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The Parliamentary and Health Service Ombudsman  
Millbank Tower  
Millbank  
London  
SW1p QP

Dated: 5<sup>th</sup> May 2021

Dear Sirs,

This is my formal Complaint regarding Appeal Ref: APP/J4423/W/20/3258555 Land of Moorthorpe Way, Sheffield S20 6PD.

Prior to the inquiry I requested on 26<sup>th</sup> May 2020 that George Eustace MP Secretary of State for the Environment “call in” the application. My request was in line with government directive 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 2<sup>nd</sup> June 2020 therefore my application was submitted in time.

My concern has always been about deforestation causing downstream flooding. Sheffield has a history of flooding which can be seen in evidence I provided to the inquiry reference Number: List of floods in Sheffield: <https://www.ecological-owlthorpe.org/EO-17ListoffloodsinSheffield.pdf> The Rivers of Sheffield caused extensive flooding in 2019 in Beighton, Rotherham, Doncaster and Fishlake. I wanted the Government to review this situation before building more houses upstream in places that would increase the flood risk downstream. I originally objected to Howard Baxter Sheffield (LPA) on the 9th and 21st February 2020 Re: Planning Application 19/03143/FUL. Howard Baxter Sheffield (LPA) completely ignored my concerns. I presented the same evidence to the inspector but he also ignored my concerns, evidence can be viewed <https://www.ecological-owlthorpe.org/EO-01OriginalObjection21stFeb2020.pdf> My main concern was and still is downstream flooding. Ochre floods out of the disused mine workings in Owlthorpe. Link to the video can be seen here: <https://www.ecological-owlthorpe.org/Ochredyke2.mp4> this proves that in heavy rain conditions the drains cannot cope with the volume of water pouring out of the disused mines. Ochre deposits were found downstream in flooded areas.

Extract from evidence <http://www.dlppanningappeals.co.uk/Docs/CD2.37%20-%20Decision%20notice%20June%202020.pdf> presented to this enquiry.

“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.” Howard Baxter Sheffield (LPA) encouraged Avant Homes to ignore decision made

2<sup>nd</sup> June 2020 by elected members of Sheffield City Council Planning & Highways Committee. Before the inquiry I requested 19<sup>th</sup> October 2020 that George Eustace MP Secretary of State for the Environment should review the decision notice as it does not truly reflect the decisions made by Sheffield City Council Planning & Highways Committee. In communications with both Holly Dutton and Helen Skinner of the inspectorate they say that the Secretary of State for the Environment has no power to call in planning applications. It is only the Secretary of State for Housing that has the power. This contradicts what Howard Baxter Sheffield (LPA) says, who in right? I have requested confirmation from both Secretary of States and I am still awaiting replies. The Governments website dose not make it clear which secretary to apply to, I looked on <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN00930> as my concerns are about deforestation causing downstream flooding I applied to the Secretary of State for the Environment. I still believe that flooding is an environmental issue and should take president over house building.

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> Extracts from the meeting: "A number of local residents voiced their concerns along with other specialists. Cllr Jack Clarkson explained that the site is a wildlife site and would be a massive loss of green space if developed, used by dog walkers etc. Cllr Andrew Sanger asked the question: Why were the sites not sold as one? It seems in deliberation that the council (LPA) did not want an Ecology Impact Assessment. By selling them off separately they could avoid this type of assessment. Cllr Peter Garbutt said "All three sites should be taken as one site" and asked the question: Does there need to be an Environmental Impact Assessment if they are? He also had concerns about traffic problems. Cllr Chris Rosling-Josephs explained that traffic in the area is horrendous, especially around Crystal Peaks shopping complex and the surrounding area and that a full independent traffic assessment needs be taken before the council considers any more developments in the area. 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. I would like to know why." The decision was ten against the development with two abstentions. It seems to me that unelected civil servants in the planning department are ignoring decisions made by elected City Councillors who represent their constituents. **For democracy to work, this behaviour needs to stop.**

During the round table meeting at the inquiry I suggested that Avant homes could move their project from Owlthorpe to the derelict Arodrome at Norton which is a 44 acre site, desperately in need of re-development. As a former military site I believe the MOD may be responsible for the removal of asbestos. Roland Bolton from DLP Consultants and members of Sheffield (LPA) all said the site is green belt. I disagreed because the definition of a Brownfield site is one that has been built on before. I was shocked that the inspector did not take my comments seriously especially as he had been appointed by Robert Jenrick MP the Secretary of State for Housing who announced 6 August 2020: "**Valued green spaces protected for future generations, with more building on Brownfield land.**" As I write this complaint, the site at the old Aerodrome at Norton has had the Asbestos removed and the demolition of the outstanding buildings is nearly complete. I cannot now see any reason why Avant Homes could not move their development to this site. If they did they would be complying with government directive. As The Environment Secretary George Eustace MP explains in this interview with Sophie Ridge <https://www.youtube.com/watch?v=bbYXEDczL-U> "Government's response to UK floods, an extra £4 Billion to be spent on flood defences. In Yorkshire, up stream nature based solutions are to be supported." It seems to me that we have a number of Government departments at loggerheads with each other. George Eustace MP the Environment Secretary, Environment Agency, the Forestry Commission and Natural England have jointly committed to "nature-based solutions to tackle the climate emergency and stop downstream flooding". Ecological Owlthorpe is already a nature based solution stopping downstream flooding and has the potential to make an excellent contribution.

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

**“green spaces protected for future generations, with more building on brownfield land.”** It seems to me that Sheffield City Council do not want to accept financial help from the Government.

Also the Government Inspector seems to want to cover the country in concrete without any consideration for the environment and citizens living downstream. Completely ignoring government detective and the inspectorates own promotional Video by the **“Planning Inspectorate - Fair, Impartial, Open”** <https://www.youtube.com/watch?v=6inT-7zbxsw> I think this video should be shown at the start of all planning enquiries to help the inspector understand what is required by Government Directive and the General Public’s opinion which is paramount.

The inspector seems to be relying on [Build build build Prime Minister announces New Deal for Britain - GOV.UK \(dlpplanningappeals.co.uk\)](https://www.gov.uk/dlpplanningappeals.co.uk) **“Build, build, build”** Prime Minister announces New Deal for Britain. But the inspector ignores the paragraph which states. **“To protect the UK’s natural infrastructure, the Prime Minister will recommit to reforest Britain by planting over 75,000 acres of trees every year by 2025. He is also set to pledge £40m to boost local conservation projects and create 3000 jobs, including new community Rangers, and safeguard a further 200 – training young people and others in the community to protect local environments. This will go a long way to safeguard the UK’s natural carbon stores and wildlife habitats – our meadows, rivers, and local green spaces – which are central to capturing and removing CO2 from the atmosphere, protecting precious biodiversity, and connecting people with nature.”**

With regards to **Coal Mining, the Inspector is relying on outdated records that date back to 1932.**

These records do not include information about mining that continued until the early 1970’s.

Dent Main Colliery, Posted By Ken Wain December 19th 2013 Sheffield history Pro "Further to my little mention of Dent Main Colliery, and the interest that is shown in the Colliery, I would like to share the following information that was given to me in a meeting with the daughter of one of the Colliery's Directors. Mr Brian Hutchinson went into partnership with Colin and Albert Pemberton and opened the pit in 1924. The entrance to the drift was set back 100 yards from the main Birley Moor Road at the bottom of Birley Wood. The drift was driven at an incline of 1 in 3.3 into the Parkgate seam of coal. In 1945 the colliery employed 27 men underground and 11 on the surface, and at this time the manager was Mr J H Heslop. In 1947 when the mines were nationalised the N.C.B. granted the pit an operating license.

Because the colliery was gas free the miners were allowed to use acetylene lamps as working lights. There were no mechanical means of coal getting, so holes were drilled into the coal face along its length, and shots were fired which brought down the coal when it was worked by pick and shovel and loaded into tubs which were of 10 cwts capacity. Pit ponies were used to transport materials to the coal face, and to bring full tubs of coal to the bottom of the drift where they were attached to a haulage rope to be hauled to the surface by a petrol engine winch. On reaching the surface the tubs were derailed by one man using a long pole, tipping the coal onto a screening belt, the man then joined two others to sort the coal until the next tub arrived on the surface.

Dent Main was one of the last pits in the Sheffield area to use ponies, they were well looked after and regularly taken to Hackenthorpe village blacksmiths to be re-shod. The pit was known locally as Diamond Row Pit because of the close proximity of a row of miner’s cottages, all of which had diamond design leaded windows. **The workings at the colliery were always in orange coloured "Ochre Water" due to the iron deposits in the workings, the water being continually pumped from the pit.**

The pit was very successful and supplied the local steel works in Sheffield and the collieries own two Lorries took coal to Blackburn Meadows Power Station at Meadowhall, Sheffield. Mr. Brian Hutchinson was the sole remaining director when the colliery closed in the early 1970s. He was the one who drew up

the plans for the workings in all areas of the mine, great credit due to him as the only instrument available to him at the time was a hand held compass. The compass and the colliery maps are the only remaining artefacts to have survived, and are the proud possessions of his daughter, Mrs. Margaret Bennett who gave me permission to tell the story for future generations."

**The inspector also completely ignores comments made in the statement by the Coal authority:**

[CD2.27 - App submission 23.8.19 - Coal Mining Report - Mining Report 8718.pdf\(PDF, 233KB\)](#)

**Comments on Coal Authority information dated: 1<sup>st</sup> January 2014:** "In view of the mining circumstances a prudent developer would seek appropriate technical advice before any works are undertaken. Therefore if development proposals are being considered, technical advice relating to both the investigation of coal and former coal mines and their treatment should be obtained before beginning work on site."

There is genuine concern for the condition of the old mine workings that run under Sheffield. Reported in the <https://www.telegraph.co.uk/news/2016/04/25/sheffield-20ft-sinkhole...> 25/04/2016 · "A sinkhole that opened up in a busy Sheffield road was caused by old mine workings, according to local people. A large hole more than 20ft deep appeared on Hutcliffe Wood Road." Engineers later confirmed that old mine workings were the cause of the collapse.

I have been in contact with the Coal Authority and on 29<sup>th</sup> April 2021 I have received information from the Coal Authority under the freedom of information act 2000. Reference: FOI 82-2020. I have also reported to the Coal Authority water flooding out of the old Mine workings under Owlthorpe together with corroborating evidence. I await their response.

**The Appeals Decision** mentions site visit made on 20<sup>th</sup> January 2021. However no site visit is reported by the Inspector. The site visit is very important but should the visit have taken place in the middle of Covid-19 restrictions? I live in Owlthorpe but I was concerned with officials making visits at this time? Should the visit have taken place after restrictions were lifted? The only comment the Inspector gave to the inquiry about the site visit was "It was very muddy."

**This is my report on the Site visit Wednesday 20th January 2021.**

Scrub land identified behind Owlthorpe Surgery: Apparently, many scientists around the world say "this is the type of ground that invertebrates live in and is very valuable to the ecology and needs to be protected."

**Facts Matter:** I showed the Inspector, Howard Baxter Sheffield (LPA) and representatives from Avant Homes the water retention on site E by placing a ruler in the tracks left by the off-road bikers. Local residents of Owlthorpe understand that how in wet months millions of gallons of water are stored in site E and gently released into the Ochre Dyke. It seems to me that none of the officials understood the significance of standing water and the effect it has on downstream flooding in bad weather conditions. This is better demonstrated on our website: <https://www.ecological-owlthorpe.org/Water.mp4> Please view.

**Facts Matter:** Disagreement about where Ochre Dyke woods are. I say, according to all the maps on all the interpretation boards that number 7 is Ochre Dyke Woods spreading almost all the way to the Medical Centre <https://www.ecological-owlthorpe.org/EO12InterpretationBoardEntrance.pdf> I explained this fact to the inspector, Howard Baxter Sheffield (LPA) and representatives from Avant Homes. I also showed the boundary of our oasis, which spreads from Moor Valley to Moss Way. They ignored this fact, relying instead on their outdated information and their determination to build on our Nature reserve.

**Facts Matter:** I identified the point on Owlthorpe Heritage and Nature trail where Plot E would cut through the nature trail and join up with Moorthorpe Way. The relevance of this is that earlier in the inquiry, Guy

Williams, the barrister acting for Sheffield City Council, under cross examination from Richard Sager Barrister acting for Avant Homes, said that the council intended to join site E to Moorthorpe Way. Guy Williams also explained that Avant Homes would be able to develop site C and D at a later stage. Richard Sager needed to have this information confirmed for his client Avant Homes before they build on site E. At this site visit, representatives for Avant Homes and Howard Baxter of Sheffield LPA, thought we should not be discussing the joining up of Moorthorpe Way. They had not attended the enquiry, therefore not witnessing the conversation regarding this. I was present throughout the entirety of the enquiry and paid close attention to the discussion between both barristers regarding this issue.

**Facts Matter:** As we continued up the Owlthorpe Heritage and Nature trail I showed the Inspector the capped off mine workings at the top of the steps. Beyond this point is a swamp area that leads up the culvert that brings water from the Birley Woods Golf Course. Too dangerous for us to visit on this day. This area is where some of the trees and vegetation that have died are washed down under ground into the disused mine workings. In bad weather Ochre is washed out of the mine workings. The mines closed in the early 1970s. When the mines were working, the water was pumped out but they have not been in operation for many years and in bad weather they flood. In my evidence <https://www.ecological-owlthorpe.org/EO-05Floodriskassessment.pdf> I cover how coal is formed in rivers of coal that run under Owlthorpe.

**Facts Matter:** As we moved further up the trail, members of Avant Homes team showed the Inspector a patch of land to the left of the trail saying they could do something to compensate for the disturbance of trees and vegetation on site E. They were pointing to phase 1 of the grazing project as described in Ecological Owlthorpe Evidence EO-09 an EO-10.

<https://www.ecological-owlthorpe.org/EO09OwlthorpeMeadowsInvertebrateSurvey2011.pdf>

If you look on the maps in this evidence you can see the area I am referring to. EO-08 shows the extent of work carried out in these surveys. Richard Sager Barrister acting for Avant Homes rubbishes the invertebrate surveys in Evidence EO-08, EO-09 and EO-10. But perhaps he has not paid attention to the author of these Surveys, Derek Whiteley, Associate Ecologist Sheffield City Ecology Unit. The next point we came to was the gate on the Grazing project Evidence EO-07. If you scroll down the page you can see site F which overlays Grazing plot 2. If the council have their way this also will also be destroyed. I am informed that the problem with developing plot F is that access to the plot could not be obtained through Moor Valley. Moor Valley is the A6135 road from Sheffield to the M1 at Barlborough and is a very busy thoroughfare. Therefore development cannot take place until the access to Moorthorpe Way is obtained. This then opens up the prospect of development of the rest of the site.

**Facts Matter:** As we continue around our nature reserve, we see many of the Interpretation boards which show the extent of work carried out by school children and members of the local community supported by Crystal Peaks shopping mall and Retail Park. Our local MP, Clive Betts MP was involved in this project. On all the interpretation boards <https://www.ecological-owlthorpe.org/EO-12InterpretationBoardEntrance.pdf> is the map of our nature reserve which show all the work carried out under the direction of Natural England under their higher-level stewardship scheme. Ochre Dyke is clearly marked on all notice boards, it is number 7. I had hoped that the interpretation boards would have explained the location of where Ochre Dyke is but it seems that the Inspector, Avant Homes and Sheffield City Council representatives are totally blinded by their wish to build on our Nature Reserve. This totally ignores the evidence that local residents know, many of whom were involved with their children building our nature reserve. Many parents use the interpretation board to educate their children as they explore our oasis.

**Facts Matter:** As we examined plot C there is an abundance of scrub land and some trees. In the summer this area comes alive with vegetation, invertebrates, insects and birds. As Jenny Palmer in Evidence EO-03 <https://www.ecological-owlthorpe.org/EO-03thisistheaccountofoneofthevictimsoffloodinginfishlake.pdf>

says **“Scrub is so valuable yet so undervalued”** this is echoed by the top scientists around the world. Apparently, it is the natural habitat of invertebrates which are at the bottom of the food chain. If we lose invertebrates other animals that depend on them cannot survive. Andrew Baker Ecologist spoke for Avant Homes and said “it is only scrub land and is of no importance”. This is a complete contradiction to what most scientists around the world are saying. Andrew Baker also said that many of the species that were

present when Derek Whiteley Associate Ecologist Sheffield City Ecology Unit examined the site back in 2010, 2011 and 2012 are no longer on site. This is very worrying and backs up what all scientists around the world are all saying. “we are losing the vertebrates that are vital to support the ecosystem,” We examined Plot D. Plot D is also vital for invertebrates as described in Evidence EO-08 looking on the map and reading what is there gives a better understanding as described in number 1 of the EO-08 map.

**Facts Matter:** Plot D is also where Avant Homes suggest where a SUDS system should be located according to their flood risk assessment and drainage strategy, produced by AVIE Consulting LTD Leeds. As we passed the point where the SUDS system would be, it looks very pretty on the drawing board, but in a major flood event the drainage system will be overwhelmed because of water pressure. If you needed any more proof that the suds system would fail it came during a site visit to the proposed development area. **As we passed by the spot where the suds system would be, the path had turned into a river that we all had to paddle through.** This was not a rainy day but surface water was pouring off the land. Members of (OAG) are witnesses to this fact. The building inspector, Howard Baxter of Sheffield (LPA) and Avant Homes representatives seemed oblivious to this fact. It is the water pressure from Birley Wood Golf Course standing approx.: 650ft above sea level, Culvert opposite Garden centre: 420ft, capped off Colliery Drift 382ft that cause the problem as by the time water reaches Moss Way 212ft, it is too powerful for the drainage system to cope. Ochre washes out of the mine workings this can be seen behind Crystal Peaks 178ft video <https://www.ecological-owlthorpe.org/Water.mp4> of flooding taken at the same time as flooding occurred in Beighton, Rotherham and finally Fishlake standing approx.: 23ft above sea level.

**Fishlake is not local to Owlthorpe and is situated approximately 31.2 miles downstream.**

**Facts Matter:** What I do not see in AVIE Consulting LTD Leeds flood risk assessment is how they intend to deal with the flooding from the disused mine workings. When the mines were in use, they had to pump the water out. Climate change and deforestation are causing more flooding downstream. The first photo on my flood risk assessment evidence <https://www.ecological-owlthorpe.org/EO-05Floodriskassessment.pdf> shows the colour of the water in the Ochre Dyke that has washed out of the disused mine workings. View the video on our website: <https://www.ecological-owlthorpe.org/Ochredyke2.mp4> this video was taken at the same time as Beighton, Rotherham and Fishlake flooded. <https://www.ecological-owlthorpe.org/EO-05Floodriskassessment.pdf> The second and third photos show flooding in Beighton; the last photo shows flooding in Fishlake. It is not until you have experienced a major flood event that you can understand what happens. In evidence <https://www.ecological-owlthorpe.org/EO-17ListoffloodsinSheffield.pdf> I was caught up in the Sheffield flood of 2007: On 25 June, Sheffield suffered extensive damage as the River Don overtopped its banks, causing widespread flooding in the Don Valley area of the city. A 14-year-old boy was swept away by the swollen River Sheaf and a 68-year-old man died after attempting to cross a flooded road in Sheffield city centre. The Meadowhall shopping centre was closed due to flooding with some shops remaining closed downstairs until late September and Sheffield Wednesday's ground at Hillsborough was under 6 feet (1.83 m) of water. A number of people had to be rescued by RAF helicopters from buildings in the Brightside area. The pressure of water overwhelmed the drainage system, water shot up 5ft in the air out of the grates because of water pressure. Deforestation is causing the problem and pouring more concrete onto an area that is known to cause flooding downstream is in my opinion negligent and foolhardy. End of my report on site visit: Michael Meredith

**In line with Inspectorates Complaints Procedure I wish to make the following points:**

- **The standard of Service we provide:**

Staff from Inspectorate completely ignored government detective and own promotional Video “**Planning Inspectorate - Fair, Impartial, Open**” <https://www.youtube.com/watch?v=6inT-7zbxsw>

- **The Conduct of Staff:**

**Holly Dutton (Planning Inspectorate)** (a) I explained to Holly Dutton in a number of emails why flooding is of **national importance**. And my request to have the Secretary of State to call in the application before this enquiry was in line with government directive.

(b) **My last email to Holly Dutton:** “At the request of the Inspector, I am forwarding my written reports. Please ensure he receives them. Thank you for your last email. I still have not had replies from George Eustace MP, Robert Jenrick MP or Clive Betts MP, although I have had acknowledgements that they received my communications. As you are aware, I still dispute Robert Jenrick’s decision to reject my request to have this application called in. Flooding is of national concern. Remember it is people like **HRH Prince Charles and the Prime Minister Boris Johnson** who have to console the victims of flooding. They take flooding very seriously. The Prime Minister Boris Johnson was out again this last week consoling with new victims of flooding.

“I did ask the inspector about the algorithm Robert Jenrick is using to decide where to construct new houses. Many MPs down south have explained to Robert Jenrick that their constituents do not want any more housing developments and suggested he takes his algorithm up north. I welcome building new houses in Sheffield. The concern I have is that Sheffield (LPA) should take more due care and attention not to place new houses where they will increase the potential of flooding downstream. I have suggested the disused aerodrome at Norton. The inspector explained that the algorithm that Robert Jenerick is using is ‘above his pay grade’. It is the rivers of Sheffield that caused downstream flooding in Beighton, Rotherham, Doncaster and Fishlake. Pouring concrete in areas that will increase the prospect of further flooding downstream is irresponsible. There are many plans on the drawing board in Sheffield (LPA) which will cause more flooding downstream.

“A more serious matter has arisen as this inquiry is taking place: Fishlake is flooding again.

Please view flooding in Fishlake 21st January 2021

<https://www.youtube.com/watch?v=P6ABoXGUgR4&feature=share&fbclid=IwAR2kK>

Included in Public Inquiry Information Evidence EO-21 there is extensive flooding in the fields around Fishlake and about nine minutes into this video, it shows the erosion to the tow path at the side of the river Don. This is a frightening prospect.

“There is an old saying in the civil service that goes like this “frontline politicians are like double-decker buses. There will be another one along in a minute. It is the civil service that have to pick up the pieces and deal with the mess that is left behind.” Have you got confirmation from Robert Jenrick MP, either by email or letter of his decision to reject my request to call in the planning application to build in Owlthorpe? Recently, front line politicians have a habit of giving instructions verbally so that when things go pear shaped, as they do, they can then blame the civil service. The inspector requested the information that is in documents attached. Please make sure he receives them. They include matters that are of national importance. If he chooses to ignore them it is no longer your concern. Kind Regards Michael Meredith”

#### **Holly Dutton’s response to the above email:**

“Dear Mr Meredith, Thank you for your email. Unfortunately, the Inspector cannot accept evidence after the Inquiry has closed. I am therefore returning these documents. Kind regards Holly.”

The date I was given to present evidence was moved from 19th to 21<sup>st</sup> January 2021. Why? In the **Appeals Decision (5)** the inspector “agreed a short extension of time following the closure of the inquiry for parties to deal with planning obligations.” I believe that Holly Dutton took offence when I explained I had requested that George Eustace MP should call in the application. Holly had worked hard to organise the appeal and did not want anything to stop the progress of her work. Holly has tried to stop me from giving

evidence to the enquiry from start to finish. Ignoring the fact that my appeal, in my opinion, is of national importance and pretending that my evidence was only of local importance is despicable. Ecological Owlthorpe is not mentioned anywhere in the inquiry and Michael Meredith is only mentioned as a Local Resident. Please read editorial in <https://yorkshirebylines.co.uk/working-with-nature-sheffield-campaign-calls-for-protection-of-upstream-environments>

**Helen Skinner (Planning inspectorate) email 1<sup>st</sup> December 2020:**

“Dear Mr Meredith, Thank you for your email. Given that application 19/03143/FUL (Land at Moorthorpe Way, Sheffield) has now been appealed it is no longer possible for the application to be called-in. We have therefore treated your message as a request to recover the appeal so that the final decision would be made by the Secretary of State (for Housing, Communities and Local Government) rather than a Planning Inspector.

We have given careful consideration to your request; however appeals may only be recovered if the proposed development meets one or more of the published criteria which can be found in the House of Commons Hansard Ministerial Statement of 30 June 2008.

<https://www.gov.uk/government/collections/planning-applications-called-in-decisions-and-recovered-appeals#recovered-planning-appeals> It should also be noted that these are discretionary. 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. I hope I can assure you that the appointed Inspector will take into account all material information, and will carefully balance the respective advantages and disadvantages of the development in reaching his decision, which will be based on the planning merits of the proposal. The inquiry is due to open on 12<sup>th</sup> January and will proceed virtually. Interested persons are welcome to observe/attend. If you would like to do so please can you contact the case officer Holly Dutton. A copy of your message and this response will be sent to the Local Planning Authority and the Appellant for their information. Kind regards Helen Helen Skinner Inquiries & Major Casework Team the Planning Inspectorate.”

Helen Skinner has obviously not read or understood my emails or the evidence I supplied to the inquiry. Flooding is of National Concern, Millions and Millions watched as the flooding occurred downstream from the Rivers of Sheffield. It is very concerning to me that someone in Helen Skinner’s position does not comprehend the devastation caused by downstream flooding.

- **Any actions or lack of actions by staff affecting an individual or groups:**

- (A) Public notices were not displayed until two weeks after the inquiry had concluded
- (B) Screen sharing worked for the appellant and Sheffield City Council but not for me
- (C) Invited to electronic trial event 10am 11<sup>th</sup> January 2021 to discuss with Inspector how to present evidence, I waited but was not allowed into the discussion.

- **Circumstances where you think our staff have not properly followed government planning policy or guidance, relevant legislation or our procedural guidance:**

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

“**Valued green spaces protected for future generations, with more building on Brownfield land.**” The Inspector completely ignores suggestion I made to the inquiry “move Avant Homes development to Norton aerodrome” my suggestion complies with Robert Jenrick MP the Secretary of State for Housing statement. The inspector is not complying with Government Planning Policy.

Staff from Inspectorate completely ignored government detective and own promotional Video “**Planning Inspectorate - Fair, Impartial, Open**” <https://www.youtube.com/watch?v=6inT-7zbxsw>

**Before the inquiry I asked Holly Dutton if the inquiry was just a rubber stamping exercise by the inspectorate.** Holly said not. In the Inspectors “Appeal Decision, Main Issues 7. The principle of development is not in dispute between the main parties. The site is one (Site E) of three sites (Sites C, D and E) in the Owlthorpe area which have been allocated for residential development for some time, as set out in Policy H13 of the Unitary Development Plan 1998 (the UDP), and in detail in the Housing Sites (C, D, E), Moorhorpe Way,” The inspector is relying on evidence dating back to 1998. The inspector helped Sheffield (LPA) and Avant Homes by totally ignoring the decisions made by City Council Planning & Highways Committee. I observed all the sessions of the planning inquiry and to me it looked like a game of smoke and mirrors between barristers, politicians and the inspector. No consideration was given to the Citizens of Sheffield. On the 6<sup>th</sup> May 2021, apart from the local elections, Sheffield is having a vote on how Sheffield City Council is run. Citizens of Sheffield have had enough of just a small group of none elected civil servants in the Sheffield (LPA) making all the decisions. Sheffield City Council needs to change.

Analysing all I witnessed at the inquiry, it seems to me the inspector relied far too much on private meetings, which had taken place before the inquiry. (Sheffield (LPA) want to sell the land and Avant Homes want to build on it so they are not in dispute, but the citizens of Sheffield are.) **In my opinion this inquiry was just a rubber stamping exercise by the inspector who took only the evidence provided by Avant Homes and Sheffield City Council into consideration. I think this is reprehensible.**

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. The climate talks will bring together Heads of State, climate experts and campaigners to agree coordinated action to tackle climate change.

Sky will sponsor the COP26 summit in Glasgow, 12th January 2021.

<https://www.ecological-owlthorpe.org/EO-16COP26-GOV.UK.pdf> In presenting this evidence to the inquiry I had hoped to persuade Sheffield (LPA) and the Inspector that more needs to be achieved if we are to meet our carbon efficiency targets.

Sheffield City Council alongside local Clive Betts MP, Labour Councillors Chris Rosling-Josephs and Tony Downing and Labour’s local election Candidate Julie Gledhill have set out an exciting new proposal to improve and develop the green corridor running along Ochre Dyke and stretching from Ivy Lane at Beighton through to Waterthorpe Park.

<https://www.sheffieldsoutheastlabour.org.uk/2021/03/14/ochre-dyke-green-corridor> . A new umbrella group has already been formed and has been called The Friends of the Ochre Dyke. Hundreds of new trees will be planted along the entire corridor, 2000 of which have already been planted in the Waterthorpe Park. **The only problem with this project is Sheffield City Council intend to chop down thousands of mature trees upstream in Owlthorpe while planting saplings downstream in Waterthorpe Park. This shows how brain dead they are when it comes to climate change policies as the project will do nothing for climate change and will increase the flood risk down stream in Beighon, Rotherham and Fishlake.**

Published 14 October 2020: Sheffield City Council have been in trouble with the Ombudsman before, Please look at this article: <https://www.bbc.co.uk/news/uk-england-south-yorkshire-54532066> A council published documents in the middle of the night to "avoid scrutiny" over its controversial tree-felling programme, a watchdog found. Sheffield City Council has been involved in a long-running dispute over the scheme, which saw thousands of trees removed. A report by the local government ombudsman said it acted with a "lack of transparency, openness and, on occasion, honesty".

## In Conclusion:

At the inquiry I made a particular request to the Inspector to make sure all attending the inquiry had received

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

statement from Jenny Palmer, Victim of flooding in Fishlake. I have highlighted in **Yellow** the main points Jenny makes. My reasons for this were that I wanted to make sure all decision makers in Sheffield (LPA) including Mrs Sarah Hull, Mrs Laura Stephens, Mr Howard Baxter and Mr Colin Walker Interim Head understand how decisions made in their department are affecting citizens living down stream and are continuing to affect them. Please look at this video, taken 21st January 2021 the last day of the inquiry.

<https://www.youtube.com/watch?v=P6ABoXGUgR4> Fishlake flooding again. Public Inquiry Information:

There is extensive flooding in the fields around Fishlake but about 9mins into this video, it shows the erosion to the tow path at the side of the river Don. This is a frightening prospect. It is the Rivers of Sheffield that cause downstream flooding. If Sheffield (LPA) continue to ignore facts they will be responsible for fatalities down stream. Just on or two points from Jenny Palmers statement:

“**the press**” Remember the flooding in Fishlake was covered by not only local media and press but also by national and international media and press.

“**HRH Prince Charles and Boris Johnson visits**”, HRH Prince Charles and Prime Minister Boris Johnson take flooding very seriously. They are the ones that have to console victims of flooding, and are committed to trying to do everything in their power to stop downstream flooding.

“**Coordinating remedial works, carrying out flood samples for Uni. of Lincoln (cadmium deposits found across the landscape)**”, Be aware forensic evidence will prove that all the water in Fishlake came from the Rivers of Sheffield.

“**The science is clear and we must plan for a future with more extreme weather. As somebody who is only in my early 30s and with two young children, this can feel quite frightening. I feel that we really must consider the carrying capacity of our catchments and look to nature-based solutions**”, Ecological Owlthorpe should be considered as a solution to stop downstream flooding.

“**We need to look upstream at nature based solutions to slow the flow. I hope that you can consider the impact of this development on the livelihoods and wellbeing of lowland communities and their landscapes.**” The devastation in Fishlake is testimony to this fact.

“**It not being an exaggeration to say that it is a miracle nobody lost their life**”. If decision makers continue to ignore facts and there are fatalities down stream then they could leave themselves open to prosecution for manslaughter through negligence.

It is my hope that the Ombudsman will investigate my concerns on the above details, particularly the non-compliance of the Inspector with Government directive’s criteria: Fair, Impartial and Open.

Yours sincerely

Michael Meredith

Copies of this letter have been forwarded to all concerned parties.