

Email 190918 from Richard Pringle – MIQ response re Matters 1 and 4.

ISSUE 2 PUBLIC CONSULTATION

Q 1 HAS PUBLIC CONSULTATION BEEN CARRIED OUT IN ACCORDANCE WITH THE COUNCILS SCI, THE FRAMEWORK AND THE PPG, AND THE REQUIREMENTS OF THE 2004 ACT AND 2012 REGULATIONS.

NO THE PUBLIC HAVE NOT YET BEEN CONSULTED FOLLOWING THE 2016 CONSERVATION AREA APPRAISAL BY ALAN BAXTER LTD.

THIS IN ITSELF IS MATERIAL TO THE SOUNDNESS AND LAWFULNESS OF THE LOCAL PLAN AND I WOULD ASK THE INSPECTOR TO SUSPEND THE HEARING UNTIL THE PUBLIC HAVE BEEN CONSULTED (IN ALL THE 16 VILLAGES NOT JUST CARLETON)

Q 2 WERE ADEQUATE OPPORTUNITIES MADE AVAILABLE FOR PARTICIPANTS TO ACCESS AND MAKE COMMENTS ON THE LOCAL PLAN, AND THE OTHER RELEVANT DOCUMENTS, IN DIFFERENT LOCATIONS ?

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THIS IN ITSELF IS MATERIAL TO THE SOUNDNESS AND LAWFULNESS OF THE LOCAL PLAN AND I WOULD ASK THE INSPECTOR TO SUSPEND THE HEARING UNTIL THE PUBLIC HAVE BEEN CONSULTED (IN ALL THE 16 VILLAGES NOT JUST CARLETON)

Q 3. WERE THE REPRESENTATIONS TAKEN INTO ACCOUNT.

NO. CERTAINLY NOT BASED ON THE FOLLOWING EVIDENCE TO WHICH THERE ARE 2 STRANDS.

- A. THE PROCEDURAL PRACTICE IN THE EXAMINATION OF LOCAL PLANS (2016) SAYS A NUMBER OF RELEVANT THINGS INCLUDING**
- a. ON PAGE 10 S 1.3 **“MAIN MODIFICATIONS AFTER SUBMISSION WILL ONLY BE CONSIDERED WHERE THEY ARE NECESSARY TO MAKE THE PLAN SOUND/LEGALLY COMPLIANT AND WHERE THE LPA HAS FORMALLY REQUESTED THAT SUCH MODIFICATIONS BE RECOMMENDED BY THE INSPECTOR. THIS ALSO APPLIES TO ANY CHANGE OF APPROACH TO POLICY (INCLUDING SITE ALLOCATION) INSTIGATED BY THE LPA.**
 - b. ON PAGE 13 s 1.17 **“ON OCCASION SOME RECOMMENDATIONS OF A STUDY ARE NOT ACCEPTED BY THE LPA. IN SUCH CASES CARE NEEDS TO BE TAKEN TO ENSURE THAT AN EXPLANATION IS PROVIDED ABOUT WHY THE RECOMMENDATION WAS REJECTED. IN ADDITION CONFLICTS WITHIN THE EVIDENCE BASE MUST BE EXPLAINED.”**

IN SHORT, DESPITE DENYING IT, THE COUNCIL HAVE BEEN AND STILL ARE IN NEGOTIATIONS WITH R N WOOLER & CO LTD TO SWAP PREEXISTING PLOTS ON A BROWNFIELD SITE AT CARLA BECK FOR ONES ON A GREENFIELD SITE AT GRUNDY. THIS CLEARLY CONFLICTS WITH THE NPPF AND ITS UNDERLYING PRINCIPLES AND FALLS WITHIN THE INSPECTORS REMIT FOR MANY REASONS.

FIRSTLY, IT MAY WELL INVOLVE A POLICY CHANGE OVER SITE ALLOCATION. THE PO WILL BE AWARE THAT I ASKED CDC TO CLARIFY EXACTLY THIS POINT AS AN 'AGREED STATEMENT OF FACT' BUT THEY REFUSED POINT BLANK TO AGREE ANYTHING. THIS NOW NEEDS SORTING OUT BECAUSE IF THE HERITAGE REASONS THAT THEY GAVE FOR REJECTING THE GRUNDY SITE EARLIER IN THE PLAN PRODUCTION PROCESS NO LONGER APPLY (DUE TO A CHANGE OF POLICY), THEY WILL EITHER NEED TO ASK FOR A MM OR THE INSPECTOR WILL HAVE LITTLE OPTION BUT TO REJECT THE PLAN AS UNSOUND.

SECONDLY, s 1.17 OF THE GUIDELINES IS CLEAR THAT THE COUNCIL ARE ALLOWED REJECT THE FINDINGS OF A STUDY THAT FORMS PART OF THE EVIDENCE BASE FOR THE PLAN, SO LONG AS THEY CAN EXPLAIN (OR JUSTIFY) THEIR ACTIONS. I HAVE TRIED ON PROBABLY 100 DIFFERENT OCCASIONS OVER THE LAST 18 MONTHS TO GET THEM TO DO THAT. I AND OTHERS HAVE WRITTEN TO THE COUNCIL. I HAVE ASKED A NUMBER OF PLANNING COUNCILLORS AND OUR MP TO LOOK AT WHAT IS GOING ON. I TRIED TO ADDRESS THE WHOLE PLANNING COMMITTEE ABOUT IT, (AT THE MEETING TO DISCUSS EXTINGUISHING PLOTS ON A BROWNFIELD SITE AT CARLA BECK AND SWAPPING THEM FOR PLOTS ON THE PART OF THE GREENFIELD SITE AT GRUNDY) BUT I WAS PREVENTED FROM LINKING THE SITES AND TOLD THAT I WOULD BE ASKED TO LEAVE THE ROOM IF I DID. I DISCUSSED THIS WITH [REDACTED] AT THE LOCAL PLAN ADOPTION HEARING AND WROTE TO CDC ABOUT IT AFTERWARDS, BUT I WAS IGNORED. CDC SIMPLY SAID THAT HOUSES WERE NOT NEEDED IN CARLETON AND THAT EVEN IF THEY WERE NEEDED GRUNDY WAS NOT A PREFERRED OPTION. SO WHY IS THERE STILL OVERWHELMING EVIDENCE THAT THEY INTEND TO ALLOW BUILDING ON IT AND/OR PUT IT IN THE NEW PLAN? I HAVE MADE A FORMAL COMPLAINT ABOUT WHAT IS GOING ON. THAT WAS NOT LISTENED TO PROPERLY. THE COUNCIL SAID IT WAS "INNAPPROPRIATE TO COMMENT" ON IF THE [REDACTED] HAD [REDACTED] TO THE COMMITTEE. HOW CAN THAT BE AN ACCEPTABLE WAY TO DEAL WITH A SERIOUS ISSUE THAT LIES AT THE HEART OF THEIR CONSTITUTION? THE CHIEF EXECUTIVE ORIGINALLY SAID THAT HE WOULD LOOK AT MY CONCERNS ONCE THE GRUNDY APPLICATION THAT I COMPLAINED ABOUT WAS DETERMINED. BUT NOW THAT IT HAS BEEN WITHDRAWN, HAS SIMPLY REFUSED TO HEAR ME. WHETHER OR NOT THE OMBUDSMAN DECIDES TO ADDRESS THE PROBLEM IS IN MANY WAYS IRRELEVANT. THERE IS ALREADY MORE THAN ENOUGH EVIDENCE THAT MY REPRESENTATIONS WERE NOT TAKEN INTO ACCOUNT FOR THE INSPECTOR TO REJECT THE PLAN AS BEING UNSOUND.

AT THE FORMAL COMPLAINT HEARING [REDACTED] FAILED TO EXPLAIN WHY [REDACTED] TOLD THE AUTHOR OF THE REPORT TO DOWNGRADE THE STATUS OF THE GRUNDY FIELD AGAINST HIS EXPRESS WISHES TO UPGRADE IT. UNDER s 1.17 ABOVE I WOULD RESPECTFULLY ASK THE INSPECTOR TO NOW LOOK INTO THIS. [REDACTED] SIMPLY TRIED TO BELITTLE WHAT [REDACTED] HAD DONE BY SAYING THAT [REDACTED] DOWNGRADING IT "WOULD NOT INFLUENCE WHETHER IT WAS EVER BUILT ON" WHICH, AS [REDACTED] BOSS SAID AT THE TIME, IS CLEARLY NONSENSE. IT IS ALSO IN COMPLETE CONTRAST TO WHAT [REDACTED] TOLD THE SPATIAL COMMITTEE MEETING WHEN THE APPRAISAL WAS ACCEPTED INTO THE EVIDENCE BASE FOR THE EMERGING LOCAL PLAN. IT WAS RESOLVED THAT "THE DRAFT CA APPRAISALS..... ARE ACCEPTED INTO THE EVIDENCE BASE FOR THE LOCAL PLAN TO ASSIST IN EVALUATING THE POTENTIAL IMPACT THAT PROPOSED DEVELOPMENT SITES MIGHT HAVE UPON THE CHARACTER AND

SETTING OF THE CONSERVATION AREA". ■■■ NEEDS TO EXPLAIN THE "CONFLICT WITHIN THE EVIDENCE BASE" TO THE INSPECTOR UNDER s 1.17 ABOVE. ■■■ ALSO SAID IN ANSWER TO MY COMPLAINT THAT, HAD ■■■ NOT MANAGED TO PERSUADE HERITAGE ENGLAND TO CONCUR WITH ■■■ VIEWS, ■■■ WOULDNT HAVE PUSHED AHEAD WITH THE DOWNGRADING. BUT THE SUBSEQUENT REPORT PAID FOR BY THE CPRE IS, LIKE ALAN BAXTER, CONVINCING PROOF THAT ■■■ ACTIONS ARE TOTALLY UNJUSTIFIABLE UNDER s 1.17 ABOVE. ■■■ DOES NOT HAVE THE EXPERTISE NEEDED UNDER THE NPPF TO MAKE THIS SORT OF DECISION, WHEN CLEARLY IT IS CONTROVERCIAL.

MOREOVER, WHEN I ASKED FOR AN 'AGREED STATEMENT OF FACTS' FROM THE COUNCIL 'TO EXPLAIN THE CONFLICT IN THE EVIDENCE BASE,' THE PO WILL BE AWARE THEY SIMPLY REFUSED TO PROVIDE ONE. THIS CLEAR CONFLICT IS SOMETHING THAT I WOULD RESPECTFULLY ASK THE INSPECTOR TO ADDRESS UNDER THE PROCEDURAL PRACTICE GUIDELONES.

THE QUESTION TO BE ASKED IS SIMPLE.

DO THE COUNCIL WANT TO SEE BUILDING AT GRUNDY AS THEY ARE TELLING THE DEVELOPER, OR NOT, AS THEY ARE TELLING THE INSPECTOR. AND IF NOT, WHY DID THEY INFLUENCE THE INDEPENDENT CONSERVATION AREA APPRAISAL IN 2016 AND WHY HAVE THEY RECENTLY PAID THEIR HERITAGE EXPERT, WHO PREVIOUSLY CONDEMNED THE DEMOLISION OF THE LISTED WALL TO MAKE AN ACCESS , TO CHANGE HIS MIND. IT BRINGS INTO QUESTION THE INTEGRITY OF THE OFFICERS INVOLVED AND CONSEQUENTLY IMPINGES ON THE SOUNDNESS AND LAWFULNESS OF THE PLAN. INFACIT IT DRIVES RIGHT TO THE HEART OF IT. THE INSPECTORS ROLE MAY NOT BE TO LOOK AT EXCLUSION SITES, BUT HE HAS A DUTY TO MAKE SURE THE PUBLIC HAVE A SAY IN WHICH ONES ARE PICKED AND TO DATE THE EVIDENCE IS OVERWHELMING THAT THAT ISN'T HAPPENING.

B. SEE THE EMAIL ATTACHED BELOW DATED 30/7/17 FROM THE HEAD OF OUR COMMUNITY GROUP TO CDC WHICH FORMED PART OF THE LOCAL PLAN CONSULTATION. IT EXPRESSED CONCERNS

1. THAT THE COUNCIL HAD INFLUENCED THE CONSERVATION AREA APPRAISAL. AND
2. IT REQUESTED THAT WE BE GIVEN THE RIGHT TO HAVE A SAY ON THE DOCUMENT IMMEDIATELY.

THE COUNCILS RESPONSE DATED 2/8/17 PROVES THAT THAT REQUEST WAS TOTALLY IGNORED. THEY RESPOND TO HER QUESTION ABOUT LOCAL GREEN SPACE BUT COMPLETELY FORGET TO DEAL WITH HER POINT ABOUT THE LACK OF CONSULTATION ON THE CONSERVATION AREA APPRAISALS.

I GAVE THE COUNCIL THE CHANCE TO DO THE DECENT THING AND PUT THE GRUNDY FIELD BACK TO "STRONG CONTRIBUTION" AS PART OF THE 'AGREED STATEMENT OF FACTS' PROTOCOL. I WAS TRYING TO HELP THEM AND THE INSPECTOR, BUT IT SEEMS THAT THEY DO NOT WANT TO HELP THEMSELVES. THE PO WILL BE AWARE THAT THEY IGNORED ME. ON THE BASIS THAT NOT ONLY ME, BUT OUR WHOLE COMMUNITY HAVE BEEN IGNORED, I NOW RELUCTANTLY ASK THE INSPECTOR TO EITHER SUSPEND THE HEARING PENDING THE OUTCOME OF THE CONSERVATION AREA CONSULTATION OR REJECT THE PLAN AS UNSOUND.

Thank you for your time.

Richard.

EMAIL FROM COMMUNITY GROUP TO CDC AS PART OF CONSULTATION PROCESS

From: [REDACTED]
Date: 30 July 2017 at 23:54:56 BST
To: "localplan@cravencd.gov.uk" <localplan@cravencd.gov.uk>
Cc: 'Richard Pringle'
Subject: **Consultation on Draft Craven Local Plan (19/6/17)**

Dear Sir madam,

I am writing on behalf of Carleton Community Group who have recently formed to specifically look at formulating a Neighbourhood plan for our village whilst looking to protect our conservation areas and 'Listed assets'. We have read with interest all the documents attaching to the proposed new Local Plan and there are two points we would like to raise ;-

Firstly, with regard to the Carleton Conservation Area Appraisal, we note that on page 15 there was a discrepancy between the opinion of the council and the independent consultants commissioned to write the appraisals regarding the level of contribution the field on the Park Lane side of Grundy Farm made to the Character and appearance of the of the rural conservation area(as captured in the footnote). The independent consultants thought the field made a strong contribution and that the conservation area boundary should be extended but the council thought it made only some contribution. We as a local community group feel it should be classified as making a strong contribution and agree with the Independent consultants that the Conservation area boundary should be extended. We currently have in excess of 150 signatures requesting that our conservation area boundary is extended. Having studied Historic England's Guidance on Conservation Area Appraisals together with their Historic Environment Good practice Advice in Planning Documents and the Localism Act, the NPPF and NPPG and more recently the Government Housing White Paper and neighbourhood planning proposals, it is clear that the Government recognises the importance of giving communities a stronger voice in shaping their local areas. The theme running through all the documents is that local views and opinions are important. Section 14 of the Historic England Good practice guide highlights the importance of Local community involvement particularly in finalising Conservation Area Boundaries. We are therefore asking you to re-visit the Carleton Conservation area Appraisal and take our Local views on board together with that of the Independent Consultant and extend the Conservation Boundary around Grundy field.

Secondly, having studied the requirements to attain 'Local Green Space' Designation we would also like to apply for Local Green Space designation for the Grundy field as it seems to fit all the required criteria. Currently, part of the site provides a strong contribution to the character/appearance of the area and part controversially provides 'some' contribution as detailed in the Carleton Conservation area appraisal and highlighted above. The site is Historically very significant for the village as detailed on the attached appraisal from Mrs S Wrathmall. There is strong local support to have this site designated as LGS therefore taking all these points into account the site passes test 3 . The site also passes test 1 & 2 as the site is in the heart of the community it serves and close to all amenities. It is Local in character and not an extensive tract of land and it is currently free from planning permission. In fact it was excluded from the 'Preferred Sites' due to its strong Contribution to the Conservation area and nearby Listed Buildings.

In closing, may we thank you for your consideration and we would be obliged if you could acknowledge receipt of our requests and inform us of the next steps. I personally will be away for 2 weeks but please copy Mr Richard Pringle into any correspondence [REDACTED].

Kind Regards

[REDACTED] on behalf of Carleton Community group

[REDACTED] **DipPFS**
Partner of St. James's Place Wealth Management