

Finchampstead Parish Council consultation regarding improvements to the informal access to Rooks Nest Wood.

1. Summary

A consultation document was delivered to 350 households in March 2021. 54 responses were received, 30 in favour of and 24 against the proposals.

The majority of responses gave either whole-hearted or qualified support to the general principle of some sort of access to Rooks Nest Wood from the area of Booth Drive, and it is clear that the route is already well-used by local residents.

A number of objections and concerns were raised.

Some of these are seen by Finchampstead Parish Council (FPC) to be based upon misconceptions and incorrect understandings. An explanation has been given and no further action will be taken on these.

Other objections are based upon matters of fact which require clarification from Wokingham Borough Council (WBC). This will be sought as the next step in this process.

Five further objections and concerns were raised, including issues relating to dogs and parking. The FPC is sympathetic to these concerns and will discuss them further in consultation with WBC, before considering amendments to the proposals.

2. Background to the consultation

The area of woodland that lies between Booth Drive / Gilbert Way and Rooks Nest Wood is 'countryside' land, owned by Wokingham Borough Council (WBC). It is not part of the Rooks Nest Wood SANG and nor is it proposed that it should be. As the landowner, WBC can grant a general permission for people to access the land. The proposal under consultation is to make it safer and easier for people to walk through this area of woodland and by doing so, to access the paths through and beyond Rooks Nest Wood.

The possibility of providing additional access to Rooks Nest Wood has been on the project list of Finchampstead Parish Council for some three years. It is a core part of the strategy of the Council to improve the networks of paths and Rights of Way across the parish to enable access to more open spaces, to reduce the need to walk alongside busy traffic routes and to provide more 'circular' routes within ours and neighbouring parishes. These objectives are in line with Wokingham Borough Council core strategies.

The advantage of the path in question would be to provide a traffic-free route to Rooks Nest Wood for the residents of Nashgrove Lane and the connecting roads, and to form part of a circular route linking Rooks Nest Wood, Barkham Church, Evendons Lane and Nashgrove Lane, or via Barkham Church, Commonfield Road and the California Greenway.

The route would be intended for people in the immediate local vicinity, travelling on foot. It is not intended to be publicised or promoted.

The purpose of the consultation was to gauge the potential support for such a scheme and to understand objections that those living closer to the path might have. This was not a 'referendum' where the numbers of 'for' or 'against' would decide the issue. With that in mind, the consultation

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was with those areas of the parish considered the most likely users of the route and those in closest proximity to it. The residents consulted were in Booth Drive, Gilbert Way, Nashgrove Lane and Waverley Way and all roads connecting off it. This totalled approximately 350 households and the response rate was 15%.

Some comments have been received from residents in the St James Road area asking why they were not invited to comment. This area, as well as the 'Fernlea' estate, had been considered as possible consultees but discounted on the assumption that they would probably be in favour of the proposals but would add little additional comment on the plans. As the objective of the consultation was to receive comment rather than gain statements of approval, this was considered to be not worth the cost.

3. Is there a demand for this access to be improved?

The majority of responses gave either whole-hearted or qualified support to the general principle of some sort of access to Rooks Nest Wood from the area of Booth Drive.

Almost all of the objections or comments of concern came from residents of Booth Drive or Gilbert Way. However, some residents of those roads did support the proposals (in whole or in part) along with almost all of the comments received from Nashgrove Lane and the Waverley Way area.

As most of the objections mentioned the numbers of people already using the route, it is self-evident that there is a popular demand for it.

Also, the issue of improving pedestrian networks across the Parish is covered in the draft Finchampstead Neighbourhood Development Plan, which states:

"Many residents place a high value on their ability to walk, cycle or ride in the countryside and enjoying the local green spaces. A network of connected paths and rights of way is essential to enable this and this needs to be protected and enhanced in any development plans".

"Inter-connectivity with adjoining Parishes: walking and cycling Rights of Way networks are an underused but effective way to move between parishes and towns avoiding public highways. Future proposals need to take account of the advantages of developing better links between Finchampstead and the eight parish neighbours.

This is specifically the type of development that local people say that they want and is especially welcomed by the residents of Nashgrove Lane and Waverley Way.

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A consultation on the draft Finchampstead Neighbourhood Development Plan in 2019 received over 1000 responses. 41% of respondents would like to see more footpaths in the Parish and many added comments regarding the need for paths between Finchampstead and Barkham. Improving pedestrian networks across the Parish is supported by the draft NDP.

4. Why do people want it?

The great majority in favour regard it as a much more pleasant route than the pavement alongside Barkham Ride.

There were some assertions that the pavement route was dangerous and presented a health hazard (although FPC has no evidence to support these points).

Some respondents said that having the alternative path would encourage them to walk rather than drive to Rooks Nest Wood.

Many of the respondents in favour of the proposal say that they currently use this route already.

What improvements do people want?

The overwhelming comment from those in favour of the route was for a simple footbridge over ditch on the boundary with Rooks Nest, which would make the route safer and more usable all year round and for those who were less mobile, who could then dispense with using their car.

There were no requests to improve the path itself, aside from one comment hoping that it might be suitable for wheelchairs.

There was a number of responses against having the fingerpost in Booth Drive, including from those who supported the overall proposal. The current and potential users knew where the path was anyway and in line with a common objection to the whole proposal, thought that a signpost would encourage people to park in Booth Drive.

A number of respondents mentioned the poor state of the existing paths in Rooks Nest and the need to repair or improve them.

5. Objections raised and other comments.

5.1 Comments or objections for further discussion with FPC

Comments relating to inconsiderate parking.

Very many objections to the proposals were about problems associated with inconsiderate vehicle users. The FPC believes that the very great majority of users of this path arrive on foot and that the irresponsible actions of a few should not act as a barrier to the enjoyment of the woods and improved and safer access to Rooks Nest Wood by the greater number of more considerate users. However, the FPC accepts that inconsiderate parking can and does occur, in common with other similar locations around the parish. Some ideas were offered by responses to the consultation to mitigate this and the FPC will give this further consideration in consultation with WBC highways.

Update November 2021

The proposed improvements are to facilitate access by local users and there is no intention to promote this widely as an alternative access to Rooks Nest Woods.

The path will remain informal and will not be designated as a public right of way. As such it will not appear on any rights of way maps for the area. It could potentially be used as part of a circular route to Barkham / Arborfield, but appropriate parking areas would be clearly identified on any maps and would definitely not suggest parking in either Booth Drive or Gilbert Way.

The existing car park on Barkham Ride will continue to cater for those driving to Rooks Nest, and as a SANG, charges will never be introduced at the car park.

FPC will ask WBC to consider whether 'advisory parking signs' should be placed near the path entrance, requesting that people use the free car park on Barkham Ride.

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FPC will ask WBC to install knee rails on the verge adjacent to the area to deter parking.

Comments relating to anti-social behaviour by dog-owners.

Very many objections to the proposals were about problems associated with inconsiderate dog-owners, both in the leaving behind of dog-waste and by letting their dogs run free and potentially disturbing the badger sett. The FPC believes that by no means all users of the path are walking a dog and that of those who are, many are responsible and considerate owners. As with parking, the irresponsible actions of a few should not act as a barrier to the enjoyment of the woods and improved and safer access to Rooks Nest Wood by the greater number of more considerate users (if it were so, we would have to close all of our green spaces).

However, FPC fully accepts that the behaviour of some inconsiderate dog-owners is unacceptable. The FPC will discuss what mitigations can be put in place with WBC as the landowner concerned.

Update November 2021

FPC will ask WBC to provide discreet signage near to the entrance of the route and by the new gate to highlight the existence of a dog waste bin in the Rooks Nest SANG car park off Barkham Ride.

'A finger-post sign would formalise access to Rooks Nest and will compound the current parking situation.'

The rationale for a sign was to guide people to a single route through the woods, as far away as possible from private residences. The FPC accepts the points made against this and will consider withdrawing the proposal for a sign.

Update November 2021

The proposals are intended to facilitate access for local users and it is accepted that a finger sign is not needed. Any secondary access points from Booth Drive or Gilbert Way will be fenced off, if not already fenced.

'The proposal will, in effect, change this from an informal path to a formal path. Will the path appear on the "FINCHAMPSTEAD, FOOTWAYS, BRIDLEWAYS & BYWAYS" map on the Parish Council website as an "Other path"?'

It is envisaged that the path will remain informal; there is no plan to make it a formal 'Right of Way'. No changes are proposed to the nature or the surface of the existing natural path through the woods. Whilst it would be of value to be set out in the directions of local 'circular walks', FPC will discuss further the need or otherwise to mention this route on the Parish Council website

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'This would encourage cyclists to erode the often muddy pathways.'

FPC fully agree that the path is not suitable for cyclists and nor are the paths in Rooks Nest Wood. The FPC will consider ways of preventing the use of the path by cyclists. The proposed kissing gate by the bridge into Rooks Nest Wood would be one way of doing so.

Update November 2021

The kissing gate at the access point to Rooks Nest Woods will prevent access by cyclists. The path will

not be surfaced and although it may be muddy at times, this is considered acceptable for an informal and rural path.

5.2 Comments or objections requiring further clarification.

‘There is a covenant that either prevents public access to the woods, or reserves such access just for the residents of Booth Drive and Gilbert Way’.

FPC is unaware of any such covenant or restriction but will seek clarification from WBC.

Update November 2021

The woodland is owned by WBC and any access is with their permission.

There are no covenants or other restrictions preventing public access to or through the woodland.

‘Planning permission for the SANG was specifically granted on the basis of this access being removed from the plans.’

It is accepted that the original proposal for the Rooks Nest SANG was amended as a result of consultation. However, Planning Permission for the Rooks Nest SANG was granted according to the plans finally presented to the planning authority. The woodland area under discussion (having been removed from the proposal) did not form part of these plans and no conditionality relating to this woodland was attached. There is no proposal to designate these woodlands as a SANG.

FPC will ask WBC to confirm this understanding.

Update November 2021

WBC has confirmed that this understanding is correct and there are no further comments.

‘The Planning consent for the Rooks Nest SANG required a fence to be maintained around the boundary’.

FPC has reviewed the Planning Documents and can find no requirement for a fence to be maintained but will seek clarification from WBC.

Update November 2021

After further investigation it was found that the planning consent for Rooks Nest required some parts of the boundary to be fenced, including that adjacent to the woodland. An application (no. 212747) to vary this condition was submitted to WBC and permission to install a (wooden) kissing gate was granted on 26 October 2021.

An application to vary a condition such as this does not require public consultation and is determined by WBC.

The reason for requesting this variation of condition was to understand if the path could in fact be created if desired: i.e. if this application had been refused, then the matter would have been closed and no further discussion required. The granting of this permission does not indicate that a decision has been made; it simply confirms that planning permission now exists if the parties concerned wish to proceed.

‘Improved pedestrian access would cause immense damage and interference to the badgers.’

WBC were consulted at an early stage and confirmed that that the proposed improvements would not cause any disturbance to the badger sett. The proposals include the repair and replacement of

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missing sections of fence around the area of the badger setts to provide additional protection. (For issues regarding dogs, see other comments). However, FPC will seek further reassurance from WBC.

Update November 2021

The WBC ecologist has again confirmed that 'Having walked the site, I am of the view that a connecting path from Gilbert Way through to Rooks Nest Wood can be accommodated without increasing the disturbance risk to badgers and the sett within the woodland.'
By managing the access any impact caused by people or pets can be mitigated.

'The boundary fence was vandalised'

FPC understands that the fence gap may have been created by WBC, who may have also laid out small branches to indicate a pathway. It is not 'illegal' for WBC to undertake such activity in its own woodland. We will seek clarification from WBC.

Update November 2021

WBC did not create the gap in the fence and has never formally adopted the route through the woodland. The desire line through the woodland, ditch and through the fence has been created by users. Any damage to the fence, ditch functionality and woodland flora caused by this could be considered to be vandalism.

5.3 Comments or objections which are incorrect.

'The residential roads in Gilbert Way and Booth Drive were built for access for residents and service vehicles only'

This is incorrect. Gilbert Way and Booth Drive are public highways and there is no limitation on public access. Anyone is free to come and go as they please, on foot or by car.

'The woodland off Booth Drive is protected woodland'

This is incorrect. The area is defined by WBC as 'Countryside' and the woods have no special status as a Local Wildlife Site, Local Nature Reserve or SSSI.

Update November 2021

Confirmed by WBC Ecologist that the woodland has no protection in ecological legislation i.e., is not a protected habitat.

TPO 0674 1994 includes part of the woodland. Only minor tree works for reasons of health and safety are proposed as part of the project, but advice will be taken from WBC over whether a tree works application is needed.

'The woodland is a sanctuary for foxes'

Whilst many of us enjoy seeing foxes, they are not a protected species and are often seen in urban habitats. Public access through these woods has no impact on the local fox population.

Confirmed by WBC Ecologist.

'The woodland is a sanctuary for deer'

Whilst many of us enjoy seeing deer, they are not a protected species. They move about freely throughout the parish and are often encountered near to public rights of way. Public access through these woods has no impact on the local deer population.

Confirmed by WBC Ecologist.

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'The woodland is a sanctuary for owls and other birds'

Owls and other birds exist in woodland across the parish, including those with public access. There is no record of ground-nesting birds in the woods. No lighting is proposed and public access through these woods would have no impact on the local population of owls and other birds.

Confirmed by WBC Ecologist.

'Increased footfall through the woodland increases the risk of burglary, car theft and drug-dealing'

There is no evidence from anywhere in the parish to support such a claim; indeed, any increased presence of walkers is more likely to deter this sort of activity.

6. What happens next?

As noted in the report, there are five points (ref 5.2) which need clarification from Wokingham Borough Council. This will be sought by FPC as soon as possible.

FPC will also consider a further five points (ref 5.1) which may require the proposals to be altered or amended, again requiring some discussion with WBC. Some may require further consultation with particular groups of residents.

One of these actions has been completed, the proposals will be amended accordingly and re-published.

Update November 2021

Points raised in section 5.2 have been clarified by WBC. Points raised in section 5.1 have been considered by FPC and will now be discussed further with WBC.

The overall findings from investigations into points raised in the consultation will then be discussed with WBC and a joint decision made on whether to proceed.