

**Planning Committee – Tuesday 24<sup>th</sup> October**

**Update Report of the Head of Service**

**This Report has been checked on behalf of Legal Services by Sherrie Grant**

**Item 5.1**

**Application Nos: P/2023/00701**

**Additional Info/Consultation response**

Four additional letters of representation have been received raising the following issues:

- Owner does not have ownership rights to the field;
- Applicant falsely stated that they had an access into the field;
- Proposal would remove an ancient hedgerow;
- Access issues given width of the Slack Lane;
- Would be a blight on the landscape;
- Concerns with respect to a possible change of use
- Concern regarding increased use of vehicle on Slack Lane and conflict with pedestrians

The County Ecologist has provided comments on the application and raises no objection to the application given the small scale nature of the application, that the loss of hedgerow is small and that it would be compensated for by replacement hedgerow planting. A condition and note to applicant is recommended.

**Officer Response:**

The original committee report deals with issues in respect of highway safety, access and visual impact.

Any concerns relating to future planning applications are not material planning considerations that are relevant to this application. Should applications be submitted in the future they would need to be assessed on their merits.

With regards to access rights, as set out in the original report, planning application P/2022/00575 was granted planning permission in November 2022 and allowed for the erection of an agricultural building to house, feed and lamb sheep and to store fodder and implements. The application proposed to utilise the existing access off Gallowstree Lane. Subsequent to the grant of this planning permission there are legal issues which are preventing the use of the existing access. Due to these legal issues, the applicant is now seeking a separate access off Slack Lane rather than utilising the existing/approved access off Gallowstree Lane.

It is understood that the land has been purchased by the applicant. Officers are currently investigating whether the correct ownership certificates have been issued. If

it is found that the owner needs to be notified then the application will not be issued until such time as the relevant consultation has been undertaken, and no substantive issues being raised.

**Recommendation: Amend condition 7 and add a note to applicant as set out below:**

**Condition 7**

No development shall take place on site until such time as a detailed landscaping scheme, implementation timescales and aftercare arrangements are submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

**Additional Note to Applicant**

The applicant must take reasonable precautions to prevent accidental harm to badgers (such as allowing escape ramps from any trenches.)

For further information contact:  
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