

Countryside Access Team  
(For attention of Mr Chris Heard  
Orders & Commons Registration Officer)  
Central Bedfordshire Council  
Technology House  
239 Ampthill Road  
Bedford MK42 9QQ

11<sup>th</sup> November 2010

Your Ref: CH/VG Application No 01/2010

Dear Mr Heard

Thank you for your letter of 15<sup>th</sup> October 2010. I respond here with comments to the Statement Of Objection you have provided. I see that this is a lone Objection and is from a potential developer of the land in question.

In your letter you list the requirements that must be satisfied, which I am aware of and know that some of these are open to interpretation. I believe all these are satisfied but can confirm the following points.

- (i) a significant number of (the inhabitants).

I have supplied twenty Witness Statements. These are from people that have both used the land for lawful sports and pastimes and have witnessed others doing similar. I do not know if this is viewed as a significant number but I can confirm that I have further Witness Statements should you require them to make this number acceptable to you.

- (ii) the inhabitants of a locality, or any neighbourhood within a locality.

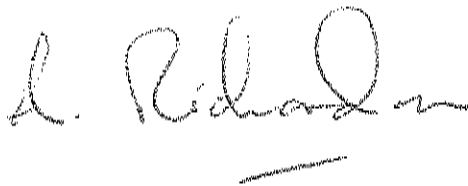
The land has been used by inhabitants of the village and Parish of Houghton Conquest in general and with visiting friends from elsewhere but is more generally used by inhabitants of Pembroke Road and Rectory Lane in particular, simply because of the location. This applies to dog-walkers, children playing, etc., but blackberry-pickers have come from further in the village and children have friends visiting. On the attached map these areas are clearly seen but if further clarification is required I will provide it.

The other points, (iii, iv, v and vi) are satisfied by the Witness Statements.

I enclose my comments on a separate sheet.

I must add that if you are minded to grant the application now then obviously no further action is needed by anyone. However I seen something that needs investigating regarding the ownership of the land and its' passing over to other authorities in the past. I have only received this information from Mr Sutton, Central Beds Council Solicitor, in the last few days so have had no time to digest and take legal advice. If you are not minded to grant the application now I would like to have time to investigate this. As time is not of the essence here I am sure you can allow this. Please let me know? Many thanks for all your help.

Yours sincerely



Adrian Richardson

## COMMENTS ON THE STATEMENT OF OBJECTION

1. I believe these points are proven.

2. I accept and agree wholeheartedly with the statement given by The Objectors from the case stated:

*"It is no trivial matter for a landowner to have land, whether in public or private ownership, registered as a town or village green".*

I maintain that the land has been publicly owned since 1947 and the very recent ownership by The Objectors is simply a speculation for profit by them. Whilst that is their prerogative it should be recognised that speculation sometimes does not achieve the intended result. In this case it should be possible for the Objectors to make a profit from their purchase of the garden areas of No's 19 & 21 Pembroke Road and the garage area and the part of the land to the western end of the garages still owned by Central Bedfordshire Council, (should that authority wish to sell). Any development of these combined areas would be enhanced by the Village Green.

According to papers just received from Mr Sutton (Central Beds Council Solicitor) in this case the land was purchased in 1947 by Ampthill Rural District Council (ARDC) using public funds, including rates paid by the inhabitants of Houghton Congest. So from that date on it was in public ownership. The Village Hall was erected in 1951 on part of the land. The land was vested in Mid Bedfordshire District Council when reorganisation of Local Government took place in 1974, so public ownership continued. In 1976 the Village Hall was demolished and the this part of the land became known colloquially as "The Old Village Hall Site" (TOVHS) and is still known by that name to villagers today. As the land was effectively abandoned then it was at this point that it came into general use by villagers for pastimes and recreation. In 1994 it now appears that some or all of the land was freely passed over to Mid Beds Housing Association Limited. This, at some point not known, was passed again to Aragon Housing Association Limited, a not-for-profit organisation. So it has been in public ownership from 1947 or of use by ratepayers/ council tax payers since then. Using the facts supplied by Mr Ernest Sutton (Solicitor on behalf of Central Beds Council) I cannot find a date for the sale of land from Aragon to Mr & Mrs Coleman (The Objectors) but assume it to be 29-09-2009 when they purchased part of the garden of 19 Pembroke Road?

Finally it is clear from the "Draft No.1: Large scale Voluntary Transfer Of Housing Stock To The Mid-Beds Housing Association" that the land here (TOVHS) was not included in the transfer and with your indulgence I would like to make further enquiries into the actual ownership of this land as it is the very nub of the matter. It is my contention that the land has always been publicly owned and as the criteria are satisfied it should be confirmed as A Village Green. Mr Sutton confirms that the land was not maintained to any degree; not enclosed or signs erected to stop encroachment by villagers and so our case is made from that side.

3. I hope and believe that the RA would always act with caution in all cases.

4. The allegation that residents are opposed to any development is simply not true. I cannot speak for all other residents obviously but having spoken to many of them it is clear that some development of the area to either side of TOVHS would be acceptable if fitting in with the road generally. The very offensive allegation made by the Objectors concerning "an element of social housing" is lamentable. Do they not realise that the whole estate is a mixture of owner-occupier and social housing occupiers? The road began life as 'all social housing' and most of the people who have carried out the right-to-buy are still in those houses and so this statement is very offensive to me and many others if not all and should be withdrawn.

The fact that any proposed development on TOVHS has not been challenged on the grounds of being a Village Green is simply that residents were not aware of their rights. The law that applies came into being in 2006 and received very little publicity. Since the residents have become aware they are now exercising them, as is right and proper for them to do. There was one objection to the proposed latest development that does relate to "loss of recreational space" and I enclose a copy of that letter dated 18<sup>th</sup> May 2010. Various other concerns raised by inhabitants relate directly to loss of amenity.

5. I believe that all the tests in Section 15(2) are met. This is not a simple attempt to frustrate development but is to retain the rights we already have.

6. The land has been used by residents for thirty-four years in a manner that meets the requirements and still is used to this day in similar manner.

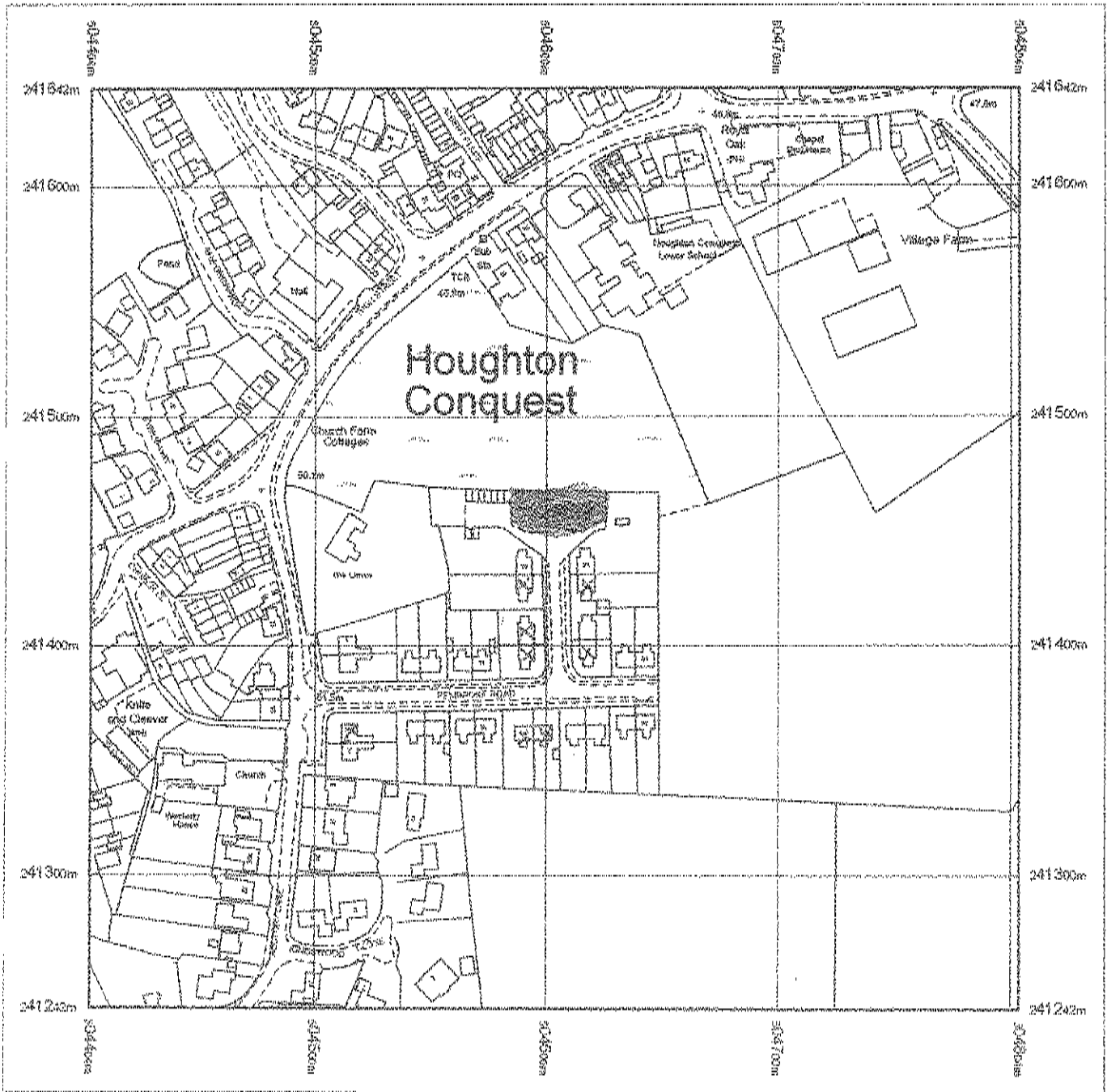
7. The locality is given and a significant number of users come from this locality.

8. The ingredients required in Section 15(2) are satisfied.

9. The RA can now agree the application. The Objectors are not able to provide any evidence to show that all the elements under Section 15(2) cannot be met as they have no knowledge of the TOVHS land until very recently.

If the RA is happy to agree the application then we obviously need to go no further. Should this not be the case I would ask you to agree to more time for me to investigate the ownership of the land in question. I am happy to do anything required by the RA to conclude the application and confirm our Village Green.

**Dated 11<sup>th</sup> November 2010**



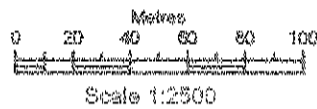
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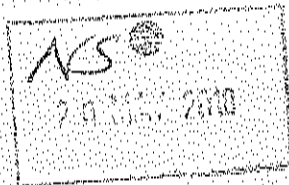


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MAP A  
(1)

17 Pembroke Road  
Houghton Conquest  
Bedford MK45 3LE



Central Bedfordshire Council  
Mr Gary Worth: Assistant Director - Development Management  
Priory House  
Monks Walk  
Chicksands  
Shefford  
Beds SG17 5TQ

Your Ref: Application No: CB/09/06454/FULL

Contact: Nicola Stevens

18<sup>th</sup> May 2010

Dear Mr Worth

Thank you for your letter of 29<sup>th</sup> April regarding the amendments to the above application. I would like the following comments to be considered.

Although a lot of incredibly ridiculous points have been changed there are still some that prove that the author of the Planning And Access Design Statement has probably never seen the village of Houghton Conquest. The first point demonstrates this.

### 1.3 SITE HISTORY:

*"Standing opposite a pasture, is a row of 17<sup>th</sup> century brick almshouses, to which additions to the back and renovations were made during the last century".*

They were also pulled down in that century, around the late sixties having been uninhabitable for some years.

### 2.4 BUILT ENVIRONMENT: *"The 10 unit development brings life to a disused site containing a number of derelict garages"*

This lie is repeated here and should not go unchallenged. The six garages were and are perfectly sound and were functioning until the tenants were ordered to vacate very recently. This was doubtless to make possession easier to gain if planning was approved. The buildings are sound and weatherproof but to this end the site vegetation has been left to overgrow to give an appearance of neglect. Simple pruning and the garages are there for use again.

*"The increase in number of vehicles to the area will not have a noticeable effect on the existing infrastructure."*

The loss of amenity of these garages has already led to heightened tension among neighbours trying to park a further six cars in already overcrowded Pembroke Road and should be reversed immediately. 43 more people will bring at least twenty more cars so "a noticeable effect" is certain!

**POLICY BE1:** (iii) The proposed development makes a mockery of this point as to "density, massing and layout" and (v) "Any additional traffic expected to arise from the development, either in relation to highway capacity or general disturbance, and provision made for car parking."

The population of Pembroke Road is currently 60 (sixty) people. The development plans show that the proposed development would add 43 (forty-three) more people to the road. This huge increase in a tiny area is madness. We are not an inner city but a small village and the quality of life and amenity would be severely compromised with this potential development. Where would children play? Where are all the additional vehicles going to park or even pass each other? That is not quality of life; it is simply creating problems for neighbours to coexist happily. With no space to develop children either turn to mischief that can get out of hand or move further into the village causing problems there.

**4.0 ACCESS STATEMENT:** The sections 4.1, 4.2, and 4.3 simply reiterate the Pedestrian Access, Vehicular Access and Parking and Public Transport problems again with their claims being untrue as I have pointed out above.

**4.5 EMERGENCY ACCESS:** *"The site is fully accessible to all emergency vehicles."* This is only true if there are no parked vehicles on the very narrow road. There have recently been problems for nurses and an ambulance being unable to reach the house they needed to and this can only get worse with more vehicles in the road.

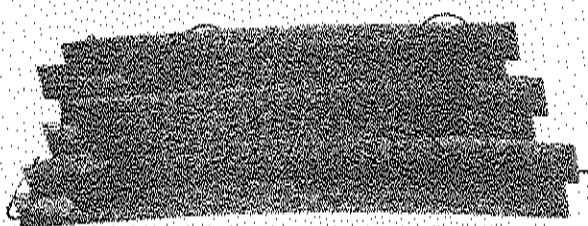
**5.0 SUMMARY:** *"The proposed residential development is of great benefit to the local area by developing a derelict unattractive domestic garage site in the middle of a residential area into an attractive usable residential addition to the area."*

The lie is again repeated; the garages are fine and have a long term future if left and are useful for removing cars from parking on the road. The design of the houses may be attractive but that is not enough. There are too many houses/bungalows for such a tiny plot and this will cause immediate and future problems of tension and overcrowding. Pembroke Road is fine and is being reborn with new young families and should be allowed to develop that way. Possibly one or two houses or bungalows could be accommodated but not this colossal amount of housing and people.

The centre part of the site is known as the 'Old Village Hall' and is where that building stood until 1976. Since then that area has been used by local people for recreation and play. It is now proposed to be taken away and built upon, which reduces the recreational area and increases the people; completely crazy. To this end a **Form 44: Application for the registration of land as a Town or Village Green (Commons Act 2006: Section 15)** has been submitted to make that area a Village Green for the local people to continue their enjoyment of it. This is a much more sensible use of the site and perhaps the developer could build some houses or bungalows to each side, leaving the garages of course, as an essential part of the road overall.

I hope you will accept that the loss of amenity (the play area), privacy (more people in a smaller area) and access (through increased vehicle numbers) with the increased noise and traffic will lead to loss of quality of life which can be avoided by refusing this proposed plan.

Yours sincerely

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