



Sandbach Footpath Group

Aiming to protect, improve, extend and make accessible the network of footpaths in and around Sandbach.

Planning Inspectorate.

3 February 2023

Appeal Case: APP/R0660/W/22/3313892

Re 21/2412C, Land South of Old Mill Road, Sandbach

As chairman of Sandbach Footpath Group (SFG), I strongly disagree with revisiting the decision taken by CEC on 21/2412c. The Decision Notice is quite clear and I oppose the appeal. Please see the items below.

1. I fully support and agree with the CEC Notice of Decision dated 8 August 2022, and the five reasons for refusal of planning application 21/2412c. Please see document on the 21/2412c website number 08412094.
In particular, I support reason 4 regarding Footpath Rights of Way.
2. I draw the inspector's attention to the SFG letter of objection to 21/2412c, March 2022. I continue to fully support this letter and trust the Appeal Inspector will read it thoroughly, giving it full and careful attention.
This is available on the 21/2412c website dated on the webpage 30 March 2022, doc number 08380096. There are a further 58 objections and comments from local residents shown on the website for March 2022. This shows the depth of interest and objection there is locally to the design of this site.
3. There are four footpaths threatened in this area, namely FPs 17, 18, 19 and 50. It appears that the various planning applications submitted by Muller give scant regard to these footpaths, the plans showing FPs 17 and 19 as almost entirely urban in nature and often routed on pavements.
4. Footpaths are enshrined in law and with such a high density of footpaths on this site, it would be deplorable for the developer to disregard them, by building pavements over the footpaths or diverting footpaths onto pavements. These pavements would inevitably be traversed by driveways.
5. It seems that in the cases of FPs 17 and 19, according to the application plans, the footpaths will need to be extinguished or diverted onto pavements. For example, the footpath that goes through the old farmyard (FP17, Fields Farm, Willis's), is shown diverted onto the urban pavement. This diverted route is shown traversed by about 14 driveways with vehicles driving in and reversing out. Please see Footpath Plan in item 6., below.
6. The Footpath Plan date, 17 July 2022, is published on the CEC webpage for 21/2412c (number 08405859). The document is titled on the webpage "Submitted Plans", the description being "Rev PROW existing and proposed", Received date 15/07/2022.

7. It is likely that to divert a footpath onto a pavement would not be legal or at least against recognised guidance (e. g. DEFRA 1/09). The footpath would then need to be extinguished. Losing Public Rights of Way Footpaths in this way (diverted onto pavement or extinguished) would create a substantial number of objections from the public, probably resulting in a Public Inquiry and long delays.
8. A Risk Assessment for having a Public Right of Way on a pavement with vehicles driving in and reversing out has not been published by the Appellant. Furthermore, the effect of drives with crossing slopes to dropped kerbs has not been assessed for people in wheelchairs. It is difficult to control a wheelchair, or a baby buggy with crossing slopes. This need to be assessed and the results published for public comment.
9. Regarding the Appellant's **Statement of Case** on the webpage for 21/2412c, dated 23 January 2023 (number 08451432), please see items 10 to 15 below.
10. **Clause 12**, Reason 4, Footpaths.
The appellant agrees in clause 12.3 that the character of FP19 will be significantly changed and in 12.4 a number of statistics and percentages are quoted. It is doubtful that the calculations would be entirely correct. For example, part of FP19 is routed between the sheds of Houndings Farm and the fence boundary of the Care Home (shown as a blank space in the plan):
To view the footpath plan, please refer to item 6., above.
11. The route between the Houndings Farm sheds and the possible care home would be quite claustrophobic for the footpath and could not be classed as open space. The appellant states that 30% of FP19 would be on the spine road, but the number of drives traversing the footpath, with vehicles driving in and reversing out, is not mentioned. Looking at the plans there would appear to be 14 drives traversing FP19 on the spine road.
12. **In 12.5** the appellant mentions that FP19 has "constraints/difficulties and is not a pleasant experience", but as Sandbach Footpath Group we have walked it many times and found it to be a perfectly acceptable footpath. There is an anomaly with the definitive route being out of date, and the official diversion not completed, now that the barn extensions of Houndings Farm have been built, ref (18/2459C). Please see the webpage for 18/2459c, Type of Document "Submitted Plans", Description "Proposed Site Layout", Received date 17/05/2018, number 07993829.
13. **In 12.5** the appellant seems to be saying that the Footpaths (e.g. FP19) would be better on pavements than open country. Clearly this is unlikely, especially with the traversing drives. With careful design, FP19 could be diverted and retain a substantially green aspect. Please see the SFG letter of objection in item 2., above.
14. Furthermore, it is likely that with careful design, FP17 could be sensibly diverted and set in a green corridor rather than on pavements, traversed by about 14 drives.
15. FP18 has been shown in plans in a green corridor to the east of the site and this is likely to be acceptable. The FPs 19 and 17 should be similarly treated with a green aspect.

Thank you for your consideration,

Chairman, Sandbach Footpath Group