

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/C3430/C/22/3291561

DETAILS OF THE CASE

Appeal Reference

APP/C3430/C/22/3291561

Appeal By

MR TOM PARK

Site Address

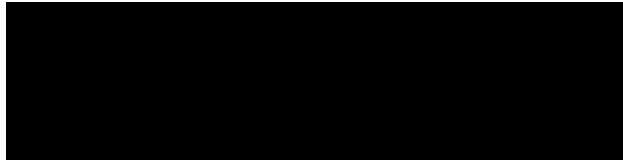
Landywood Farm
Landywood Farm Lane
Cheslyn Hay
WS6 7AS

SENDER DETAILS

Name

MR DAVID TURNER

Address



ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☒ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☒ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

I would like to request this enforcement notice should be upheld and the land in question should be returned to its original condition. My objections are as follows, the noise from this yard starts at around 6.30am and can carry on until 7pm this is not acceptable for a residential area, the lane has been destroyed by large lorries creating potholes, smashing up kerbs and destroying grass verges, walkers and cyclists used to use the lane as a cut through to the local nature area but now the lane is so busy and muddy it is not used as much, the yard is not large enough for lorries to turn around so they wait in the lane blocking the road, this development has changed the character of the village in a negative way and I have lived here all of my life also dust is created from the yard that settles on everything and one morning I was woken up coughing because smoke was coming in through my bedroom window from the yard where they were burning something and lastly this land is greenbelt land and from my understanding should only be developed in exceptional circumstances so this seems completely at odds with greenbelt policy. I am not at odds with new businesses but this yard was set up without any thought for local residences and the wider community.

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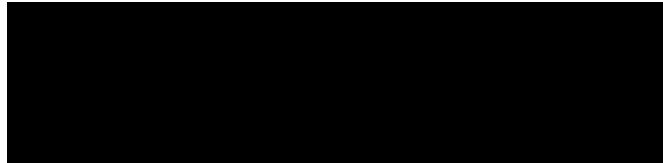
Landywood Farm
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SENDER DETAILS

Name

MR JOHN TURNER

Address



ABOUT YOUR COMMENTS

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YOUR COMMENTS ON THE CASE

My complaints about this planning application are firstly the noise and dust from early morning to late evening is unacceptable, and whilst my neighbours have done a good job of renovating the farm house but adding this builders yard has ruined the lane and the character of the village, the lane is almost twice the width now with grass verges having been churned up by lorries and the lane is constantly blocked by lorries as the yard isn't big enough for them to turn around in, I feel this development has had a detrimental effect on my quality of life and my families also this land is greenbelt land and should be protected from development especially developments of this type which are compleatley at odds with its village location.

We previously objected to this planning application. We own a property on Landywood Lane and since the site has opened over 3 years ago, we have had to put up with the development of the land which was set out as residential. The lane which services the properties is not suitable for HGV vehicles and we have already experienced major road damage and flooding. They have increased their HGV licences from 2 to 6 vehicles which has increased the level of traffic on the lane and past our house. The land is green belt, and the change of use dramatically harms the area and should only be granted in very special circumstances. I do not feel that setting up a Construction Site is Very Special at all. The land was previously used as grazing and should be returned to this without any further delay. The noise which can start as early as 6:30 am in the morning most weekdays and sometimes Saturdays and Sundays and also on bank holidays and go onto the 7.30 pm on a residential street is unacceptable. We must keep our windows closed to block out the noise and fumes from the fires. During the day there is noise coming from the site which disturbs us constantly. There are also deliveries of hardcore sand and gravel to the site by JPE which also use HGV vehicles and they too are damaging the verge and the road. He also has many staff arrive in their cars during the day and they too are causing excessive wear and tear to the lane. His other businesses that operate from the same address also means light commercial vehicles and vans are constantly using the road. We have had the road repaired by the council at least twice and I am going to have to report the damage again as they once more have destroyed the road. Opposite our house the width of the road is now down to only five feet and many vehicles now to avoid the holes and damage to the verge and side of the road come onto our drive. The site is an eyesore from the road, and we can also see the site from our bedroom window. This will of course have a negative effect on the value and saleability of our property. We didn't move into our house over 10 years ago to have a construction site set up right next to us. When we were asked about the original planning application for the Farmhouse, it stated that they only required the permission for residential use and not a large commercial site. The road needs to be resurfaced and limited to 3.5 tonne cars and vehicles. Machinery and excavators working on the site for industrial use must not be allowed in a residential and green belt area.

To his points raised.

Ground (e) the notice as not properly served on everyone with an interest in the land. I can't comment on who was not served but I am sure they had a conversation when it arrived, so this seems a very poor excuse. They are just playing for more time. They have known for eighteen months and more that the development was illegally built and has grown would eventually be refused planning permission, and after many months of delays during lockdowns and councils now working at normal pace it was refused planning permission. They knew the day would come when they would have to stop trading in the manner they do and have had far too much time already to plan and move to a suitable industrial site to carry out their businesses in a proper manner to way the rest of us have to.

Ground (f) The steps required to comply with the requirements of the notice are excessive and lesser steps would overcome the objections. There would be no steps required if he hadn't of gone ahead with the change of use without at least a quick check with the council to see if he would need planning permission. That way he would have known from the start instead he tried to get away with planning permission and asking what would have been acceptable. Also, he has no thoughts for his neighbours and the negative effect it has had on our properties and our state of mind. His site has caused me sleepless nights and it has affected our mental health. We require the site to be put back to how it was before he turned it into a commercial site. Any size of business operating from the residential premises will effect us in both the quality of our daily life and the value of our properties, as any one viewing properties in the street will like them unto they look at what their future neighbour does and what view they have to put up with and the noise pollution.

Ground (g) that the time given to comply with the notice is too short. We really are at a loss here. He has known since his planning application was declined; he would have to comply with the council's request. His planning application was declined on 3rd March 2021 nearly 12 months ago. If he felt he needed more time, why didn't he appeal then asking for more time. Please do not let this person play any more games with the laws of the land. He does not respond the correspondence from the council or his neighbours and then delays any response e.g. his request for more time to the last minute and hence we have to wait longer and longer for this unacceptance practise to be seized.

He has had enough time, what about the residents who have to see he is getting away with breaking planning regulations and of course making money whilst we have to put up with noise, dirt and destruction of our little lane and roads leading to the lane and I am sure the loss in value to our property and the sale ability of it. If he is allowed to run a growing business from a residential and green belt area at reduced costs to him can we all do this as I have to pay rent, bills and business rates for the offices and premises my business runs which I could resite to my garden. Also neighbours of ours have experienced planning applications for much smaller and nicer things to be refused by the council so why should it be one rule for him and another for the rest of the community.

In addition his Operators License being approved in the first place I am at a loss to, being in that industry. To be approved for one vehicle then have it increased the two and now six vehicles is beyond me. The vehicles visiting his industrial site have to be driven in and be able to turnaround and driven out of the site. Many vehicles reverse into the yard or reverse out of the yard which causes traffic jams on the lane and into the main road. Many of the large vehicles block the corners on the main road and an accident is waiting to happen.

In addition we notice that more structures are being built similar and larger to what we and the previous owner of our property had to get planning permission for and I do not think he has gained planning permission for these building either.



Lane before 1



Lane before 2



Lane before 3



Lane before 5



Lane before 6



Lane now 1



Lane now 2



Lane now 3



Lane now 4



Lane now 5



Lane now 7



Lane now 8



Lane now 12



Lane now 13



Lane now 14



Lane now 15



Lane now 16



Lane now 17



Lane now 18



Lane now 19



Lane now 20

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