

FOR THE ATTENTION OF THE INDEPENDENT PLANNING INSPECTOR

AROUND THE PLANNING PROCESS IN HIGHLEY

Included there are 6 pages

And 4 inclusions

1, The process

2, HNN014

3, HNN016

4, The alternative

5, Summary

1, THE PROCESS

Consultation, we would argue that this has not been carried out to the agreed procedure. There was one meeting with the Parish Council, who gave their initial comments, they understood that the Council would take those away, then get back to them to continue the consultation to a mutually agreeable solution.

But no, there was no further consultation, and involvement with the public was nil. Our ward councilor took it on himself to call a public meeting and paid for the venue himself because he was so concerned as to what was going on behind everybody's backs. Note we have raised £ thousands as a group and engaged a solicitor, the one question she wanted answered was who determined HNN016 as the preferred site, who was involved, and how was it arrived at, to date some two months later there has been no response.

At this meeting in the Autumn of 2019 (before Covid was an excuse for everything), the council sent along Mr from planning, and he was thrown under the bus.

He turned up and explained that in this so called democracy we had a choice,

A CHOICE OF 1.

HNN016 was it, its at this point everybody started to complain and object.

On this detail alone we believe that the villagers should be given the opportunity to consult directly and openly with the council as to our future and our neighborhood. Before any decisions are taken in Law

We have asked for meetings in Shrewsbury or on the ground in Highley on numerous occasions but have been met on all occasions with a wall of silence.

This village understands that we have a commitment to accommodate our fair share of housing going forward, all we have asked for is an opportunity to consult with the planners because we believe that we have a better proposal for all stakeholders and that it will solve the housing issue in this village for the next 100 years, but more of this under THE ALTERNATIVE.

Not only have we been met with a wall of silence, but we have also received what can only be described as deliberate mis-information and this has emanated from the very top. Please see enclosure 1, along with a newspaper cutting, that does not reflect our experience one jot.

HNN014

This is a 1.8 acre parcel of land that has previously had planning rejected twice , firstly for 9 bungalows, then for 20 affordable homes, this time with very little changes, it has been passed, its fairly apparent that the primary reason is because had it failed a third time, it would have made the main site HNN016 untenable leaving planning looking a little silly.

The reason for forcing through HNN014 is that everybody knows that the access to HNN014 and HNN016 is on a totally inappropriate and dangerous bend, but having forced it open, it becomes easier to use for the main site.

The access is on the worst bend in the village, where numerous accidents have happened in the past, it's in an area that cannot be widened where two buses or lorries have difficulty in passing without mounting the pavement. Walked by children every day back and forth to school.

This is confirmed by the fact that it's the only bend in the village to have chevrons, we know that these signage are only introduced at a cost to councils where there have been previous accidents.

in enclosure 1, the leader of the council advised me that the protocol was to go before Cabinet before Christmas, and that whatever is promoted by Council, will go before an INDEPENDENT planner in 2021 at a public enquiry.

The council got wind that we had engaged legal representation and that a Judicial review was being considered, this provoked significant activity within council, so that a section 106 was ushered through and planning permission was passed on NOVEMBER 26

Because of the issues around the access, part of the planning states that the properties cannot be occupied until crossings are put in place , protecting the safety of the access. This has been known since the spring and they cannot find anywhere to put them, this should tell you everything.

The senior planner has suggested improving the existing crossing that doesn't even exist, everything is being done in a panic in completely the wrong order just to force open this access.

Who is going to enforce that properties cannot be occupied because of the lack of some safety crossings. They are playing fast and loose with people's lives.

A conversation has taken place with TC Homes (The Builders) they stated that they are not bothered, about the crossings and that railings would suffice, but that is not correct.

Accepting that affordable houses are going to be occupied by young families in the main, a parent coming out of the access with a pram or pushchair wanting to go to the village cannot do so on their side of the road, because the pavement is too narrow to accommodate the pram, so will have to cross the road on the blind bend.

Children going to school coming out of the access seeing their friends walking to school on the other side of the road are going to naturally want to cross the road either on the blind bend or on the brow of the hill.

The only crossing which is 250 yards from this dangerous access is over the brow of the hill down the bank across Hazelwell's road and actually past the school road it's not a solution.

Somebody is going to get injured or God forbid killed , because they are hell bent on chasing this flawed plan.

When it happens I will be submitting this document to whoever is investigating, if this folly continues.

I write this as a concerned Grandfather who has grand children walking past this junction twice a day at present, unless the alternative is adopted, more of which later.

HNN016

ACCESS

We have already covered this under HNN014, this access is originally for 20 households, but if HNN016 goes ahead then it will be an access for circa 142 houses. Circa 500 people, it will be a major mistake on the grounds of safety.

ARTICLE 4.1

18 years ago Andrew Maiden (The local farmer and owner of HNN016 approached me about selling some ground, he needed cash to get a barn in Chelmarsh above damp before he lost his planning permission.

I arranged with householders bordering the field to purchase a plot of land it was 25 yards wide the whole length of the field, 26 plots at £2000 a plot we agreed to pay £52000, and before purchasing we applied for change of use from Agricultural to residential, Permission was refused. We decided to go ahead and purchase anyway.

In response the council made a direction over all of HNN016,HNN014 and the plots we had purchased, stating that erection of Walls fences and hedges were prohibited.

The council could only enforce this for 6 months, beyond that they had to get the Secretary of State to apply the Direction, this they did and it was signed off by the Deputy Prime Minister, that was the importance they placed on the ground within the Severn Valley. 18 years ago and its still in force today (see enclosure 2)

The council, now they want to develop the Severn Valley , believe amazingly .they can simply ignore the direction,

Mr Fortune a planner of many years advises that any persons occupying HNN014 will have to apply for planning permission before the erection of any walls fences or hedges (see enclosure 3)

STRIP OF AGRICULTURAL LAND

If HNN 016 goes ahead there will be a strip of agricultural land between two residential estates. This surely isn't normal or desirable.

ISSUE FOR ANY POTENTIAL DEVELOPER

HNN016 had historically a valley running through the middle of it, when the seven centre was built there were tens of thousands of spoil dumped on this ground filling in the valley, I would estimate that 25 to 30% of the plot is made up ground which has to be liable to slip.

THE ALTERNATIVE

I explained at the beginning that this was not a negative submission, but a positive one that can improve the village dramatically and resolve the housing issue for the next 100 years.

owns circa 60 acres of farmland all enclosed within Netherton lane adjacent to

All existing housing estates.

Firstly he is prepared to gift HNN010 to the village, some 6.9 acres, its surrounded on 3 sides by housing and at its nearest point its within 150 yards of the village centre on foot. Why hasn't it been developed previously,? simple a district councilor and two Parish councilors bordered this parcel of land.

Why hasn't it been chosen as the preferred site, because they cannot see how to access it without using Redstone Drive where the School is .The problem is they didn't consult and there is an alternative which has made clear to his professional advisors.

advises that they cannot liaise with anybody who has not officially contacted them. Understanding its at the eleventh hour but his advisors did submit presentation before the deadline of September 30th 2010.

Benefits of the Alternative.

1, The gifted land will allow a 50 bed care home a safe modern medical centre and approx. 60/70 affordable homes all below the existing housing.

2, It would give unfettered access to the sewage works across land and my understanding is that he would be happy to gift further land so that the sewerage beds could be extended.

3,It would allow all the children within the village to halve their journey to school, walking only 2 residential streets, as opposed to walking a significant distance along the busy main road.

4,If was successful he would be happy to release land in parcels as required so that the Council always have land available to develop with the necessary roadway and sewerage capacity already in place..

5, please see enclosure 4 listing all the critical distances from both parcels of land, in every detail HNN010 is better than HNN016.

SUMMARY

If the council are as they say, keen to engage with the local householders, then why after begging and pleading to meet with them they continue to ignore us.

They are doing everything in a rush and are doing things that are not correct in the wrong order, and appear hell bent on sanctioning a dangerous unsuitable parcel of land.

We are being ignored and given misinformation

We are advise that the HNN016 land has not been sold by the owner, a house builder has not been engaged and the only plans submitted at the public meeting were mocked up by the council.

So have they made promises that they cannot withdraw from ?

My understanding is that there have been changes in Oswestry and Church Stretton so it's not without precedent.

I look forward to hearing from you and hope that you can see that this is not nimbyism but about trying to take the best option for all of the village.

Please note I have no interest other than that of a concerned Grandparent

Paul Bethell

25-1-2021

ENCLOSURE 1.

Paul Bethell

From: Paul Bethell
Sent: 20 January 2021 13:45
To: [REDACTED]
Subject: RE: Potential Planning Dispute

Dear [REDACTED],

Many thanks for your response of the 16th December, though I don't know if it was deliberate, you have answered a question that wasn't asked.

I enquired about HNN014 and your replied about HNN016, the fundamental difference is that HNN 014 commenced ground works on January 4th and work continues apace.

Fortunately it will all come to nought, part of the planning requirement, because it is being developed on a totally unsuitable dangerous bend, is that before any occupation can take place a crossing has to be installed making the access safe, but this cannot be found in the necessary vicinity of this dangerous bend. Your senior planner has suggested improving an existing crossing that does NOT EVEN EXIST. Priceless.

If he is referring to the one 250 yards away at the bottom of the Bank west of Hazelwells road, that cannot offer any protection to the access.

It really beggars belief .

Kind Regards

Mr Paul Bethell

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: FW: Potential Planning Dispute

Dear Mr Bethell

My apologies for the delay in responding.

The inclusion of site HNN016 – land South of Oak Street in the emerging Local Plan has been subject to a detailed site assessment process, which has looked at a range of options in the town for the delivery of housing against a number of material considerations, including impact on the highway network and whether safe access can be achieved. This has been subject to public consultation as part of the ongoing preparation of the Plan and officers have considered responses to this site allocation proposal.

On 7th December Cabinet agreed to consult on the 'Regulation 19' stage of the Local Plan, which represents the more formal part of the preparation process. The Regulation 19 version of the Plan continues to include site HNN016 as a proposed development option for the delivery of around 100 dwellings. As part of this upcoming

consultation into the Regulation 19 version of the draft Local Plan, the public have the opportunity to raise objections relating to 'soundness' of the Plan. Guidance on this will be provided as part of the consultation.

All comments made at the Regulation 19 stage will be send to an appointed independent Planning Inspector when the Council submits the Plan to the Government for Examination, scheduled for April 2021. The Inspector then has the opportunity to consider these responses, and they may wish to hold specific public hearings into particular aspects of the Plan. Ultimately, the Inspector does have the opportunity to suggest changes to the Plan to make the Plan 'sound'.

More information about the upcoming consultation will be made available on the Council's website next week, and everyone on the Council's consultee database will receive an e-mail alerting them to the start of the consultation. If you are not currently on the council's consultee database and wish to be, please send an e-mail to planning.policy@shropshire.gov.uk.

Kind regards.

[Redacted]
[Redacted]
Subject: RE: Potential Planning Dispute

[Redacted]
Please have a read of your response to me in September, having read it could you explain how land HNN014 was approved yesterday on the 16th November, it does not equate to your below statement, we thought from this that we had the ability to discuss with the planning inspectorate next year at a public enquiry.

Kind Regards

Mr Paul Bethell

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
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[Redacted]
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[Redacted]
Subject: Re: Potential Planning Dispute

Paul

The review of the local plan is ongoing and any recommendations will go to Cabinet before Christmas. Whatever is promoted by the council will go before a senior member of the planning

inspectorate next year at a public enquiry before then going to the Secretary of State for final approval. I have included some planning officers in this reply and they may have further comments.

Regards

Sent from my iPad

On 25 Sep 2020, at 14:10, Paul Bethell [redacted] wrote:

Dear [redacted]

I am the Chairman of an Engineering Group with its HQ in Shropshire, but I am contacting you in a private capacity

Apologies for this unsolicited e-mail, but I wish to give you a heads up on a planning row that is going to blow up and hit the papers, all down to the arrogance aloofness, and simple refusal to engage with

Local people and follow the consultation process as laid down in your rules and regulations.

There is currently a funding campaign going ahead to launch a Judicial Review. Specifically around protocol not being followed

The potential issue is around parcels of land in Highley HNN014 and HNN016.

After the call for sites went out there were 6 identified, they asked for the Parish Councils input, then never got back to them and the next thing that happened was that there was a public meeting where the locals were given the options of ONE. I understand I am naive but it's hardly democratic.

HNN014

This plot originally had a plan submitted for 9 bungalows refused.

Next it had a plan submitted for 20 mixed affordable and social housing houses refused.

Submitted again with the houses turned around passed. Its only passed because if this was refused, then the preferred site HNN016 could not then be developed with 122 properties.

HNN016

The plans for this have not been officially submitted but have been presented at the 1 public meeting held last year.

Problems with both sites.

A, Access, the access is totally unsuitable and Dangerous, it is on the worst bend in the Village supported by the fact that this is the only bend in the village with chevrons.

The bend is that bad having talked to the people living by it there are countless accidents occurring here, that's without the junction being put in.

Children walk either side of this bend twice a day going to school, there is no room to widen pavements and buses can be seen regularly having to mount the pavement to get round, and your officers are countenancing a further 142 houses utilising this junction.

On winter mornings when the sun is low it's a total blind spot you have to stop, literally, somebody needs to come and have a look, before somebody is **killed**.

The access has been acknowledged as an issue and T C Homes who have been granted permission to put up the 20 properties cannot start work until they have made the access safe by putting in a crossing, the problem is they cannot find anywhere within 200 yards to site this and that then does not protect the access.

This should actually tell you everything.

B, Clause section 4.1

In 2003 I purchased a strip of land on behalf of all residents bordering HNN016, we applied for change of use from agricultural to residential this was refused. We went ahead and bought the land as Agricultural, in retaliation the Council had a clause 4.1 put on the purchased land and the whole of sites HNN014 and HNN016. Stating that the land was in the Severn Valley and that no Hedges Fences or Walls could be erected on this land.

The council were able to apply this for 6 months ,but to extend this they needed to go to the Secretary of State, this they did, feeling it was that important and some 17 years later, it is still in place.

Because it now suits your planners they wish to ignore it.

You could have the ridiculous situation where there are two residential developments with Pigs being run through the middle. Madness.

One for the potential developers , this field had a fault through the middle of it in recent years, this has been made up with spoil. I would estimate that 25% to 30% is made up ground that will be difficult and expensive to develop .

The villagers know they have a duty to accept their fair share of houses, but worst of all, the planners have been advised where there is land that will prejudice nobody , that will solve the housing problem in this village for the next 100 years, and that the landowner will grant free of charge sufficient land to allow the 50 bed assisted living property to be built, also a purpose built medical centre with adequate parking and approx. 50 to 70 affordable houses. I have offered to come and meet them in Shrewsbury to discuss, and to walk them through the sites above, but it has met with narry a response.

Mr Nutting I will give you every opportunity to digest and engage, but if I receive the same response as before then this will be going to the press. I want to deal with this in a conciliatory manner but your officers are making this impossible. In closing I advise you that a copy of this has been sent to [redacted] so he is also aware of the issue in his constituency.

Kind Regards

Mr Paul Bethell

[redacted]
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Leader promises he will consider plan concerns

Report by Rory Smith

THE leader of Shropshire Council has responded positively to those who have taken part in its consultation on plans for future development in Much Wenlock and elsewhere in the county

Councillor Peter Nutting said he was "really pleased" with the response to the consultation on the draft local plan, which lays out where homes and business can be built up until 2038. It sets a target of building 30,800 homes in Shropshire over the 18-year lifespan of the plan.

The consultation ended on Wednesday, when councillor Nutting met with representatives from the campaign groups Much Wenlock Neighbourhood Plan Refresh Group (NPRG) and Shifnal Matters, which have both been vocal in their objection to the housing proposals.

Meeting

Councillor Nutting said: "I've been meeting residents from Much Wenlock and Shifnal who have given me documents about the local plan review that we're undertaking at the moment.

"We're really pleased to receive comments from everybody. We're going to take them all on board.

"We're going to try and do as much as we can to help residents, but I can't promise everybody will get everything



Shifnal Matters' John Moore hands over the responses to Shropshire Council leader Peter Nutting at Shirehall

whatever the planning inspectorate say."

Members of the group in Much Wenlock handed over their 84-page submission, which laid out reasons residents believe that plans for at least 120 houses on Bridgnorth Road would cause "fundamental damage"

"Then we'll have to take on board

to the unique character of the town.

Meanwhile, Shifnal Matters submitted responses stating its opposition to Shropshire Council's proposals for major development in their town, including a new bypass, a further 1,500 homes and building on green belt land.

Demand is growing for more home rents

A SHORTAGE of rental properties in Shropshire means that those that do come onto the market are being snapped up almost instantly, according to Dawn Clarke, lettings director at Nock Deighton estate agents.

"We're finding, especially this year, that demand is far exceeding the number of properties we have coming in," she said "As soon as we put a property onto our website, we are inundated with inquiries. Properties are flying out the door."

Mrs Clarke says the number of inquiries in recent months has increased by around 25 per cent, in part due to pent-up demand following lockdown. But at the same time, the number of landlords is dwindling.

"I would say over the last two years, we have probably had about 10 per cent of landlords who have decided to sell up," she explained, saying the growing number of regulations that landlords must comply with is a major factor in this.

"All the governments introduce new legislation but it is making it more and more difficult for landlords to invest in property. There have been 15 new pieces of legislation introduced in the last five years."

As a result of the coronavirus outbreak, the Government has made it difficult for landlords to evict tenants who are behind on their rent.

Mrs Clarke added: "Rents have increased over the last 12 months but only in line with the rest of the UK. However, if there continues to be a shortage of rental property, then rents are going to go up. We're finding that properties are being snapped up the moment they come on to the market, and that people are prepared to pay more to get the right property."

Enclosure 2



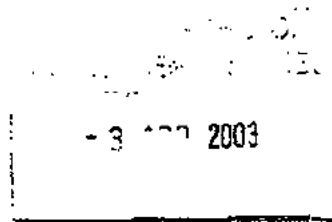
GOVERNMENT OFFICE
FOR THE WEST MIDLANDS

Head of Development Control
Bridgnorth District Council
Westgate
Bridgnorth
Shropshire WV16 5AA

Your Ref.: RPF/tr/HIG/G and 02/0419
Our Ref. WMR/P/5357/19/8

Date 22 April 2003

Dear Sir



TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 1995

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5(4) APPLIES

WHEREAS the Council of the District of Bridgnorth being the appropriate local planning authority within the meaning of article 4(6) of the Town and Country Planning (General Permitted Development) order 1995, are satisfied that it is expedient that development of the description set out in the Schedule below should not be carried out on land at the rear of Yew Tree Grove, Highley, Shropshire as shown edged red on the attached plan, unless permission is granted on an application made under Part III of the Town and Country Planning Act 1990.

AND WHEREAS the Council consider that development of the said description would be prejudicial to the proper planning of their area and would constitute a threat to the amenities of their area and that the provisions of paragraph 4 of article 5 of the Town and Country Planning (General Permitted Development) Order 1995 apply.

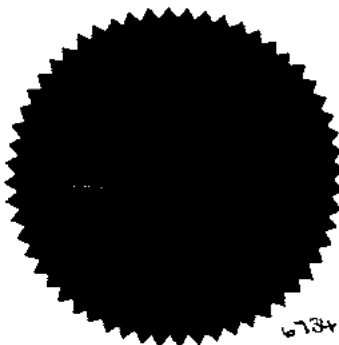
NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description set out in the Schedule below.

THIS DIRECTION is made under article 4(1) of the said Order and, in accordance with article 5(4), shall remain in force until 15 April 2003 (being six months from the date of this Direction) and shall then expire unless it has been approved by the Secretary of State for the Environment.

SCHEDULE

The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure being development comprised within Class A of Part 2 Schedule 2 of the said order and not being development comprised within any other Class.

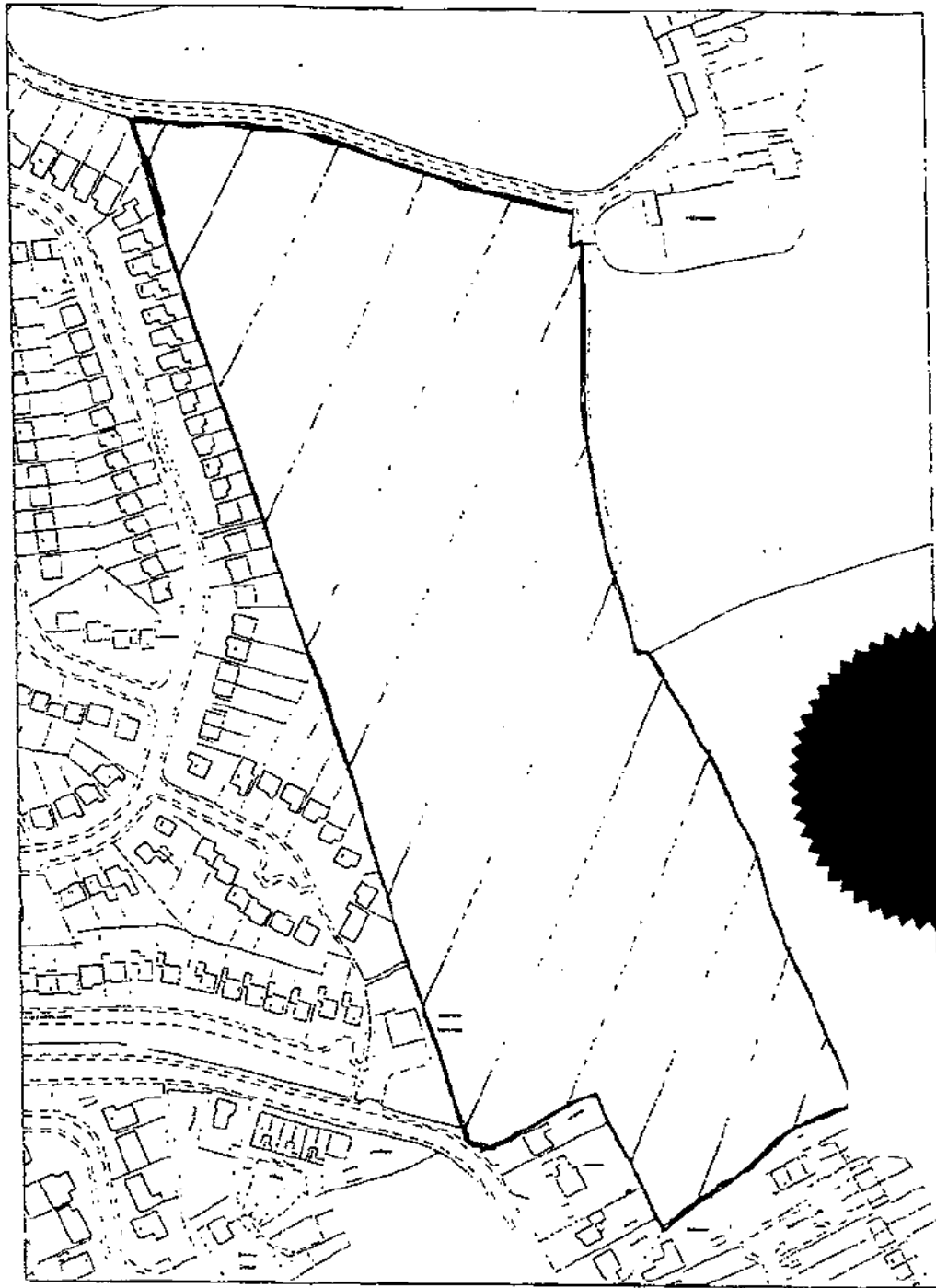
Given under the Common Seal of the Bridgnorth
District Council this 15th day of October 2002. The
Common Seal of the Council was affixed to this
Direction in the presence of



The First Secretary of State
for the Office of the Deputy Prime Minister
hereby approves the forgoing direction.

Ordnance Survey Map

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03 October 2002. Scale 1:2500. Sheet SC7364SE



Paul Bethell

From: [Redacted]
Sent: 18 March 2020 14:44
To: Paul Bethell
Subject: RE: Planning Reference 20/00193/FUL
Attachments: 20-00193-FUL Highley Ctte Report.pdf; Article 4 Direction Confirmation April 2003.pdf

Dear Mr Bethell,

I note from the file that you were sent a letter on the 3rd April 2003 advising that the Secretary of State had approved the retention of the Article 4 Direction. The attached document from the Secretary of State approves the Direction.

The existence of this Direction was taken into account in the report to the South Planning Committee on the above planning application. A copy of that report is attached for your information: Section 6.12 explains the circumstances which resulted in the Direction and its continuing effect today. The owners/occupiers of the affordable dwellings, if built, would need to apply for planning permission for the gates, walls, fences or other means of enclosure, as specified in the Article 4 Direction schedule, if they are different to details that are approved in connection with planning permission 20/00193/FUL

Regards

[Redacted]
From: Paul Bethell [Redacted]
Sent: 17 March 2020 10:38

Subject: Planning Reference 20/00193/FUL

Would you be so kind as to forward me a scanned copy of the document from the Secretary Of State rescinding the section 4.1 clause, imposed on the land whereby the planning department have sanctioned 20 houses. Or do I need to go via the Secretary of States offices. Many thanks in advance for your help in this matter

Kind Regards

Mr Paul Bethell

[Redacted]

Paul Bethell

From: Paul Bethell
Sent: 29 September 2020 14:06

Subject: HNN016

Thank you for coming back to me promptly ,but if I am reading your response correctly, you will continue on the current process and that nothing that is forwarded to you will be either discussed or lodged prior to it going to cabinet.

If my interpretation is wrong then I apologise perhaps you would be good enough to enlighten me.

THE PUBLIC MEETING HELD AT THE END OF 2019.

Present representing the council was a Mr Dan Corden, at the meeting Mr Corden explained that the site HNN016 ticked every box with regards to planning.

HNN016 at best is a 300 yard walk to school utilising the main road. HNN010 at best is half that distance , and not via the main road.

HNN016 I is a 700 yard walk to the Doctors surgery and a further 1 mile if a prescription is needed to be picked up. HNN010 would see the medical practice built within the gifted land and 150 yards on foot from the village centre .With the pharmacy housed in the same building with adequate parking.

HNN016 houses to centre of the village 800 yards, HNN010 again 150 yards.

Most importantly it allows ALL children from the village a much shorter route to school and keeps them off the dangerous main road.

If this parcel of land is so important, why has this diamond not been mined before. Simple, for the last 40 years 1 District and 2 Parish Councillors have bordered HNN010.

So from a planning perspective HNN010 is better than HNN016 in every regard and would be gifted to the council if the alternative site was adopted, even at this 11th hour, its do-able and beneficial to the village in every aspect. It just needs a desire from the planners to co-operate and engage.

Once again I advise that I am happy to come to Shrewsbury to discuss or alternatively meet with these guys on site so that they can clearly see the opportunity that they are passing up, I wait to hear from you and remain .

Yours Sincerely

Kind Regards

Mr Paul Bethell