

Responses below relate to the subject points included in the LPA's initial response.

1.3 The applicant was not the owner of the site at the time of enforcement action, so cannot accurately comment on the proceedings that followed, however, it is our understanding that the solid gate was erected for site safety and security purposes. There is a public footpath running adjacent to the south boundary of the site, from which the site can be seen, and no attempts to conceal the use, if that would even be possible, were made. For 23 years after the last correspondence in 2001, operations on the site were not challenged.

1.5 The applicant does own, but does not live on the adjacent stables site. The new dwelling approved (SMD/2024/0117 – APP/B3438/W/24/3357062) has not yet been constructed. If outline consent is granted for development on this site, the applicant may wish to seek consent to construct the dwelling approved on the stables site here on the skip yard and retain the stables business next door.

1.8 When the use of this site as a skip yard was preventing the development of the adjacent stables yard, the LPA were happy for the use of a skip yard to continue and made no efforts to challenge its use. Now the stables yard development has been allowed at appeal, the categorisation of the skip yard, that has used by different officers for different applications, has changed to fit a narrative to oppose any other development. The use continued from 2001 to 2024 with no intervention, even though the use of the site intensified from what originally was the storage of skips, to a fully-fledged commercial waste sorting site where full skips would be brought in, emptied, and the contents sorted into waste types, before being transported off-site for recycling, scrap or other types of disposal.

1.9 Impact on the greenbelt, when viewed from Akesmore Lane, is significant as you are faced with tall metal structures at the roadside boundary, which contrasts the otherwise green appearance of the area. Redevelopment would see this replaced with native hedgerows which would largely screen any residential development on the site. The current yard is a blot on an otherwise green landscape and there is no available farmstead adjacent to the site from which the applicant can put it to use for agricultural purposes. The site is currently holding surplus supplies for the adjacent stables yard. As the site is within the greenbelt, its suitability for “grey belt” classification should be considered as it is land within the greenbelt which has been neglected or fallen to ruin with a history of coal mining and other commercial activities. This site is not of high environmental quality and would benefit from redevelopment. Addressing the risk of historic mining issues through appropriate remediation will make the site safer and remove any contaminant risks.

1.10 The four dwellings should not be a material consideration of the application, nor should their size, style or design. It would be possible for a single bungalow of a traditional, rural design, to be put forward at a reserved matters stage, so this assessment should be made at that later stage.

1.11 The site is adjacent to the stables site which had a new residential development approved. The site is in the countryside, so residents would most likely make use of private cars to travel and access local facilities. However, the nearest bus link is in Wedgwood Lane, approx. 250 meters away, so within walking distance, as is the national cycle network route 55 The Biddulph Valley Way. A public foot path is adjacent to the location within easy walking distance to the doctors & schools etc. It should be highlighted that the level of trips associated with a residential use would be significantly less than those generated by the use as a skip yard, not to mention, the type of vehicles would be limited to personal cars, not skip wagons or HGVs or tractors.

1.12 When the inspector visits the site, they will be able to see that a stile provides access into the adjacent field for Biddulph Town 16 footpath. This is located beyond the southern boundary of the site off Akesmore Lane, so there is no obstruction with the skip yard site, hence no concerns were raised by the footpath society.

1.13 The Coal Authority were again consulted on this appeal, but the CMRA was not provided to them for comment. This is the document they initially requested and would not have contained details of intrusive investigations. This type of information is provided in a subsequent report which follows on from the recommendations outlined in a CMRA. The adjacent stables yard had CMRA accompanying the full application and the Coal Authority did not object to the development, subject to matters reserved by conditions which require the instructive investigations to take place and the findings to be approved by the LPA in writing prior to commencement. This too was a high-risk site, so there are no material differences that should require such costly and instructive investigation at outline stage for this application. This approach was accepted by the inspectors for (SMD/2024/0117 – APP/B3438/W/24/3357062) on the adjacent stables yard, who deemed it acceptable for the investigations to be suitably secured by a condition. Should the Coal Authority have been given sight of the CMRA at either of the two available opportunities missed, it is likely to have satisfied their original concerns.

1.14 When the findings of investigations are submitted in a reserved matters application, the details of mitigation should be assessed then for suitability of development at this time instead of second guessing how intense the remediation works would be.