**From:** planningcomments@staffsmoorlands.gov.uk
**Sent:** 20 October 2018 15:24
**To:** Planning Comments (SMDC)
**Subject:** Comment Received from Public Access

**Categories:** Blue Category

Application Reference No. : SMD/2018/0574
Site Address: Scrap Yard Off Belle Vue Road Leek Staffordshire
Comments by: Mr and Mrs M Wedgwood
From:
21
Hillcrest
Leek
LEEK
Staffordshire
ST13 8TE
Phone:
Email:
Submission: Objection
Comments: Any attempt by an individual to develop his business is to be applauded and we would not wish to cause Mr Fisher difficulty in this respect but we struggle to understand why someone would buy a yard that so quickly fails to be big enough for his ambitions.

Before making observations on the actual application we would wish to comment on the completion of the application form:

Section 10 of the application form: Trees and Hedges

Prior to the unauthorised works being started we are of the view that there were silver birch trees on the site (it says ¿no¿ on the application form). The sound of a chain saw cutting down a tree and heavily pruning others with the chain saw attracted our attention.

There are also similar trees on the adjoining land along the wall fronting Back Lane and the corner of the property known as Rock Villa which are not marked on the plans. The application form appears in error on this point since these trees have more impact on the site of the application as they govern its shape and extent than do those to the far east of the existing scrap yard near the flats which are marked on the plans.

Section 22 Site Visit

The application form states that the site cannot be seen from a public road, etc. In fact this site can be seen from Back Lane, Kiln Lane and Macclesfield Road at the roundabout, the container being very clearly visible together with the excavated material deposited on Mr Fisher¿s land above this site that is not the subject of this application.

Site Location Plans

It is difficult from the ¿before and after¿ plans submitted to see exactly what is happening on site although it clearly shows the container edged in yellow on the plans which is immediately adjacent to and almost on top of the old retaining wall on to Back Lane. The plans do not show any of the trees surrounding this area. The plans do not give detail about the nature of the retaining wall ¿ given the extent and considerable amount of the ground above the site we hope that its structural load bearing capabilities will be adequate to support all the ground above.

Observations on the application

We first noticed the excavations at this location in April 2018 because we heard ¿digger activity¿ and wondered what was happening.

As ¿the man in the street¿ we are not conversant with Planning Policy (this is a specialist area) and so must rely of the Local Planning Authority to interpret the application and our comments in the light of the relevant policies which may or may not be those particular parts stated by the applicants agent. We cannot know if these policies are taken in context as it is natural for an agent to do his best for his client. When determining whether or not to grant permission for the application and what conditions to attach to it should permission is granted we feel sure that other parts of planning policy must protect the lives and property of those individuals affected by the application in hand.

Our comments relate to the following:

Integrity and stability of the land

It is perhaps natural to assume that if one owns a parcel of land one is free to use that land for any purpose at will, but of course this is not the case as this application bears witness.

Living in one of the properties on Hillcrest which is above the land in Mr Fisher¿s ownership our overriding concern is that the land below our property is not disturbed in such a way so as to disrupt the integrity and stability of the land above the site of this application. It is made up of sand and sandstone and accordingly is easy to work, move and slip if unduly disturbed ¿ we would not like to see our property visit Mr Fisher¿s land due to developments and activities below the hedge separating our two ownerships. In fact digging by badgers on Mr Fisher¿s side of the length of the entire boundary is a constant issue.

We are fearful that further activity to increase the curtilage of the scrap/repairers yard and cut out any more into the bank side and/or gain vehicular access to the flatter area of land the other side of our hedge would have serious implications on the stability of the ground behind our property and cause the slippage of our hedge and property.

Some of the bungalows towards the end of our cul-de-sac, having a boundary with Mr Fisher¿s land, find their boundary hedge breaking away in places due to the stability issues associated with the steep bank below on Mr Fisher¿s land. In fact one of the properties has had to go to the expense of having their garden underpinned due to stability issues.

Visual impact of the site

As the entire sloping parcel of land in the ownership of Mr Fisher, including the land subject to this application and the container, can clearly be seen from the highway it is important that any visual industrial impact of the nature of his business is minimised so as to retain the pocket of open space which breaks up the otherwise built up landscape in this attractive approach to the town. Whilst the yard was confined to the eastern side of the land in Mr Fisher¿s ownership (the part with established use) its impact on line of site from Kiln Lane and Macclesfield Road was kept to a minimum. Any proposed expansion of the scrap yard must be mindful not to make an unacceptable impact on the appearance of the area. Near neighbours would also appreciate a view of a tidy site at ground level. This could be an opportunity to enhance the visual impact of the scrap yard on the surrounding area by improving the view from Back Lane/Kiln Lane and Macclesfield Road.

Highway Access

Improvements to the efficiency of a business are totally commendable and we hope that Mr Fisher¿s business will grow as a result of his endeavours. However such growth may raise concerns about a consequent increase in traffic on to Back Lane from Belle Vue and vice versa. Planning authority consultations with the Highway authority will show if this is to be a matter of concern. We note however that the Highway Authority is not a listed consultee at the point of writing this letter.

In this context we have noted that in 2014 planning permission for the construction of a pair of semi-detached dwellings on Back Lane was refused partially on the grounds of the poor standard of Back Lane and its relationship to Belle Vue Road. There have been other applications for development of other land on Back Lane none of which have come to fruition.

We would prefer the local planning authority to refuse this retrospective application due to concerns over the stability of the land. If, however it is minded to approve it we would hope that sufficient safeguards would be put in place to preclude any further developments on/adjacent to the site of this application so as to protect the integrity of the land in Mr Fisher¿s ownership to the south of Back Lane and which rises to Barracks Way, Hillcrest and Nicholson Way to prevent its movement: Further conditions to reduce the impact of the extended part of the site visible from the highways and; to protect the living conditions of his neighbours as listed in the list of consultees resulting from the use of this extra land as a scrap yard/vehicle repair yard which is proposed to improve the efficiency of his business.