
Sent: 09 September 2020 10:52

To: NATIONALCASEWORK <NATIONALCASEWORK@dft.gov.uk>

Subject: Objection to Stopping Up Order under section 247, Town & Country Planning Act 1990
NATTRAN/Y&H/S247/4337

Proposed diversion of public footpath Holmfirth 60 (part) at Wolfstones Heights, Wolfstones Road, Uppershong

I regularly walk the path from Netherthong to the Trig Point on Wolfstone Heights and the proposed diversion would not be beneficial to me. The alternative route would be substantially less convenient and less enjoyable as the open and direct rural footpath would be diverted to a constructed footpath, about 130 meters long, going downhill in the wrong direction. I would then have to walk approximately 120 meters uphill, on a road without a footpath, to get back on track. This compares with about 140 meters of the existing path.

It is therefore erroneous to claim that the diverted route is “a more pleasant walking experience” or that it represents a “neutral position on distance and journey time”.

This is essentially the same proposal that Kirklees Council Planning Sub-Committee considered and refused on 30th January 2020 after a lengthy and detailed assessment.

I do not want my personal data and correspondence to be passed to the applicant/agent as I do not want to be contacted by the applicant/agent.

From: [Noel Scanlon](#)
To: [Claire Moody](#)
Cc: [NATIONALCASEWORK](#)
Subject: Fw: Objector Number 14
Date: 20 September 2020 18:36:46
Attachments: [📎](#)

Dear Mrs. Moody

I would be grateful if you could please pass the following response and invite to Objector Number 14, who has requested that their contact details are not disclosed, which is understood and appreciated. Thank you.

Noel

Dear Objector Number 14

Hello, I am Noel of NSCL, the agent for Mr. Butterfield on this application for a diversion of part of Footpath 60 at Wolfstones. Your objection has been considered. I have been asked to reach out to you by the DfT following the valid parts of your objection. My goal is obviously to try and assuage any concerns and ultimately try and persuade you to withdraw your objection to the DfT. I do believe that this is achievable if you would allow me such an opportunity, but it is of course entirely up to you if you would wish to engage with me.

The Kirklees Council Huddersfield Area Planning Sub-Committee in January 2020, to which an earlier application that you refer to under Section 257 of the Town and Country Planning Act 1990 ('TCPA') was made, resolved not to make a stopping up/diversion order for the following two reasons:

- (i) the volume of representations received in relation to non-statutory pre-consultation; and
- (ii) the alleged impact on public safety, updated information has been submitted to the Secretary of State as part of this application under Section 247 TCPA.

However, we do note that some of what you say is simply a matter of personal opinion and nothing more. Whilst we may not agree with this and would hope to change minds through this application, that is of course your right.

I would be grateful if you would please contact me by phone on the number below, or if it is more convenient please provide a contact telephone number in order that we might speak at a time convenient to you. I am also happy to meet and 'walk and talk' through the diversion route if you feel that this would assist.

I shall leave this with you. Should I not hear from you either way by this **Friday 25th September**, I shall presume that you do not wish to take me up on my offer, will be maintaining your objection and not withdrawing it.

In that eventuality, for logistical purposes for the DfT, would you mind indicating please whether you would be willing to put yourself up for examination at any formal Public Inquiry that may be convened by the Secretary of State in due course? In the interests of full transparency, you would in that respect be putting yourself up for formal cross-examination on your maintained objection.

Should you require any further information, I hope that you are minded to get in touch and allow an opportunity to hopefully provide you with the comfort that you require. Should you not, that is again of course your right and I thank you in any event for taking the time to read this.

Yours sincerely

Noel Scanlon *Solicitor, BA(Hons), MSc, MCIWM*
Director & Consultant

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