

The Secretary of State
The planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

From Ms J. Davis, 'Cherilyn' Horton Drive Stoke on Trent ST3 5HJ

YOUR REF: ROW/3289798

Staffordshire Moorlands District Council Footpath No27 (part) (Parish of Caverswall)
Diversion Order 2021

COMMENTS IN RESPONSE TO STATEMENTS OF CASE FROM OTHERS

In response to the letter from Rob Duncan Planning Consultancy:

Whilst the Local Authority have addressed most objections to the footpath diversion in their Statement of Case, it should be considered that many factors specified in their address have been rebutted by these objectors and their reasonings given under response comments on their individual Statements of Case.

It should be considered why the Local Authority had no concerns when granting planning permission for the diversion of the public footpath under application SMD/2019/0452 because it had been documented that the path diversion would result in a loss of quality and enjoyability for users when the application was put to the Planning Referral Committee the day before permission was granted. (See Council's SOC: Appendix F: Section 6.26, also Appendix G 6.26 as material previously introduced by myself).

In response to the Statements of Case for S. Davis and Ms G. Birks as occupants of the adjacent property 'Pathways':

As a direct result of the footpath diversion, the new route will allow occupants of 'Pathways' to be overheard by public using the path which should be considered as a massive invasion of privacy and I support their objection that this invasion should be considered to be an infringement on their human rights to respect for a private family and home life.

In response to the last paragraph of Statement of Case from Mr S. Billings:

The most recent planning application for the site made by new owners, still showing the diverted path alongside 'Pathways', was agreed by the Council nine days before the Footpath Diversion Order was made for SMD/2019/0452. It could be considered that the footpath diversion had been taken as a forgone conclusion..

CONCLUSION

The Council have made this Order to divert the public footpath because of an approved planning application but objections raised in Statements of Case demonstrate that the Authority have shown little concern for how this diversion will adversely affect the public generally and negatively impact the adjacent property and its occupants. It is respectfully requested that these objections are considered to outweigh the advantages of the development and that the Footpath Diversion Order not be confirmed.

09 June 2022

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