

SDAG strongly believe that Saddleworth residents can WIN a Judicial Review against Oldham Council's approval to build a new Saddleworth School in Diggle

OMBC have once again ignored further legal claims, put forward by Irwin Mitchell Solicitors requesting refusal of these planning applications, and have now approved them for a second time on 13th April 2016.
(To read Irwin Mitchell Solicitors' letter go to www.savediggle.org.uk)

Our next, and we believe our final battle to get the new Saddleworth School built in Uppermill, is to challenge this decision using the Judicial Review legal process.

Remember that the highly unpopular road scheme proposals and desecration of the green belt will not happen if the planning approval to build the new school in Diggle is defeated through this Judicial Review legal process.

Why do we think residents can win?

- Irwin Mitchell Solicitors and Mr Robert McCracken QC have advised that there is strong evidence of a flawed site selection process.
- Both the EFA and OMBC omitted any expert assessment of the impact on the listed clock tower building and numerous surrounding listed buildings for the two Diggle options, during site selection.
- OMBC acknowledged that heritage criteria was missing from the EFA's feasibility study and subsequently tried to re-write it in on the day of the last planning committee meeting. But they failed to comply with their legal obligation to consider whether the harm to the listed buildings could be avoided altogether by building it on one of the Uppermill shortlisted options as outlined in the EFA's feasibility study.

After a favourable Judicial Review overturns this planning approval what will stop OMBC approving it again?

- Should a Judge rule in our favour, then the OMBC Planning Department cannot continue to ignore the possibility for the new school to be built in Uppermill.
- OMBC will be forced to comply with their legal obligation and refuse these applications, as all harm to the listed buildings in Diggle can be avoided by building the new school in Uppermill. The EFA's feasibility study never ruled out using the Uppermill site for the new school.
- Subsequently the EFA would have to submit a new planning application to build the new Saddleworth School in Uppermill.

We believe we have a strong legal challenge and possibly the best firm of solicitors in the country, with experience of these types of cases, and the country's foremost environmental and planning barrister acting on our behalf.

WE NEED YOU NOW

We've come so far and achieved so much, but without your financial support we cannot continue the fight.

For details on how YOU can make a difference to Saddleworth by making a financial contribution, no matter how small, **contact Keith Lucas MBE at savediggleactiongroup@gmail.com or 07545 939724.**

Together we can stop this lunacy and make OMBC finally listen to the people of Saddleworth