

TR010063 FORMAL OBJECTION AND HUMAN RIGHTS ISSUES

From ref: no 20047638

I **formally object** to the latter section of the proposed spur road, between the northern side of the B4634 Old Gloucester Road into part of the West Cheltenham Strategic Allocation on the following grounds:

The spur road Junction onto the Old Gloucester Road.

- 1) The designed scheme substantially affects my allocated site, by restricting development access and therefore in my case the scheme does not meet **the key objective in providing housing.**
- 2) From the first meeting I had (some years ago) with GCC I identified the need for a roundabout to serve both my and my neighbours site, but in the applicants usual manner nothing was progressed except an initial drawing of a roundabout.
- 3) Without any consultation with me the applicant decided to then change the scheme to a signalled junction, which obviously seriously affects my site to the extent I have been discriminated in preference to the submitted scheme giving sole access to my neighbours site only. This is highlighted by the fact the spur road alignment would have carried on into my site, but instead it has a curve taking it away from my site into the next field.
- 4) On the first day of the Inquiry I stated the need for a roundabout and since then minor negotiations with GCC have taken place to consider access off Hayden Lane for my site, but these negotiations have stalled without a definite outcome.
- 5) If GCC persist in not agreeing a way forward to address the issues, then they have been warned that a substantial claim will result, leading to further financial pressure on the overall cost of the scheme.
- 6) A clear way forward is to finish the spur road at the northern edge of the Old Gloucester Road and let landowners sort out their own access, this is a much cheaper option for the scheme and would reduce some of the financial shortfall in the whole proposal.
- 7) It is of great concern to me that the Applicant did not do their initial due diligence regarding land ownership in the early stages and have not been 100% effective in solving the problem of access into my Allocated Land.
- 8) Obviously GCC want the DCO, but to go about matters in this protracted manner, leaves me to feel that once it is granted they will do what they like.

How our Human Rights are affected.

My wife and I have owned the site for many years and are owners of other land close by. Some of the land has been in the family for over 100 years and there is obviously a strong sentimental attachment to it.

At no time have we ever argued against the overall scheme, but we are anxious to know certain outcomes. This has clearly not happened ever since the initial correspondence we received years ago and certainly not during this Inquiry.

Therefore my wife & I have been materially affected under the Human Rights Act 1998, due to the Applicant 'Acting in an incompatible way with Convention Rights'. Article 1, First Rule; which includes land affecting 'peaceful enjoyment of property', Second rule; 'deprivation of property (Grape Bay Ltd v Attorney-General of Bermuda [2000]). The Third rule 'controlling the use of property – in my case access arrangements'.

To underpin the above and emphasise the way in which we are poorly treated I give simple examples of matters still requiring immediate attention:

- At the last Inquiry Hearing the Inspector asked for a detailed overlay plan of the proposed land take and its effect on my site. To date I have not received it, all I have been sent is a schematic drawing that is so unclear it is similar to an artwork. To me this shows contempt for the Examining Authority.
- As yet there is still no agreement on terms regarding 'Licence to Enter my Land'.
- Proposals for a new access off Hayden Lane are at best sketchy.
- The need to simply agree funding for my agents services, both now and going forward.
- A realistic land purchase offer based on commercial values for Allocated Development Land.

The Applicant is very good at making us feel 'Ghosted' - a modern term when someone stops all communication without any form of explanation. It is a fact that I am no further forward now than I was when the whole scheme was conceived.

The end result of all the above is that both my wife and I are affected [REDACTED], which is one example of incompatibility due to lack of any effective procedure agreeing the payment of compensation within a sensible, fair and commercially appropriate period of time.

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