

Ecological Owlthorpe
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Matt Dunkley-Roberts
Customer Team Officer
The Planning Inspectorate

Date: 13th July 2021

Dear Matthew Dunkley-Roberts,

Thank you for your email dated 22nd Jun 2021. I will forward a copy to the Parliamentary Ombudsman. The Ombudsman explained that it is important to inform all parties involved in my formal complaint and looks forward to reviewing responses.

In regard to my formal Complaint to the Parliamentary Ombudsman I have received communications from the newly formed coalition Sheffield City Council. Councillor Douglas Johnson informs me that Colin Walker no longer works for Sheffield City Council. he was Interim Head at the meeting 2nd June 2020. The planning Solicitor, Kate, explained procedure and vote was taken with many of the committee citing traffic impact as the reason for rejecting this application. The result was 10 against with 2 abstentions. After the vote was taken Colin Walker Interim Head said **“I think there is a significant risk if you throw Highways impact into this as a reason for refusal and that risk is that you effectively neutralise the site in residential terms.”** Highways impact was removed from the legal document. Howard Baxter Sheffield Planning Department then encouraged Avant homes to appeal to the Secretary of State.

<http://www.dlpplanningappeals.co.uk/Docs/CD2.37%20-%20Decision%20notice%20June%202020.pdf>

“Appeals to the Secretary of State If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to **the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act, 1990.**”

I have a number of unanswered questions that I am asking the Parliamentary Ombudsman to look into.

Did the decision notice [CD2.37 - Decision notice June 2020.pdf\(PDF, 90KB\)](#) mislead the Secretaries of State and the Planning Inspectorate with regard to the true content of the meeting June 2020?

Many local residents viewed this Planning meeting live and are shocked and dismayed with Colin Walker’s comments. It seems to me that unelected civil servants in the planning department were ignoring decisions made by elected City Councillors who represent their constituents. **For democracy to work, this behaviour needs to stop.** Councillor Douglas Johnson also said he would have wished the Planning Inspector would have taken more notice and in fact that he had followed the decision of the elected councillors.

This is the response from Michael Johnson: Head of Planning Sheffield City Council

“Dear Mr Meredith, I am writing to thank you for sending the below correspondence and to confirm we will respond fully with any Ombudsman enquiry that is forthcoming. Kind regards Michael”

It seems to me that Sheffield City Council is getting its house in order.

In your email dated 22nd June 2021 you state: “we will investigate any concerns. That said...” The question is: is the inspectorate prepared to put its own house in order?

“At the inquiry I requested that the inspector review the Sheffield City Council Planning & Highways Committee meeting, he declined. I feel this was a dereliction of the inspector’s duties as an independent arbitrator in this inquiry. However I was allowed to review the meeting evidence: <https://www.ecological-owlthorpe.org/EO-18ReviewofPlanningMeeting.pdf> . This was arranged by Guy Williams Sheffield City Council Barrister and Lucy Bond, Area Team Manager (City Centre & East Team) Development Management City Growth Department. The video was time limited; I was given only two days to review the meeting after which it was taken down. But many of the local residents had made copies so I have been able to make copies available to the Parliamentary Ombudsman and all who took part in the inquiry. Please advise if you would like a copy.

The main thrust of my objection to the Parliamentary Ombudsman is **flooding**. Down stream flooding from Owlthorpe contributed to the devastation of citizens living down stream in Beighton, Rotherham Doncaster and Fishlake.

Extract from my first objection which was submitted to Howard Baxter SCC dated: Fri 21 Feb 2020 and then also forms the first part of my evidence presented to the inspector. <https://www.ecological-owlthorpe.org/EO-01OriginalObjection21stFeb2020.pdf>

“**Flooding** My heart goes out when I see the faces of the victims of flooding as the emergency services work to evacuate them. Many lives have been lost due to flooding. When survivors return to their homes they find a scene of complete devastation. Many find it is hard to claim compensation. We all face increases in insurance premiums as insurance companies are overwhelmed with claims. We all need to do more to prevent flooding.”

Please be aware millions and millions of gallons of water are stored in Ecological Owlthorpe and gently released into the Ochre Dyke. Building more properties and pouring more concrete upstream in Ecological Owlthorpe will greatly increase the flood risk downstream in Beighton, Rotherham, Doncaster and Fishlake. As described in this video: <https://www.ecological-owlthorpe.org/Water.mp4> Ochre is seen poring out of the flooded disused mines under Ecological Owlthorpe. This video was taken at the same time as Beighton, Rotherham, Doncaster and Fishlake flooded video: <https://www.ecological-owlthorpe.org/Ochredyke2.mp4>

In accordance with the Law of the Land:

Prior to the inquiry I requested on 26th May 2020 that George Eustace MP Secretary of State for the Environment “call in” the application. My request was in line with government legislation and the Law of the Land, which states that applications have to be made before the local planning Authority makes its decision. The decision to refuse the planning application by Sheffield City Council Planning & Highways Committee took place 2nd June 2020 therefore my application was submitted in time. My request was regarding downstream flooding. Water from Owlthorpe contributed to flooding in Beighton , Rotherham, Doncaster and Fishlake.

Extract from Helen Skinner email dated: 1st December 2020. “In our view none of the published criteria are engaged in this appeal, and the proposal is not considered to give rise to issues of more than local significance. Therefore the appeal will not be recovered, and will be decided by an Inspector.”

Flooding is not just a local issue. Fishlake is more than 30 miles downstream. Flooding is of National Concern. HRH Prince Charles and the Prim Minister Boris Johnson are the ones that had to console with the victims of flooding in Fishlake. Water

from Ecological Owlthorpe contributed to this tragedy. As described by Jenny Palmer in her statement.

<https://www.ecological-owlthorpe.org/EO-03thisistheaccountofoneofthevictimsoffloodinginfishlake.pdf>

In my last email to Holly Dutton I explain: “I still have not had replies from George Eustace MP Secretary of State For Environment or Robert Jenrick MP Secretary of State for Housing, although I have had acknowledgements that they received my communications, some of which were sent recorded delivery.” As you are aware, I still dispute whether the Secretaries of State did reject my application, especially after all the statements made by Government Ministers and other departments in support for upstream nature based solutions to stop downstream flooding for example: This is one of the main reasons for creating this web: <https://www.ecological-owlthorpe.org>

Ecological Owlthorpe is a nature based solution. With many Government Ministers and organisations saying they wish to support such projects I am at a loss to understand why the Secretary of State would want to destroy our oasis. To get a better understanding of where I am coming from please look at my editorial in Yorkshire By-lines: <https://yorkshirebylines.co.uk/working-with-nature-sheffield-campaign-calls-for-protection-of-upstream-environments>

In this <https://www.youtube.com/watch?v=bbYXEDczL-U> Sophie Ridge interview George Eustace MP Secretary of State for the Environment explains the government's response to UK floods. An extra £4 Billion is to be spent on flood defences. In Yorkshire, up stream nature based solutions are to be supported.

Published 23rd January 2020 Government Press Release:

"Environment Bodies set joint vision to tackle climate change. Environment Agency, Forestry Commission, and Natural England outline a shared vision to use up-stream nature-based solutions to tackle the climate emergency."

Published 6 August 2020 : Announced by Robert Jenrick MP the Secretary of State for Housing:

“Government sets out plans to overhaul outdated planning system and reform the way the country builds. Plans to streamline process cut red tape and harness technology to deliver homes faster. **Valued green spaces protected for future generations, with more building on brownfield land.**”

At the inquiry I suggested to the Inspector that Avant Homes should move their project to the disused Aerodrome at Norton which is a Brownfield site by definition boasting many derelict building in need of redevelopment. I explained that the MOD may be responsible for removing asbestos from the site. Reported in Sheffield Star March 29th 2021 Demolition finally gets underway at former air base buildings have now been removed, so there is no reason why Avant Homes cannot remove their project to the Aerodrome at Norton. I thought this would be a win win situation for all concerned and would conform with the statement Announced by Robert Jenrick MP the Secretary of State for Housing. When I requested that the Inspector should suggest this to the Secretary of State the inspector said “speaking to the Secretary of State is above his pay grade”. This is very concerning as the Inspector is suppose to be appointed by the Secretary of State.

As the Caseworker at Parliamentary and Health Service Ombudsman explains:

If you do not receive response from MPs you can make a formal complaint against an MP, you are able to find further information here <https://www.parliament.uk/mps-lords-and-offices/standards-and-financial-interests/parliamentary-commissioner-for-standards/complaints-and-investigations/> If I do not receive answers within the next 7 days I will make formal complaints against MPs.

More questions for the Parliamentary Ombudsman:

Officer: Howard Baxter Sheffield City Growth Department Planning Services states in refusal notice Ref: 19/03143/FUL (Formerly PP08037032) Date: 5 June 2020
<http://www.dlpplanningappeals.co.uk/Docs/CD2.37%20-20Decision%20notice%20June%202020.pdf>

NOTES Appeals to the Secretary of State If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the **Secretary of State for the Environment under Section 78 of the Town and Country Planning Act, 1990. Holly Dutton and Helen Skinner say applications have to be made to the Secretary of State for Housing. The question is who is right? As my concerns were about downstream flooding and the environment, in my opinion I followed correct procedures and legislation in applying to **Secretary of State for the Environment**.**

Under the freedom of information ACT 2000:

1. Could you let me know which Secretary of State action planned the inspectorate with regard to Appeal Ref: APP/J4423/W/20/3258555 Land of Moorthorpe Way, Sheffield S20 6PD?
2. Could you also supply copies of documentation from the Secretary of State action planning the Inspectorate with regard to Appeal Ref: APP/J4423/W/20/3258555 Land of Moorthorpe Way, Sheffield S20 6PD?
3. Could you also supply documentation of the Secretary of State's refusal to grant my request to have the appeal by Avant homes called in?

Sky is to sponsor the COP26 summit in Glasgow.

Prime Minister Boris Johnson will address the One Planet Summit.

The UK will host the 26th UN Climate Change Conference of the Parties (COP26) at the Scottish Event Campus (SEC) in Glasgow on 1 – 12 November 2021. I presented evidence of this to the inspector:

<https://www.ecological-owlthorpe.org/EO-16COP26-GOV.UK.pdf>

The UK needs to show that it is interested in combating climate change instead of concreting over upstream nature based solutions such as Ecological Owlthorpe.

Please remember the media are taking a very close interest in this case. Sophie Ridge interviewed George Eustace MP Secretary of State for the Environment about upstream nature based solutions to protect the environment in Yorkshire.

As you are aware I am not satisfied with your responses in your last email and look forward to your responses to this one.

I will continue to press my case with the Parliamentary Ombudsman.

I formally request that the Parliamentary Ombudsman set aside the decision made by the Inspectorate until investigations into my complaint are completed.

Kind Regards

Michael Meredith

Copies of this email have been sent to all parties concerned.