

[REDACTED]

From: [REDACTED]
Sent: 13 February 2018 10:54
To: Local Dev. Framework
Cc: [REDACTED]
Subject: LOCAL PLAN PUBLICATION STAGE REPRESENTATION date 13/2/18.

Dear Sirs,

Please consider the following as part of the above. I have tried to base my response on your standard format and have had regard to your guidance notes.

PART A

Section 1

Name [REDACTED]

Address [REDACTED]

Phone [REDACTED]

Email [REDACTED]

PLEASE NOTE THAT WE HAVE A VILLAGE GROUP FOCUSED ON PLANNING WHICH IS STRONGLY BEHIND THE PRINCIPLES UNDERPINNING THIS OBJECTION. THEIR CHAIRLADY [REDACTED] IS MORE THAN HAPPY TO BE CONTACTED AT [REDACTED] OR ON [REDACTED]. THERE ARE AROUND 50 MEMBERS WHO TO DATE HAVE MADE AROUND 100 OBJECTIONS TO WHAT IS GOING ON IN THE VILLAGE. WE ARE IN THE EARLY STAGES OF FORMULATING A NEIGHBOURHOOD PLAN.

Section 2

Not applicable

PART B

Section3

This representation relates mainly to **the 2016 Conservation Area Appraisal** in relation to the village of Carleton in Craven and in particular a field called Grundy. It is one of the documents which will make up the new Local Plan.

It also covers what was said about development in the village in the **"2018 Site Response Papers,"** as this is in total contrast to what the Head of Planning told the Planning Committee at a recent meeting (23/10/17). Both cannot be right and the matter needs addressing before the plan is adopted.

Moreover, the **'holistic'** approach that the plan proposes in terms of affordable housing is diametrically opposed to the current stance taken by the head of planning on that exact issue and so that too needs looking into before the plan is adopted. Is it a total 'u turn' on policy, and if so I would ask the inspector to be kind enough to consider if it is "sound and lawful".

Section 4

I wish to object to the adoption of the new local plan. This on the grounds that given the following facts it is not legally compliant, and /or not sound. I do not wish to contend that the Duty to cooperate has not been complied with as I have no wish to hold up the adoption of the local plan so long as the minor amendments set out below are considered by the inspector.

I will simply present the facts and leave it to the inspector to decide which, if either, of the above reasons for objection apply in the context of the Planning and Compulsory Purchase Act 2004, as amended.

Section 5

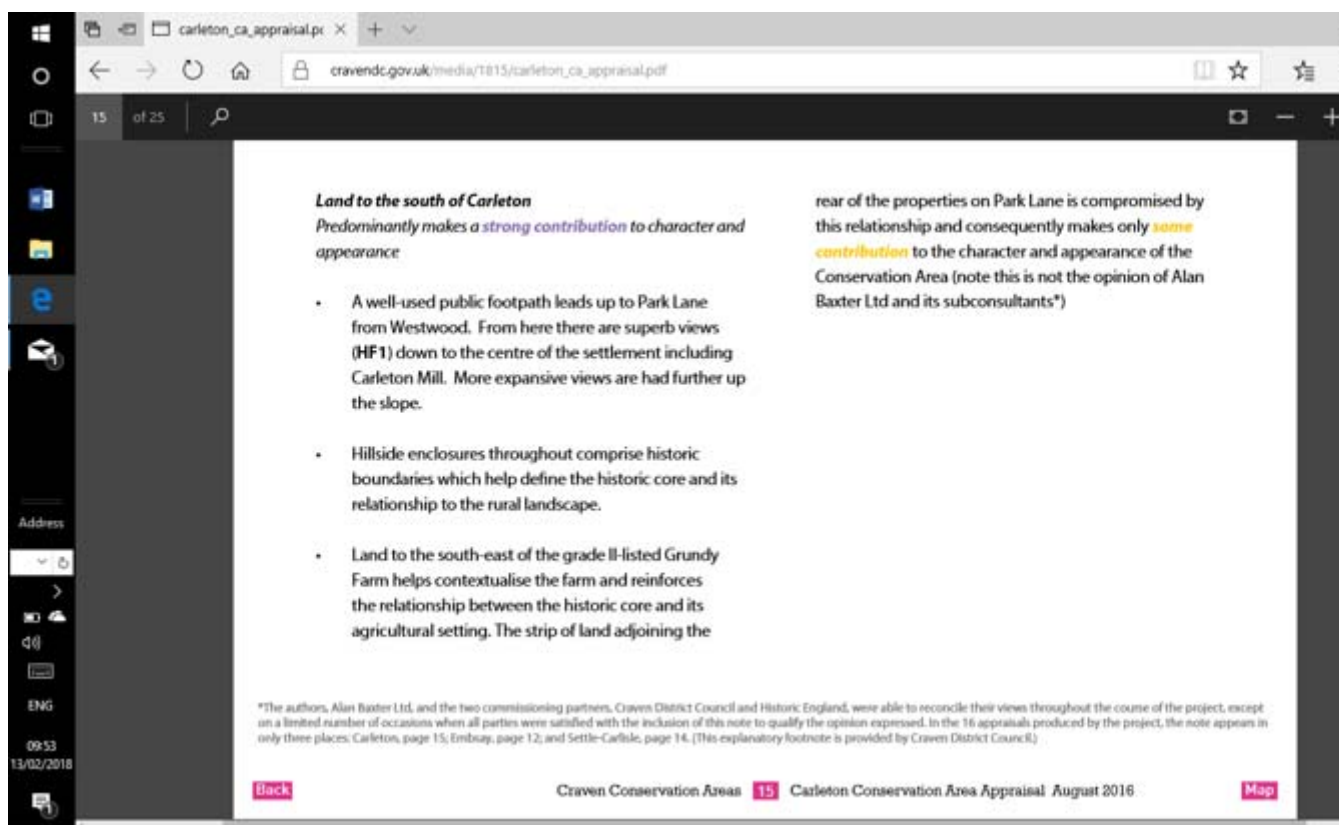
Problems with the local plan

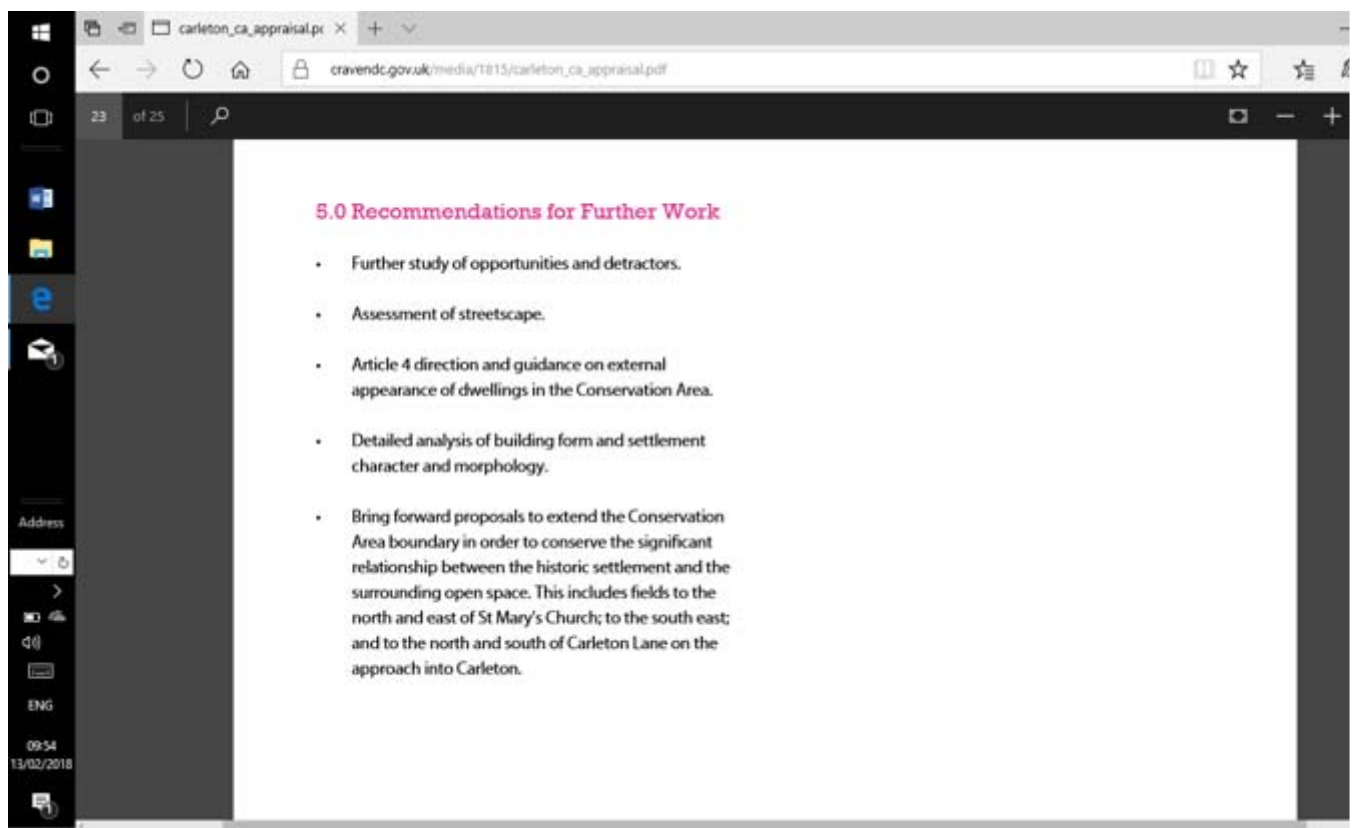
1. "DOCTORED" CONSERVATION AREA REPORT



Please refer to s 5.28 of the Cross Boundary Strategic Issues and Duty to Cooperate Statement December 2017.

It is 100% clear that somebody made the independent experts from Alan Baxter Limited (Conservation Area experts) paid by the Council and Heritage England to undertake the 2016 CA appraisal (which is part of the new local plan), write something that they did not agree with. The bracketed bit says *"*NOTE THIS IS NOT THE OPINION OF ALAN BAXTER LTD AND ITS SUBCONSULTANTS"*. Two of the reports authors have independently confirmed this to be true on the telephone to me. This is in connection with a field called Grundy, in the village of Carleton, which worryingly is still the subject of an ongoing undetermined planning application. A footnote later added to the report shows that the authors of the report were made to downgrade the CA status of part of the field from "strong" contribution to just "some" contribution. This when infact their expressed desire (in the recommendations section of the report) was to upgrade the whole of the field to full CA status ASAP. The relevant sections are pages 15 and 25 of the appraisal and I have attempted to attach them below.





I have studied the agenda and minutes of the meeting when the document was put to the Council for acceptance and it is clear that there was no mention of this important and fundamental divergence of opinion. *It may or may not be considered relevant that one of the other 2 sites where the Conservation Area status of a field was downgraded against the Consultants expressed wishes was owned by the same developer and that it has already had planning permission passed.*

THIS DOWNGRADING OF THE CONSERVATION AREA STATUS OF THE FIELD AT GRUNDY OCCURED PRIOR TO ANY PUBLIC CONSULTATION. WE ARE TOLD THAT WE WILL GET A CHANCE TO COMMENT ON THE APPRAISAL BUT NOT UNTIL AFTER THE LOCAL PLAN HAS BEEN ADOPTED. AS PUBLIC INVOLVEMENT IS SUPPOSED TO UNDERPIN PLANNING (ACCORDING TO THE NPPF), I WOULD ASK THE INSPECTOR TO CONSIDER IF THIS MEANS THAT THIS DOCUMENT IS "SOUND" AND "LEGALLY ACCEPTABLE".

Surely the Council should have either accepted the experts recommendation or at the very least should have left the field as it was, with all of it either in the existing Conservation Area or making a "strong" contribution to it, until the public get their chance to have a say.

MAKING PAID INDEPENDENT EXPERTS DOWNGRADE THE STATUS OF THE FIELD WHEN THEY ACTUALLY WANTED TO UPGRADE IT, PRIOR TO THE PUBLIC PARTICIPATION, WHICH FORMS A VITAL PART OF THE PROCESS, GOES BEYOND WHAT IS ACCEPTABLE. IS IT NOT ULTRA VIRES ? IT IS CERTAINLY DIAMERTICALLY OPPOSED TO THE COUNCILS SUPPOSED STANCE OUTLINED IN THEIR "STATEMENT OF COMMUNITY INVOLVEMENT for Planning," which forms part of this review.

Should Craven District Council pay an independent expert for advice and then tell him what to write as part of the local plan production process ? I think not.

I would respectfully suggest that it needs changing before the local plan is adopted.

The need to amend this small part of the local plan before its adoption is exacerbated by what else is going on in respect of this particular field (Grundy) and what recently went on in connection with a related planning application by the same developer in the same village (Carla Beck).

2. CARLA BECK

At Carla Beck (17/2017/18073) a recently passed application for the same developer in the same village where unbelievably (given planning policy and the need for housing) permission has recently been granted effectively reducing the number of houses that will be built on a brownfield site (which just happens to be opposite the applicants home) from 24 to 4. The applicant is in negotiations with CDC to build the extra 20 homes lost on this brownfield site in the green field at Grundy. The Council deny being in negotiations but clearly they are given that their legal duty to determine the application has expired and they have not declined it. It was submitted almost a year ago. CDC have failed to respond adequately to a freedom of information request made by the objectors to see details of the meetings that they have had with the developers and Highways/Heritage experts.

[REDACTED]

Despite the applicant stating 5 times in his supporting documents that he wished to build the 20 houses lost at Carla Beck at Grundy, I was told by the Chair of the meeting and the CDC lawyer present at the meeting that I would not be allowed to speak in objection to the reduced numbers application, if I linked the 2 sites. The Head of Planning assured the committee that the 2 sites were not linked, despite what the applicant said. ACCORDING TO THE LATEST LOCAL PLAN DOCUMENTS WHICH WERE PUBLISHED AFTER THAT MEETING THE 2 SITES ARE INFACIT LINKED AFTER ALL. The latest draft states that if houses are lost at Carla Beck the planners will look at amending the local plan. I refer to page 167 of the Craven Local Plan Site Response Papers of January 2018. It says and I quote "in regards to the Land at Carla Beck Lane, as this site already has planning permission for 24 houses the Council have based our housing numbers on the information that we have in front of us. If this application was quashed and a new planning application submitted then the Council could take the new proposed numbers for the site into consideration and make the necessary amendments".

[REDACTED]

[REDACTED]

If the local plan is wrong, then I would ask that it is amended before being adopted. And that the fact that the Grundy field is not a preferred option for housing in the village be made 100 % clear.

Please note that the Council, faced by a formal complaint about what was going on, said they felt that it would be "inappropriate to comment" [REDACTED].

I told the truth to the planning committee in connection with the Carla Beck application when I suggested that the Committee should not even be considering it because the applicant had lied about his ownership of the plot when filling in the planning application. Remarkably the Council chose to redact what I said from the tape. [REDACTED]

[REDACTED] Both cannot be right. I really would appreciate the inspectors comments and views on this. The Chief Exec of CDC and the Ombudsman seems to have no interest in what is going on.

3. GRUNDY

Worryingly, the green field at Grundy is (after almost a year) still the subject of an ongoing planning application (17/2017/17886). This despite Highways and the Council's own Heritage Consultants condemning the scheme around 6 months ago. **The planners refuse to decline or even determine it for some reason that has the 100 or so objectors in the village baffled and wondering if there is a link to the "doctoring" of the Conservation Area report.** [REDACTED]

The applicants are for some reason being allowed multiple "material" changes to the proposals without having to pay another fee and get revised reports done. This is in complete contrast to how other villagers have been treated in the recent past. One objector to the Grundy scheme, Mr Hall, was recently made to restart his own planning application from scratch when he wanted to move an already approved bungalow by 2 m. This on the basis that there had been an objection. Yet there have been around 100 objections to Grundy and the applicants are allowed to carry on making what most people would see as material amendments to the original scheme. Something is not right.

Moreover, the Grundy application was validated in March 17 and remains undetermined, yet the application to reduce the number of houses at Carla Beck was not validated until September 17 and has already been passed. The evidence would suggest that I am correct in thinking that the planners would like to see this field passed for some form of development before the local plan is adopted? Is that why they initially failed to consult with Heritage England despite Listed property and a Conservation Area being involved?

4. IN SUMMARY

Whilst Grundy is not one of the 3 preferred sites in the background of the emerging local plan for good planning reasons, it concerns myself and many other residents that the Conservation Area status of the field was altered by [REDACTED]

[REDACTED] that. It all begs the question what is going on and what motives lie behind the facts.

To make matters worse it seems that the same developer has been granted 3 permissions adjacent to the Grundy site for a total of 11 houses, which it transpires are unachievable for Highways and or Heritage reasons. Other people, as well as myself, have asked the Council to clarify what is going on, but to date have been ignored.

5. RURAL EXCEPTION SITES

Please could I ask that the inspector looks at amending the local plan to clarify the "rural exception" rule in the interest of making it "sound".

It would seem apparent to me that this is aimed at "not for profit" organisations because by their very definition "developers" are in it for profit. Is it just for non profit organisation or can developers use it to get round planning legislation?

Also wouldn't it make sense to be clear about what number are acceptable in terms of "small sites" and "small numbers of market homes". After all there are specific numbers as far as "major" developments are concerned in other parts of planning legislation.

If the inspector feels that this is not part of his role then perhaps CDC could pick up on this point when they prepare the promised 'supplementary planning document'. Clarity now would close the scope for argument at a later date.

Support for the Local plan.

Holistic approach to affordable housing.

I would like to support the local plan in so far as it says that affordable housing numbers will be looked at holistically. This is clearly the right and just approach to take. [REDACTED]

[REDACTED] Even though my standpoint on affordable housing was supported by Harrogate Borough Council, who say there should be 12 not 8 at Grundy, [REDACTED].

[REDACTED]

[REDACTED]

[REDACTED]

I would respectfully ask for the inspectors views on this important issue.

Section 6 Proposed modifications.

On the face of it, it may seem disproportionate to hold up the adoption of the local plan for what is in the scheme of things a small issue. The “doctoring” of an independent experts Conservation Area Appraisal prior to any public consultation. But there is a bigger principle here. What is going on in CDCs planning department is unacceptable and yet they get away with it. They have refused to progress my formal complaint and the Chief Exec has refused to look into the matter until it is too late (if at all). To tell me that its “inappropriate to comment” [REDACTED]

[REDACTED], switching documents and [REDACTED]. Someone need to be held accountable.

Until progress is made in sorting out the existing mess I would respectfully ask the inspector to refuse to adopt the local plan. I guess that if the Conservation Area is extended to cover the whole of the Grundy field or at least the Grundy field is returned to “strong contribution” so a principle is established and somebody with planning knowledge in the Ombudsman’s office promises to look into what is going on sooner rather than later, I will withdraw my objection.

Thank you for your time.

Section 7. Participation

I would appreciate the chance to talk briefly to the Planning Inspector.

Section 8

I would like to be kept informed of all stages please.

Section 9

Date 12/2/18

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