

HOUSE OF COMMONS
LONDON SW1A 0AA



Miriam Cates MP

Member of Parliament for Penistone and Stocksbridge

Enforcement Action for land parcel between 94 and 98 Wheel Lane, Ecclesfield

As the Member of Parliament for Penistone and Stocksbridge I wish to make the following statement to the Planning and Highways Committee on 25th May 2021 regarding the parcel of land between 94 and 98 Wheel Lane, Ecclesfield.

Over the past three years, the illegal use of the land in question has had a severe and detrimental effect on my constituents who live in surrounding properties. Without visiting the site, as I did recently, it is hard to comprehend the magnitude of the impact of the misuse of this site on the surrounding area.

Wheel Lane is a rural road with a steep gradient, and properties are mostly well-maintained detached houses and bungalows. The Lane is surrounded by fields and open space.

The parcel of land between 94 and 98 Wheel Lane has been used by the current owner as a disposal facility, with vast quantities of soil and hardcore dumped on the land whilst completing another development in the vicinity. This dumping, in addition to the presence of a disused underground reservoir on the site, has meant that the height of land has been raised at least 2m above its natural level, and is completely incongruous when viewed in comparison with the surrounding land.

In addition to this, the positioning of two full sized shipping containers, one on top of the other, creates an eyesore that is visible from every angle, and dominates the surrounding area. The hideous visual impact of the site of the whole cannot be underestimated and has blighted my constituents' lives.

My understanding is that in 2018, the owner of the land made a planning application to develop the site. The plans submitted were for two very large and very tall properties, not in keeping with the surrounding area, threatening greenbelt and with unanimous objections from neighbours. Despite the inappropriate nature of the plans, planning officers passed the application using delegated powers, and residents had to pursue a Judicial Review at their own expense. The Judicial Review quashed the approval.

However, the developer had already begun to build foundations on the land and installed the stacked shipping containers, which have been there ever since.

The owner has subsequently entered three more planning applications (20/02057/FUL, 19/03073/FUL and 18/02229/FUL) all of which were refused at committee stage despite being recommended for approval by officers.

Even though the development and equipment has been in place illegally for three years, until recently there has been no attempt made by the Council to enforce removal. I understand that, if the foundations were to remain in place for four years, the developer would have an automatic right to build, regardless of the history of planning permission refusal.

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We are only one year away from that four-year marker (May 2022) and there is now a very real risk that the developer will be able to take advantage of this situation, in a blatant affront to the democratic process and public interest.

I therefore strongly urge the Committee to approve formal action to cease the use of the land for storage and to enforce the removal of all materials from the site including the foundations.

It is absolutely vital that the correct processes are followed and that, if authority is granted by the Committee, enforcement action is taken swiftly, regardless of whether or not the developer submits further planning applications before enforcement takes place.

The neighbouring residents have been exceptionally patient throughout this whole process, despite experiencing stress, anxiety, inconvenience and financial loss. The lives of my constituents have been in limbo for three years, with their lives overshadowed by the state of the land parcel and the frequent battles they have had to fight against its misuse. At present, there would be no prospect of any of the residents being able to sell their homes at anywhere near market value and this cannot continue.

As I understand it, there are no objections in principle to the parcel of land being developed, provided that the land is first returned to its original height and that the development is in keeping with surrounding properties.

Surely this is exactly what the planning process is there to achieve, and I trust that you will ensure that any authorised enforcement action is executed swiftly.

A handwritten signature in black ink that reads "Miriam Cates".

Miriam Cates MP
Member of Parliament for Penistone & Stocksbridge

25th May 2021