
From: planningcomments@staffs Moorlands.gov.uk
Sent: 12 March 2023 15:17
To: Planning Comments (SMDC)
Subject: Comment Received from Public Access

Categories:

Application Reference No. : SMD/2023/0085 Site Address: Land On Ne Side Of Rivendell Lane Leek Staffordshire
Comments by: Brendan and Jane Daly

From:
Dunvegan
Birchall Lane
Birchall
Leek

Phone:
Email:
Submission: Objection
Comments: FAO Declan Cleary, Planning Officer

Development on this site has already been refused at local level and on appeal. In our opinion, this application should be refused and the conditions in the permission for the development of the 'New Haven' site, must be enforced:

- 1 The hoarding to be removed, the accessway from Birchall Lane to be closed and the original boundary wall and grass verge reinstated.
- 2 The site to be planted as a green space.

We have serious concerns over the safety of the proposed access:

1. It is at the narrowest section of Birchall Lane and will pose a danger to vehicles and pedestrians. We are regular walkers from Birchall Lane to the fields beyond. During the construction of the New Haven dwelling and of the dwelling in the garden of Birchall House, we have regularly encountered delivery and construction vehicles meeting at this narrow section of the Lane and as pedestrians, we have had to encroach on the grass verges, privately owned by residents, to avoid vehicles and safely gain access up and down the Lane.
2. The Site Plan submitted with the application for this development site shows 1 car in the driveway. Is the driveway large enough for more vehicles which, in a property of this size, will almost certainly be owned by any occupant of the proposed dwelling? Can one car then turn within the boundary or will vehicles have to exit the property in reverse? Where are visitors to the property to park? How are deliveries to be made to the property without obstructing Birchall Lane and causing a nuisance? There can be no parking on the Lane nor on the grass verges as these are title requirements for the Birchall Estate. Similarly, given the designation of the Lane as a BOAT, the Lane at this narrowest point already with numerous junctions and driveways close by, must be kept clear and open at all times for all traffic.
3. Another important question to be considered is: Does the development site (described as 'Land On NE Side Of, Rivendell Lane, Leek, Staffordshire') benefit from a legal right of way over Birchall Lane to access the land from

Birchall Lane? Birchall Lane is privately owned and therefore the title to the proposed development land must evidence a legal right of way if access can be lawfully made to and from the land using Birchall Lane.

In addition to fundamental concerns over the proposed access, we are seriously concerned that the proposed development will mean the loss of vital green space and biodiversity in this special and unique neighbourhood metres away from open countryside. The applicant's Location Plan highlights garden land in very close proximity to the proposed development site that has been lost very recently: Development in the front garden of Westerdale; in the vegetable garden of Birchall House (now Birchendell); and in the former open green space opposite Links View, Rivendell Lane now known as New Haven. The loss of numerous wildlife habitats in these gardens and green space has a considerable negative impact on the biodiversity of our local natural world particularly, the numbers and variety of wildlife we have the pleasure of sharing our lives with here in Birchall. In our opinion, further loss must be stopped. It is noted that the Site Plan for the proposed development shows no tree and shrub planting. Numerous revisions to the Site Plan relating to the adjoining New Haven development show many trees to be retained on the land which forms the subject of this latest application. Where are these trees?

This proposed development is unneighbourly particularly, its impact on Links View, Rivendell Lane, and the residents of Birchall Lane. It is overdevelopment and would be hugely imposing in the neighbourhood at this junction. It should be green open space. We urge the Planning Officer and the Planning Committee to unanimously refuse consent.

Jane and Brendan Daly,

Dunvegan, Birchall Lane, Leek

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