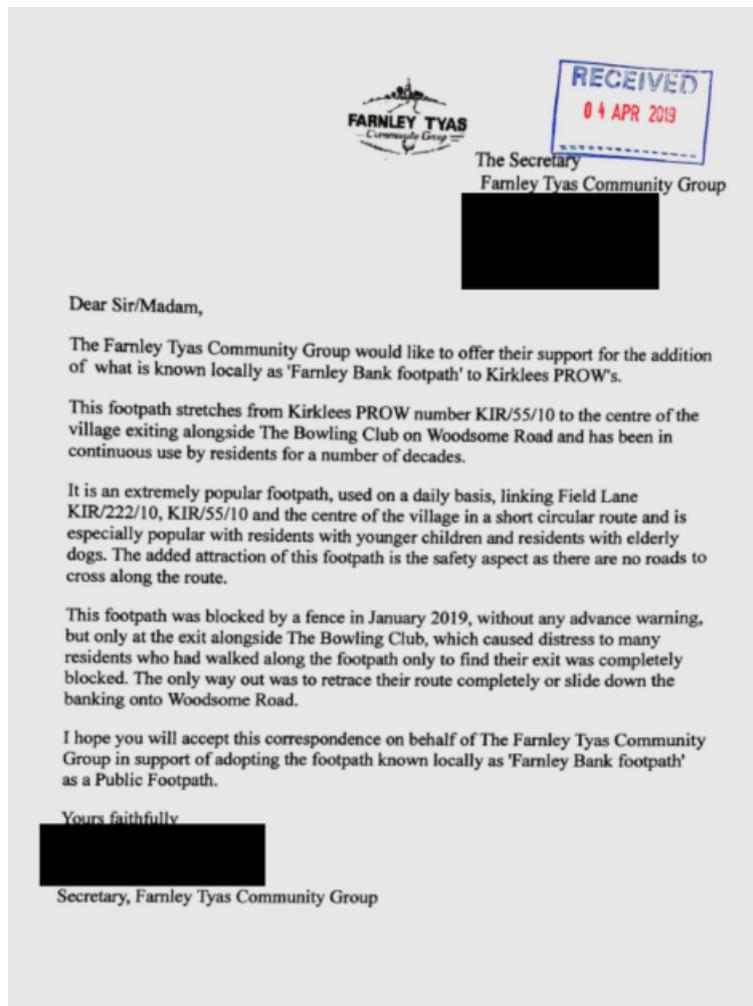


Figure 9: Applicant's copies of Email correspondence with landowner 1

Source: Applicant

Applicants covering email

Enclosed here is evidence of the use of the footpath along Farnley Bank/Club Woods dating back to 2010.

These emails show correspondence between members of Farnley Tyas Community Group and [REDACTED] who managed [REDACTED]

The emails refer [REDACTED] the woods on Farnley Bank. There are clear references to the fact that the footpath was regularly used, and that [REDACTED] were well aware of the fact, and had no objections.

Extract from email dated 17/12/2013

Hallo [REDACTED]
I walk every day through "club" woods along the footpath at the top .

Extract from email dated 12/5/2010

[REDACTED] large number of trees in the bowling club woods. I walk the dog there every day and yesterday I noticed that many of the trees along the footpath from the clubhouse [REDACTED]

Extract from reply to email of 12/5/2010 dated 17/5/2010

[REDACTED]
Subject: Bowling Club to Stock Dove Wood

[REDACTED]

17TH MAY 2010

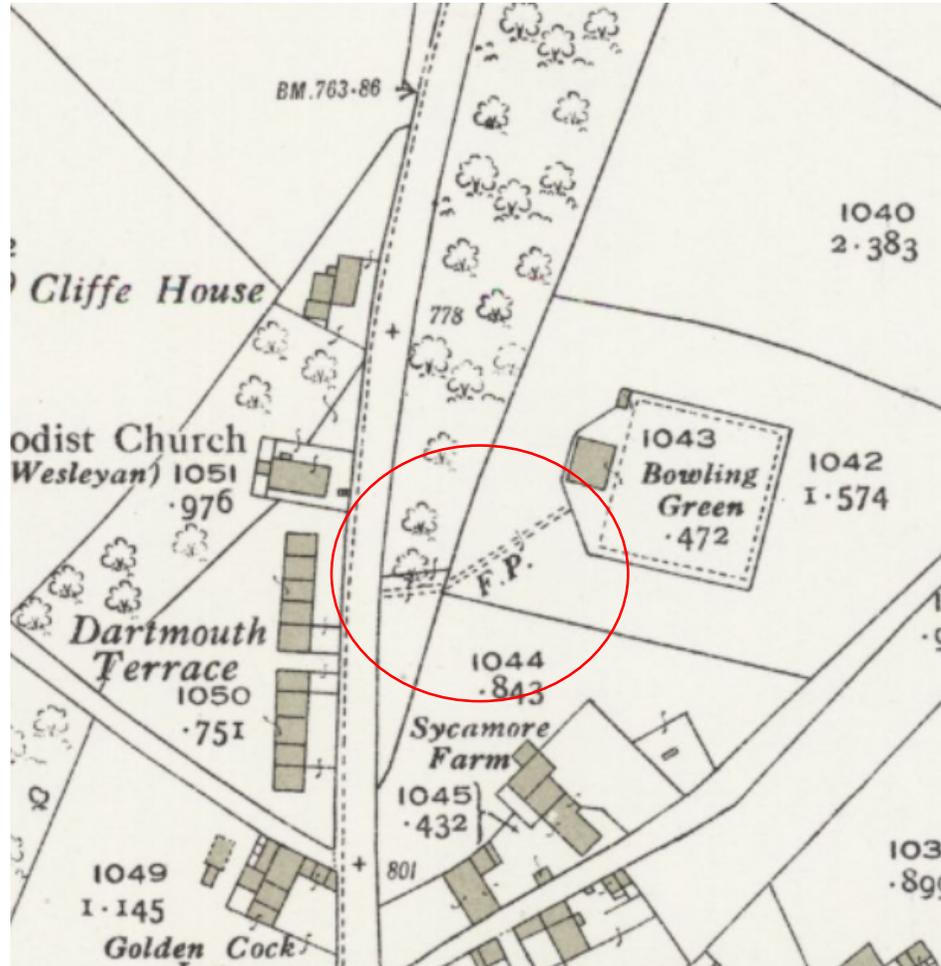
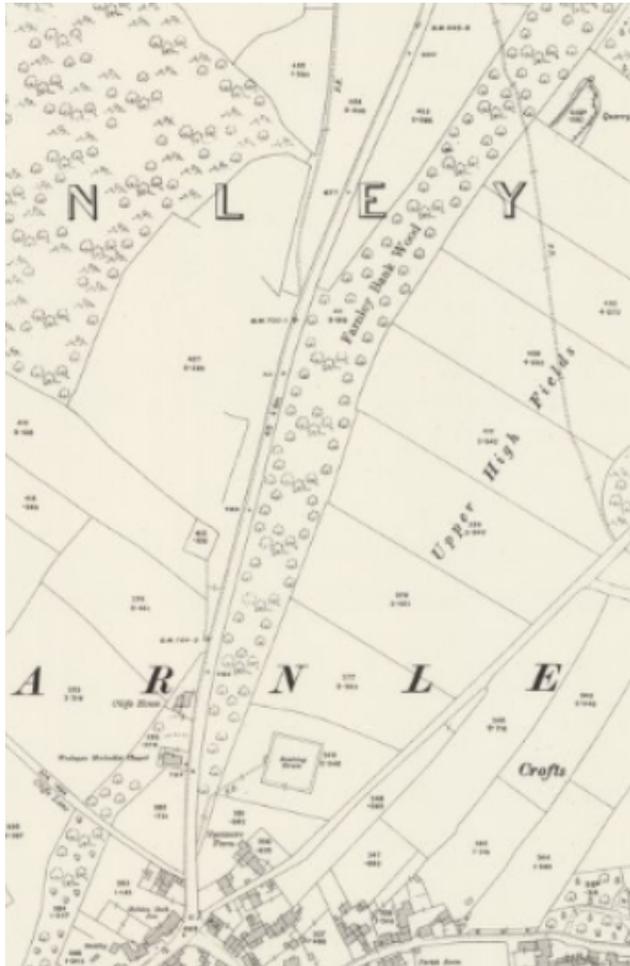
[REDACTED]

Many thanks for your e-mail of the 12th.

Figure 10: Extracts from OS Maps 1916, 1932 and 1968

Source: Yorkshire CCLX.8 1913 to 1914, **Published 1916** 1 to 25000, NLS

Source: Yorkshire CCLX.9, Revised 1929 **Published 1932** 1 to 25000, NLS



Source: SE11SE - A - OS Surveyed/ Revised 1957 to 1968, **Published 1968** 1 to 10000, NLS

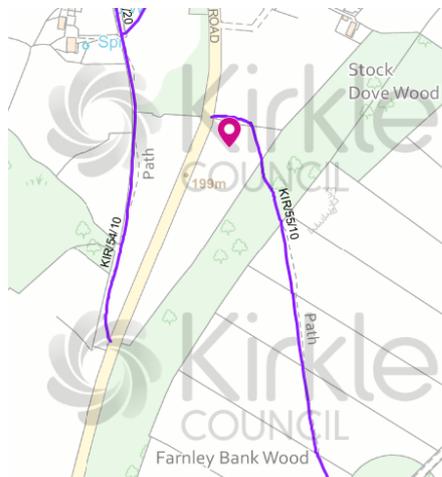


Figure 11: KC path file correspondence 1991

Source: KC electronic file



A typed form titled "PUBLIC RIGHTS OF WAY COMPLAINTS RECORD". It contains the following fields and handwritten entries: "COMRAIDOR:" (blank), "TO BE DEALT WITH BY:" (blank), "PATH NAME AND NUMBER: Kirkcubton SS", "STATUS: footpath", "O.S. GRID REFERENCE: K613 110E", "COMPLAINT RECEIVED FROM: Name: [Redacted], Address: [Redacted], Telephone: [Redacted]", "DATE RECEIVED: 10.7.91.", "DETAILS OF COMPLAINT: 'Private Ground' sign in wood adjacent to public footpath."



Approx. position of sign

Figure 12: User Evidence Summary

Ref	Years Used	Frequency	1951-	1956-	1961-	1966-	1971-	1976-	1981-	1986-	1991-	1996-	2001-	2006-	2011-	2016-	Mode					Purpose												
			1955	1960	1965	1970	1975	1980	1985	1990	1995	2000	2005	2010	2015	2020	F	H	B	V	W	V	O	Apprx. width	Route Unchanged	Notices	Challenges	Permission	**Private Rights	Seen others				
217/1	2005-2019	weekly															●					●						<1m	Y	Y	N	N	N	Y
217/2	1989-2018	every few months															●					●						person	Y	N	N	N	N	Y
217/3	1953-2015	every few months															●					●						1m	Y	Y	N	N	N	Y
217/4	2009-2019	daily															●					●						0.5-1m	Y	Y	N	N	N	Y
217/5	2009-2019	daily															●					●						2 feet	Y	Y	N	N	N	Y
217/6	1994-2015	weekly															●					●						36"	Y	N	N	N	N	Y
217/7		x2 times															●					●						1m	Y	N	N	N	N	Y
217/8	1994-2019	once a year															●					●						<1m	Y	N	N	N	N	Y
217/9	1989-2018	monthly															●					●						<1m	Y	N	N	N	N	Y
217/10	2016-2019	every few months															●					●						1-1.5m	Y	N	N	N	N	Y
217/11	2016-2019	every few months															●					●						1.5m	Y	N	N	N	N	Y
217/12	1978-2019	occasionally															●					●						single track	Y	N	N	N	N	Y
217/13	1974-2019	occasionally															●					●						single track	Y	N	N	N	N	Y
217/14	1980-2019	every few months															●					●						2ft	Y	N	N	N	N	Y
217/15	1980-2019	every few months															●					●						2ft	Y	N	N	N	N	Y
217/16	2010-2019	varies															●					●						1.5-2.5ft	Y	Y	N	N	N	Y
217/17	2010-2019	varies															●					●						2ft	Y	Y	N	N	Y	Y
217/18	2008-2018	varies															●					●	●					1m	Y	N	N	N	Y	Y
217/19	2014-2018	weekly															●					●						1m	Y	N	N	N	N	Y
217/20	2016-2018	> weekly															●					●						1-2m	Y	Y	N	N	N	Y
217/21	2014-2018	weekly															●					●						1-2m	Y	Y	N	N	N	Y
217/22	2014-2018	weekly															●					●						1-2m	Y	Y	N	N	N	Y
217/23	2013-2019	monthly															●					●						1-0.5m	Y	Y	N	N	N	Y
217/24	1973-2018	every few months															●					●						single track	Y	N	N	N	N	Y
217/25	1973-2018	every few months															●					●						single track	Y	N	N	N	N	Y
217/26	2012-2019	weekly															●					●						3ft	Y	N	N	N	N	Y
217/27	2012-2019	daily															●					●						3ft	Y	N	N	N	N	Y
217/28	1989-2019	daily															●					●						<1m	Y	Y	N	N	N	Y
217/29	1994-2019	weekly															●					●						1m	Y	N	N	N	N	Y
217/30	1994-2019	weekly															●					●						1m	Y	N	N	N	N	Y
217/31	2004-2019	monthly															●					●						2ft	Y	Y	N	N	N	Y
217/32	2004-2019	varies															●					●						2ft	Y	Y	N	N	N	Y
217/33	2004-2019	varies															●					●						2ft	Y	Y	N	N	N	Y
217/34	2004-2019	varies															●					●						2ft	Y	Y	N	N	N	Y

34 0 0 0 34 0 1 33 16 0 0 3 34

KEY

COLOUR USE

	daily
	twice weekly
	weekly
	more than once a month
	monthly
	less than monthly
	yearly
	less than yearly
	frequency or duration not stated clearly

MODE OF USE

F = Foot
H = Horse
B = Bicycle
V = Vehicle

PURPOSE

W = Walking, including dog walking
V = Visiting
O = Other

** Private Rights: Users that indicate a 'by right' use

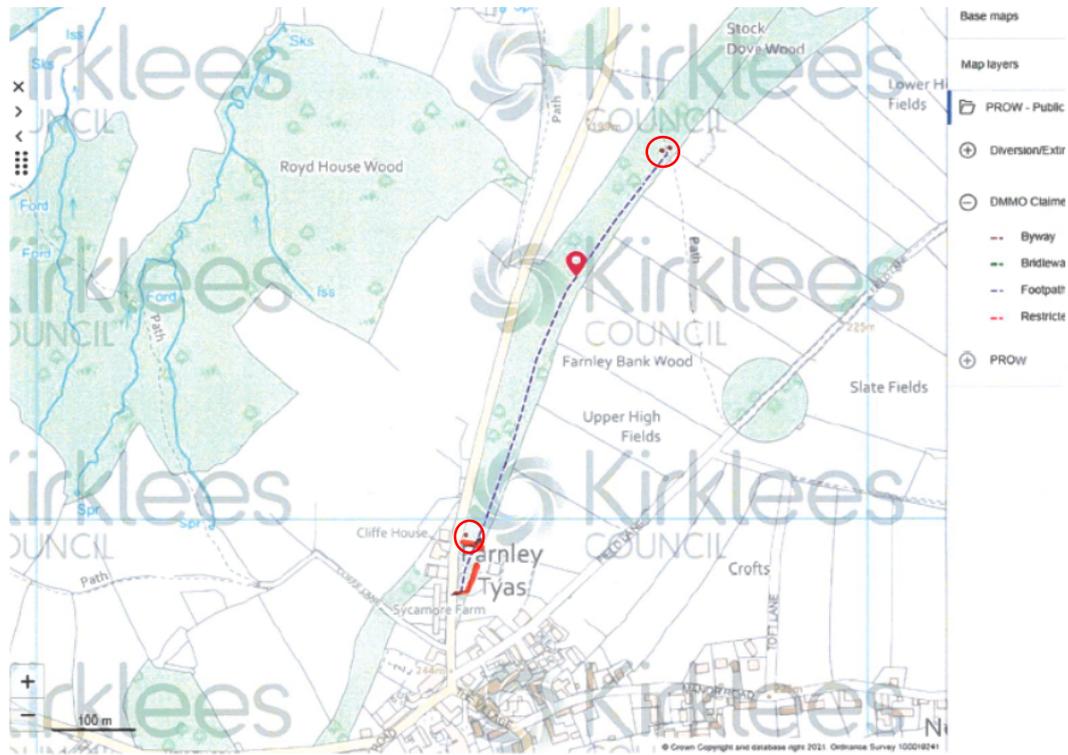
Figure 13: Summary of landowner evidence

Description	Landowner 1	Landowner 2
Extent of land ownership	Farnley Bank Wood	section of the woodland, Farnley Tyas Bowling Club and grounds
Land use	mature woodland	woodland
Aware of any right of way on route	no, this is privately owned woodland	no
Seen people using route, what mode	yes, on foot	letter dated 4/4/2019 to applicant states no knowledge of use of the route by public prior to that date, not seen people using the route
Has the way you have used the land made the route difficult or impassable at any time	the land has always been woodland and the trees continue to grow overtime	not so far as we are aware
Stopped or turned people back	yes - pointed them to the 'private property' signage and have asked them to leave	not so far as we are aware
Asked for permission	no, the Estate has never had a request for permission	no
Given permission	no, the Estate has never given permission to anyone	no
Locked gates or obstructions	the woodland has signs up saying private no public right of way and there is a fence up dividing the ownership boundary. There is also a barbed wire fence up at the end of the woodland.	no
Erected notices or signs	yes	land owner statement form says no, but there is one sign at the Club end
Notices or signs - wording	yes, PRIVATE - No public right of way signs	landowner statement stated nil, but there is a current sign saying 'Private No right of way No horses'
Notices or signs - location	both ends of the woodland – approximate positions marked by brown dots shown on the plan attached. There are two fences shown by the orange lines on the plan. One is barbed wire and a second is barbed wire with sheep netting.	signage near point B in February 2019
Notices or signs - maintain	yes when they were vandalised	nil
Notices or signs - how long	they have been there many many years.	nil
Receipts for fencing, gates, notices, letters of permission, police reports	yes	no
s31(6) landowner deposit/declaration	copy supplied over email	the previous landowner submitted a deposit in November 2012 and declaration in January 2013
s31(5) LPA notice	nil	no
Other correspondence	email dated 11/3/2019 to KC PROW team ..."before my time at Farnley Estates you were in communication with (...) regarding public footpaths and permissive access routes in and around Farnley Tyas. Our understanding is that these were settled over ten years ago. We have recently placed a boundary fence up within this private area of woodland to divide the ownership boundary because various areas of the Estate have been sold. This fence was vandalised and cut down 3 days after it was installed. We have placed signage there since 2008, initially for permissive access, more recently private. This signage has been vandalised...."...	letter dated 25/4/2019 to applicant says '...has no objection to an amendment to the definitive map and creation of a footpath along the section indicated...'

Landowner 1, extract from email dated 11/3/2019

We have placed signage there since 2008, initially for permissive access, more recently private

Figure 14: Plan to accompany landowner 1 statement form



Position of signage at brown dots (indicated by red circles)

Figure 15: Landowner signage

Source: Officer photos



Photo 36: Landowner 1, PRIVATE, NO PUBLIC RIGHT OF WAY Near point A at Upper High Fields Off KIR/55/10. Officer photo 29/10/2021



Photo 37: Landowner 1, same as photo 36. Officer photo 29/10/2021



Photo 38: Landowner 1, PRIVATE NO PUBLIC RIGHT OF WAY, near point B at the Club end. Officer photo 4/9/2021



Photo 39: Landowner 2, Private No right of way No horses near point B at the Club end. Photo 6/2/2019.

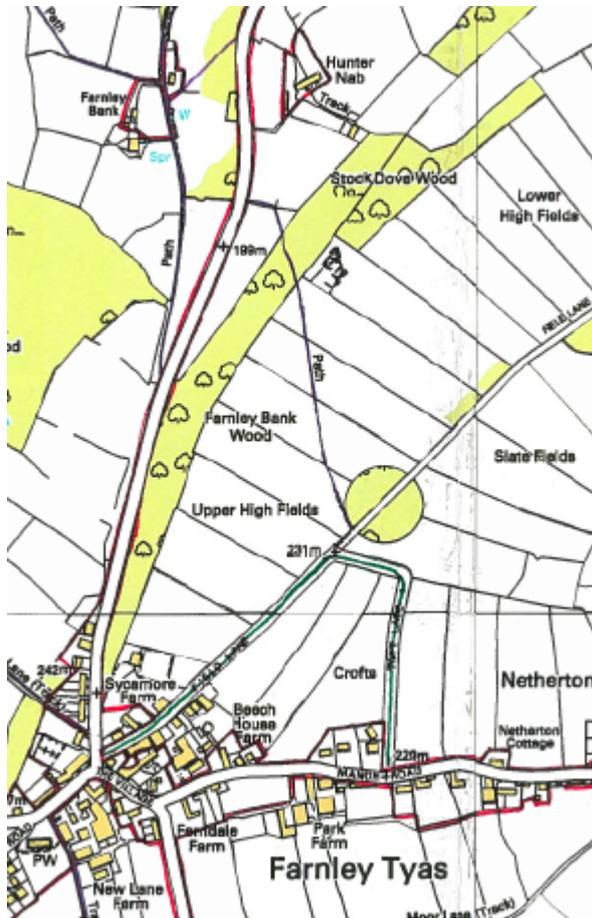


Photo 40: Landowner 1, PRIVATE NO PUBLIC RIGHT OF WAY. near point B at the Club end. Photo dated 6/2/2019

Figure 16: User evidence on signage and notices

Ref	Years used	Notices
217/1	2005-2019	No, however a sign went up on a tree just over the stile in Dec 2018
201/3	1953-2015	Recent at the start of walk where new fence starts - there is one further down Field Lane though in the past there were no problems locals using that section was used by people going to work
201/4	2009-2019	Signs erected recently
201/5	2009-2019	Signs erected stating private land approx. Jan 19
201/16	2010-2019	Signs erected last year by Farnley Estates
201/17	2010-2019	Private land signs nailed on to trees late last year...November 2018
201/19	2014-2018	There has been a sign indicating that the wood is privately owned and now there are signs saying 'No right of way'
201/20	2016-2019	There used to be a small sign saying the wood was privately owned, but now there are Private & no right of way signs at both ends of the path
201/21	2014-2018	Have only noticed signs nailed to trees at bowling club end of walk since path blocked by fence
201/22	2014-2018	Up until very recently, I have only ever seen a sign fixed to a tree close to the bowling club driveway indicating that the wood is privately owned. On inspection on 11 March 2019, there are signs saying 'No right of way'. These signs only appeared past few days.
201/23	2013-2019	Sign fixed to tree at bowling club section of walk 2016. More signs 2018 at each end of walk
201/28	1989-2019	"Private" signs went up on route around December 2018
201/31	2004-2019	Signs also nailed to the trees...only since November 2018.
201/32	2004-2019	Signs also nailed to the trees...only since November 2018.
201/33	2004-2019	Farnley Estates sign-erected last year
201/34	2004-2019	Yes - Farnley Estates put one up

Figure 17: Extract from s31(6) Landowner Deposit



Yellow/green colouring indicates land subject to s31(6) landowner deposit, including Farnley Bank Wood

KEY

COLOUR USE

	daily
	twice weekly
	weekly
	more than once a month
	monthly
	less than monthly
	yearly
	less than yearly
	frequency or duration not stated clearly

MODE OF USE

F = Foot
H = Horse
B = Bicycle
V = Vehicle

PURPOSE

W = Walking, including dog walking
V = Visiting
O = Other

** Private Rights: Users that indicate a 'by right' use

Figure 20: Consultation notices



Photo 41: Point A, stile from public footpath KIR/55/10 into Farnley Bank Wood, 29/10/2021

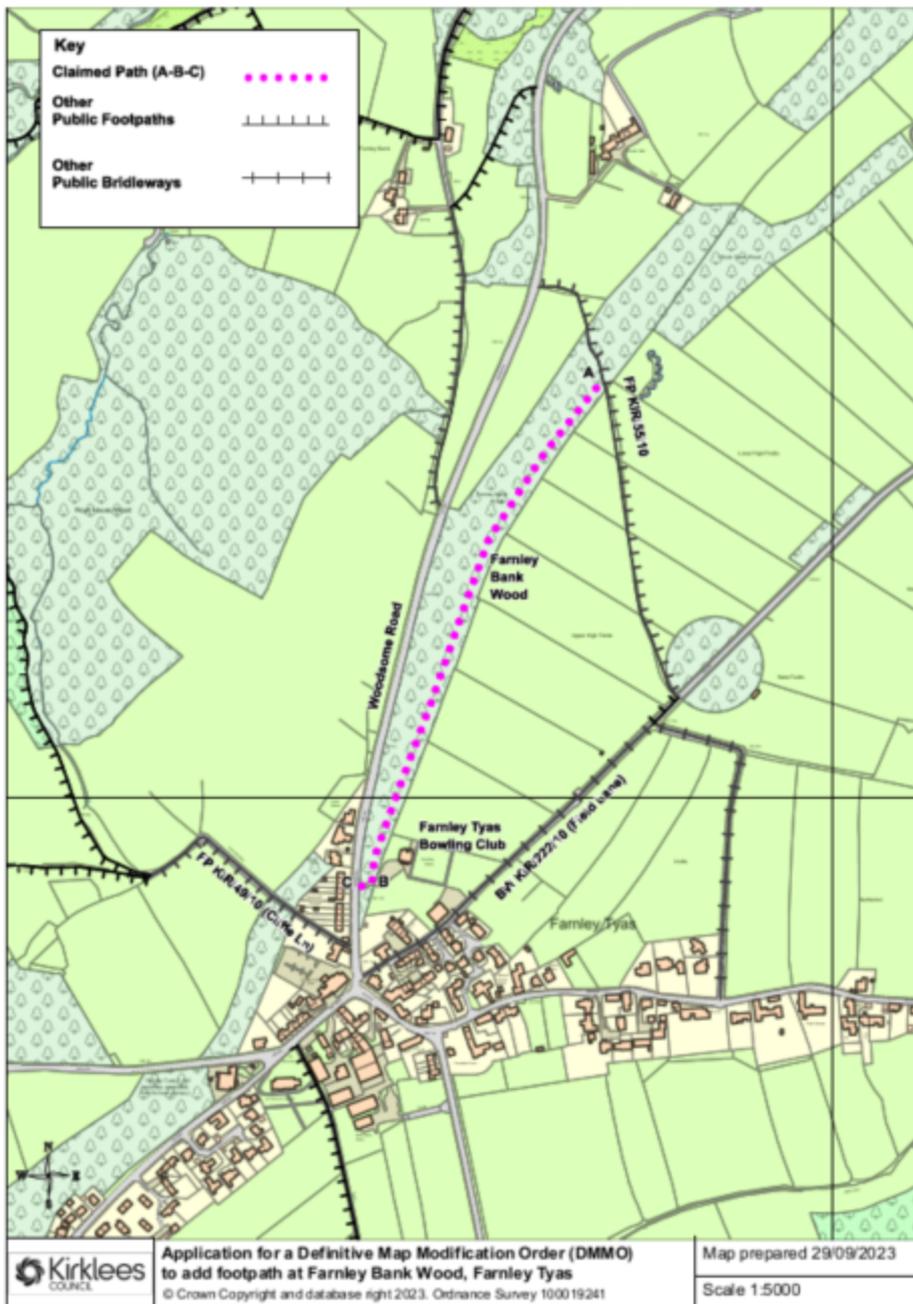


Photo 42: Point B adjacent to the access road to Farnley Tyas Bowling Club, 29/10/2021

Figure 21: Summary of consultation responses

Consultee	29 October to 29 November 2021			
	Support	Neutral	Does not support	No response
Councillor Bill Armer	✓			
Councillor Richard Smith		✓		
Councillor John Taylor				✓
Peak and Northern Footpaths Society				✓
Huddersfield Ramblers				✓
Huddersfield Rucksack Club	✓			
Mr Terry Norris				✓
Ride Kirklees				✓
Kirklees Bridleways Group				✓
Kirkburton Parish Council				✓
Owner 1-1			✓	
Owner 1-2			✓	
Owner 2		✓		
Possible Occupier				✓
Community Group	✓			
Member of the public 1 (UEF submitted)	✓			
Member of the public 2	✓			

Figure 22: Draft map – Public footpath recommended to be added (A-C)



Map shows the indicative route