

From: Derek and Sally [REDACTED]

Staffordshire [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

Dear David Clarke,

DEN - PE2 : HERITAGE

Denstone Neighbourhood Plan (2023-2033)

In accordance with Regulation 16, we write to remove The Croft, College Road, from the list of Non-Designated Heritage Assets from the Denstone Neighbourhood Plan (2023-2033).

The reasons are : -

1. The Croft has no historical, aesthetic or communal value that can be identified.
2. The Croft has no heritage significance and therefore, does not constitute a heritage asset in Denstone.
3. Annex 2 of the NPPF requires that ' Local Lists' clearly state that Local Planning Authorities (Denstone P.C. is not thus) are encouraged to follow guidance within Historic England 2016. This guidance encourages public engagement and consultation on the local criteria for identification.

The Qualifying Body (Denstone Parish Council) and its Steering Group, the Neighbourhood Plan Monitoring Group, have little or no historical knowledge of Denstone Parish. This is self-evident from the Consultation Document (Denstone NP 2023-2033).

We have at no time been consulted by Denstone Parish Council (the QB) and did not give our consent for [REDACTED] property to be listed as a Non – Designated Heritage Asset.

Finally, it is interesting to note that Councillor [REDACTED] (Denstone PC) lives in a 230 year old semi-detached residence, [REDACTED] and has recently been granted extensive planning to the cottage, [REDACTED]. This cottage has avoided Non-Designated status as a Heritage Asset, whilst [REDACTED] to which it is attached is listed as a Non-Designated Heritage Asset.

Yours sincerely,

Derek and Sally van Tienen

From: Derek and Sally van Tienen, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear David Clarke,

Regulation 16 Consultation
Comments for the Independent Examiner.

Denstone Neighbourhood Plan (2023-2033)
FOIA Request 6 October 2023

Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 (as amended), require that decisions taken by the Qualifying Body must be clear and unambiguous. For example, the basic conditions of Regulation 14 (by Denstone Parish Council), the Qualifying Body (QB), in regard to 24 dwellings at Vinewood Farm, have not been met. Namely, that they, the QB - have not at any time explained or justified how they made the decision to support the development of 24 dwellings at Vinewood Farm. An FOIA Request was, therefore made on 6 October 2023.

We are today sending you this email, also in hard copy, together with supporting documents by post. These documents include: -

1. The original FOIA Request, 6 October 2023 (13.19pm).
2. Denstone Parish Council's response 6 October 2023 (5.28pm).
3. My response to Denstone Parish Council (QB) 11 October 2023.
4. Denstone Parish Council's response to perform an internal review 18 October 2023 (11.04am).
5. My response to Denstone Parish Council (QB), 18 October 2023 (12.02pm).
6. Denstone Parish Council's result of their internal review, 31 October 2023.

[REDACTED]
[REDACTED]
[REDACTED] At no time, in respect of 24 dwellings, have the formal functions of the parish council been transparent to the wider public.

As there are no minutes or records available in the public domain, this illustrates a significant and concerning approach. [REDACTED]
[REDACTED]
[REDACTED]

This is evident in the inappropriate designation of the settlement boundary and by adopting Vinewood Farm - a site which is not sustainable, whilst rejecting more appropriate and sustainable sites. A settlement boundary, which was drawn up by council members, with its steering group, the Neighbourhood Plan Monitoring Group ([REDACTED] and unknown associates.

Once more there has been - No consultation. No explanation. No justification.

Yours sincerely,
Derek and Sally van Tienen

From: Derek van Tienen [REDACTED]
To: David.clarke@eaststaffsbc.gov.uk
Date: Nov 6, 2023 8:53:10 AM
Subject: Denstone NP/Regulation 16 Consultation



From: Derek and Sally van Tienen, [REDACTED]
[REDACTED]

Dear David Clarke,

Regulation 16 Consultation
Comments for the Independent Examiner.

Denstone Neighbourhood Plan (2023-2033)
FOIA Request 6 October 2023

Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 (as amended), require that decisions taken by the Qualifying Body must be clear and unambiguous.

For example, the basic conditions of Regulation 14 (by Denstone Parish Council), the Qualifying Body (QB), in regard to 24 dwellings at Vinewood Farm, have not been met. Namely, that they, the QB - have not at any time explained or justified how they made the decision to support the development of 24 dwellings at Vinewood Farm. An FOIA Request was, therefore made on 6 October 2023.

We are today sending you this email, also in hard copy, together with supporting documents by post. These documents include: -

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6. Denstone Parish Council's result of their internal review, 31 October 2023.

[REDACTED]

[REDACTED] At no time, in respect of 24 dwellings, have the formal functions of the parish council been transparent to the wider public.

As there are no minutes or records available in the public domain, this illustrates a significant and concerning approach. [REDACTED]

[REDACTED]

This is evident in the inappropriate designation of the settlement boundary and by adopting Vinewood Farm - a site which is not sustainable, whilst rejecting more appropriate and sustainable sites. A settlement boundary, which was drawn up by council members, with its steering group, the Neighbourhood Plan Monitoring Group ([REDACTED] and unknown associates.

Once more there has been - No consultation. No explanation. No justification.

Yours sincerely,
Derek and Sally van Tienen

From: Derek van Tienen [REDACTED]
To: [REDACTED]
CC: [REDACTED] David.darke@eaststaffsbc.gov.uk
Date: Oct 6, 2023 1:19:56 PM
Subject: **Vinewood Farm, 24 houses Denstone NP**



Dear Julie Sadler,

From: Sally van Tienen, [REDACTED]
[REDACTED]

email: [REDACTED]

Tel [REDACTED]

Under the FOIA please provide me with
Information with regard to:-
Denstone Neighbourhood Plan (2023 - 2033)
VINEWOOD FARM (24 Houses)

The Denstone Plan Consultation Statement, September 2023 - asserts that
' the settlement boundary remains unchanged from the current made plan',
I refer specifically to land, south of Vinewood Farm, Marlpit Lane, Denstone
land which the Qualifying Body assert is ' achievable, available and deliverable'.
Please answer the following questions.

1. All meetings and the records of all meetings, reports, with the Landowner at
Vinewood

Farm which have been discussed, transmitted to members of the Qualifying Body
and which

have been discussed, minuted at private meetings. There are no minutes at Public
Meetings

with Denstone P.C. with regards to 24 houses at Vinewood Farm. Therefore, please
provide

all recorded private meetings with consultants, working parties and associates and
primarily

the 'Qualifying Body'.

2. No applications on this site for either 5(2017NP) or 24 houses(2023NP) have
been made to ESBC. Please

provide all evidence (held) of meetings of Denstone Parish Council (QB) with the Landowner, consultants

and ESBC which support this assertion. That is - 24 houses are deliverable within the unchanged

settlement boundary, with access.

3. Please provide evidence that extension to the settlement boundary is necessary on the rural

fringe of Denstone Village at Vinewood Farm and where this has been recorded, processed

and held by the Qualifying Body. Dates , times and places of meetings.

I understand under the Act I am entitled to a response within 20 working days of your receipt

of this request.

If my request is denied in whole or in part, I ask that you justify all deletions by reference to

specific exemptions of the Act. I will also expect you to release all non-exempt material. I

reserve the right to appeal your decision to with-hold any information or to charge excessive fees.

I would prefer to receive the information electronically.

If you require any clarifications, I expect you to contact me to provide advice and assistance

if you find any aspect of this FOI problematical.

Please acknowledge receipt of this request, and I look forward to receiving the information

in the near future.

Yours faithfully,

Sally van Tienen

(2)

From: Julie Sadler [REDACTED]
To: Derek van Tienen [REDACTED]
Date: Oct 6, 2023 5:28:49 PM
Subject: Re: Vinewood Farm, 24 houses Denstone NP

Sally,

In response to your e mail dated 6th October 2023.

In relation to your requests, we do not have any of the information that you require.

We now consider this FOI has been responded to. However, if you are dissatisfied with this response, please let us know so that we can address any concerns. You may also complain to the UK Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Helpline number 0303 123 1113. <http://ico.org.uk/complaints>

Regards

Julie Sadler

Parish Clerk

Outside of this FOI request please can we remind you that all information in relation to the current review of the Neighbourhood Plan is already in the public domain and can be reviewed at any time.

On 06/10/2023 13:19, Derek van Tienen wrote:

Dear Julie Sadler,

From: Sally van Tienen, [REDACTED]
[REDACTED]

Under the FOIA please provide me with
Information with regard to:-
Denstone Neighbourhood Plan (2023 - 2033)
VINEWOOD FARM (24 Houses)

The Denstone Plan Consultation Statement, September 2023 - asserts that

' the settlement boundary remains unchanged from the current made plan',

(3)

From: Derek van Tienen [REDACTED]
To: [REDACTED]
CC: David.clarke@eaststaffsbc.gov.uk, [REDACTED]
Date: Oct 11, 2023 4:05:24 PM
Subject: FOIA Request 24 Dwellings Vinewood Farm

Dear Julie Sadler,

From: Sally van Tienen, [REDACTED]
[REDACTED]

FOIA Request 6 October 2023 - Vinewood Farm 24 dwellings.

In response to my FOIA Request, October 6 2023 (1.19.56pm) and your swift response, October 6 2023 (5.28.49pm). I am dissatisfied with the aforementioned response and my concerns are : -

1. A significant amount of public money has been invested in the Denstone Neighbourhood

Plan (2023 - 2033). It is therefore, inconceivable that there are no records of meetings,

of decisions made and information created, processed and held with regard to 24 dwellings

at Vinewood Farm.

2. The 2017 Denstone Neighbourhood Plan mentions 5 dwellings at Vinewood Farm.

However, the 2023 - 2033 Denstone Neighbourhood Plan cites 24 dwellings south of

Vinewood Farm. Please provide all records from Denstone Parish Council (Qualifying Body) ,

and records, together with the advice from the Steering Group , the NPMG and Consultants,

in respect of this matter.

I shall appeal your decision to the Information Commissioner's Office, since you have denied

my request in its entirety.

Yours faithfully,
Sally van Tienen

(4)

From: Julie Sadler [REDACTED]
To: Derek van Tienen [REDACTED]
Date: Oct 18, 2023 11:04:14 AM
Subject: Re: FOIA Request 24 Dwellings Vinewood Farm

Dear Mrs van Tienen

We acknowledge receipt of your e mail dated 11th October 2023, we cannot see that you are asking for any more information under the FOI act, but instead stating your dissatisfaction with our reply to your original request that was sent on 6th October 2023.

For the avoidance of doubt, FOI is to allow access to information that we hold, we cannot be requested to create information to answer questions. There are many exemptions, one of these is that we are not required to provide information again that has already been provided and is held in the public domain.

We will now perform an internal review into this and will respond to you once this review is completed

Kind Regards

Julie Sadler
Parish Clerk

On 11/10/2023 16:05, Derek van Tienen wrote:

Dear Julie Sadler,

From: Sally van Tienen, [REDACTED]
[REDACTED]

FOIA Request 6 October 2023 - Vinewood Farm 24 dwellings.

In response to my FOIA Request, October 6 2023 (1.19.56pm) and your swift

response, October 6 2023 (5.28.49pm). I am dissatisfied with the aforementioned

response and my concerns are : -

1. A significant amount of public money has been invested in the Denstone Neighbourhood

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From: Derek van Tienen [redacted]
To: Julie Sadler [redacted]
CC: [redacted] David.clarke@eaststaffsbc.gov.uk
Date: Oct 18, 2023 12:02:52 PM
Subject: Re: FOIA Request 24 Dwellings Vinewood Farm

Dear Julie Sadler,

Thank you for your email dated 18 October 2023. I fail to see why Denstone Parish Council,

'The Qualifying Body', Denstone Neighbourhood Plan (2023-2033), have omitted to notice,

24 dwellings which have popped up out of the ether, [redacted]

I and other members of the Parish simply want you and the Parish Council to rely on the truth.

Yours faithfully,

Sally van Tienen

----- Original Message -----

From: "Julie Sadler" [redacted]
To: "Derek van Tienen" <[redacted]>
Sent: Wednesday, 18 Oct, 23 At 11:04
Subject: Re: FOIA Request 24 Dwellings Vinewood Farm

Dear Mrs van Tienen

We acknowledge receipt of your e mail dated 11th October 2023, we cannot see that you are asking for any more information under the FOI act, but instead stating your dissatisfaction with our reply to your original request that was sent on 6th October 2023. For the avoidance of doubt, FOI is to allow access to information that we hold, we cannot be requested to create information to answer questions. There are many exemptions, one of these is that we are not required to provide information again that has already been provided and is held in the public domain.

We will now perform an internal review into this and will respond to you once this review is completed

Kind Regards
Julie Sadler
Parish Clerk

On 11/10/2023 16:05, Derek van Tienen wrote:

Dear Julie Sadler,

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From: Julie Sadler [REDACTED]
To: Derek van Tienen [REDACTED]
Date: Oct 31, 2023 8:42:33 PM
Subject: FOI - Vinewood Farm - Internal Review

Sally,

The internal review into this original FOI request has concluded that the original response is correct and no further information to be provided.

We now consider this FOI complaint has been responded to, however, If you are dissatisfied with this response, please let us know so that we can address any concerns. You may also complain to the UK Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Helpline number: 0303 123 1113, <http://ico.org.uk/complaints>.

Kind regards

Julie Sadler

Denstone Parish Council

Dear David Clarke

Denstone Neighbourhood Plan (2023-2033).
Regulation 16 Comments for The Independent Examiner.

We believe that this Neighbourhood Plan (2023-2033) should not go forward to Referendum. Our comments are based on the facts that illustrate how the legal requirements and planning law have been incorrectly applied by the QB, Denstone Parish Council and its Steering Group.

The question for us is does the Plan and policies within it contribute to improvements in the environment, housing, social and transport conditions in the Village. It does not appear that this is the case with the Plan. Evidence is that at the centre of this Neighbourhood Plan - there is a large scale (for the size of Denstone Village) housing development which is supported by the QB, but there is no evidence of its sustainability and no justification to the Neighbourhood for its support from the QB. There has not been any discussion by the QB at public meetings as to why in 2016 there were 4 dwellings mooted, yet in the 2023 NP, there are 24 dwellings.

Moreover, the following points taken from the Denstone NP (2023-2033), submission version (VF), September 2023 - should be taken into consideration as they are at variance with the reasons for Neighbourhood Plans.

1. Consultation with Landowners.

There has been no consultation with landowners. An FOIA Request (September 2023) revealed that Denstone Parish Council (QB) hold no records either created, processed or held with reference to meetings and discussions with the Landowner at Vinewood Farm for 24 dwellings.

2. The Consultation Document (March 2016) of the now made NP refers to Vinewood Farm:-
'6.4 Consideration has also been given to the interest by that Landowner in building a single house to the north of the existing farmhouse. This is not a suitable site for 3 or more dwellings - this would mean that only 4 dwellings would be required on the south site and this may help to reduce their impact.'

Furthermore, in 2016, The Independent Examiner, Anne Skippers in her Report stated that -
'In addition the representation from ESBC also expresses concern about Vinewood Farm and there is nothing in the assessment to allay these concerns.'

Anne Skippers also states - 'However, the site assessment is lacking in so many ways, that I am not convinced it can be relied on. It does not offer appropriate evidence to support the choices made or to convince me of the sites deliverability.'

This methodology, has been brought to attention in the 2023 Plan. There are no choices. There is no evidence as to the site at Vinewood Farm, being either appropriate or sustainable and clearly, through the lack of transparency, defeats the aims and objectives of a Neighbourhood Plan.

To the south of Vinewood Farm lies the historic green space, Oliver's Green. If 24 dwellings were developed at Vinewood Farm, it would be an important heritage and environmental asset decimated.

We also have concerns about the effect this development would have on a working farm, Elm Farm, this would be detrimental given the scale of the development and the topography of the land.

It is important to note that Agriculture plays little part in this Neighbourhood Plan. However, agriculture is vitally important to the economy and the landscape of the Denstone Neighbourhood Area. There are a minimum of 7 working farms in the Neighbourhood Area. They are all significant enterprises and the area is a fine example of mixed farming at its most effective. The NP gives them as much attention as the local hairdresser and a sole proprietor beauty salon. This puts into focus the interests and concerns of the QB. It is interesting, that one of these farms, at Prestwood is part of the national concern Daylesford Organics.

In short, this Neighbourhood Plan does not fulfil its requirements and yet it would be easy to provide a more positive approach to sustainable development in Denstone. Offering a choice of development with alternative sites which are available and nearer to the real settlement area would surely enhance the village and not detract from it. SHLAA (42) Shackle Yard and Lady Meadow and SHLAA (65) The Croft should have been considered for their obvious advantages rather than placing 24 dwellings in an unsustainable location.

Yours sincerely,
Derek and Sally van Tienen

From Derek and Sally van Tienen, [REDACTED]
[REDACTED]

Dear David Clarke,
Regulation 16
Comments to The Independent Examiner
The Settlement Boundary, Denstone Village - as defined in 2016/2023, by the Qualifying Body (QB), Denstone P.C and its Steering Group.

Denstone Parish Council (QB), are relying on a settlement boundary which is created by them for their own objectives and without consultation with Landowners. The basic conditions of a Neighbourhood Plan require the methodology to be applied consistently. The QB has given no consideration as to how the adverse affects [REDACTED] may be prevented, reduced or mitigated.

Evidence for the expansion of Vinewood Farm from 4 to 24 dwellings has not been collected in a transparent and fair way. Evidence must be openly analysed and decisions relating to this analysis have never been recorded in the minutes or in the public meetings of Denstone Parish Council. Therefore, to adopt this NP (2023-2033), with the QB's reliance on a flawed settlement boundary – selected initially in 2016 by the then QB, [REDACTED] and [REDACTED], has been ratified by the present QB (including [REDACTED]). This has enabled a rejection of sustainable developments in favour of a site which is unsustainable. The Croft, for example has been ignored and rejected by the QB because it is not in the settlement boundary as decided by themselves.

The QB in the 2023-2033 Neighbourhood Plan, rely upon Vinewood Farm (SHLAA 95), being adopted at an ESBC meeting in 2021, as appropriate for development. This meeting was attended by Ward Cllr's [REDACTED] [REDACTED]). Without open and logical analysis Vinewood Farm was adopted as deliverable, suitable and developable within a year, and yet they describe physical problems on site. It is also asserted that residential development would not have an impact on the surrounding area. Clearly, this is incorrect since there would be an impact on at least 10 dwellings on Narrow Lane and a significant traffic increase which would necessarily have an impact on the western side of the village. It would also have a detrimental effect on the heritage asset Oliver's Green. Development would despoil village views and has a difficult, well-nigh impossible access.

Notably, at the same meeting The Croft (SHLAA 65) was rejected, simply because it had not been selected to take a place within the settlement boundary. It appears that the QB and Ward Cllrs [REDACTED] have taken a prejudicial view which is hard to comprehend.

However, since 2019 the Denstone Parish Council and its Steering Group have waged a determined campaign against development at The Croft, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

In conclusion, we request that there is a review by an appropriate body to encourage genuine and sustainable developments which enhances and protects the environment whilst being at the core of the Village.

Yours sincerely
Derek and Sally van Tienen

Dear David Clarke

Regulation 16. Comments to The Independent Examiner
Re: Consultation Process.
Denstone Neighbourhood Plan (2023-2033)

Consultation in 2023, not only with parishioners but also with landowners, has consistently lacked transparency. This is especially notable during the process of developing this NP. However, we believe this failure of the plan can be traced back to the consultation process in 2016 in respect of the (made) 2017 NP. For example, [REDACTED] a member of the Steering Group 2016, on the only occasion, there was 'consultation' on development at The Croft (within the settlement boundary) would be only for 100 per cent social housing. We therefore, declined to be in the settlement boundary. [REDACTED]

The Denstone Neighbourhood Development, Consultation Statement, September 2023

" 2.2 What was done ?

There were a number of community engagement events that happened with the initial engagement in February 2023 whereby there were some drop-in sessions that were held in the Village Hall. These events gave attendees the opportunity to read all the draft plans." This means that the plans were already drawn-up without consultation with most members of the Parish or landowners. Individual pages of the plan were laid out on 4/5 tables, with no opportunity to take copies away for detailed examination.

In conclusion, this significant failure of consultation has resulted in the residents of Narrow Lane (backing onto the proposed Vinewood Farm development) being completely left in the dark until the letter from David Clarke was received, clarifying the situation. [REDACTED]

[REDACTED]

Yours sincerely
Derek and Sally van Tienen