

Planning Committee – Tuesday 26th April 2022

Update Report of the Head of Service

The main report and this update report have been checked on behalf of Legal Services by Sherrie Grant

Item 5.1

Application No: P/2021/01280

Change of use of paddock to domestic curtilage and retention of garden shed in alternative position

Big Barn, Hollybank Farm, Yoxall Road, Woodhouses, Yoxall, DE13 8NR

Additional Information

Three further letters of representation have been received from local residents reiterating many of the previous objections (as set out in the officer report) as well as raising the following additional objections/concerns to the amended scheme (with the repositioned and retained shed location) summarised below :-

- The application does not show exact details of the repositioning of the shed
- The revised supporting statement on behalf of the applicants contains many errors including the timeline of events and incorrect planning judgements. The revised supporting information also refers to pre-application advice however this should not be relied on given the application was then submitted some time afterwards
- The revised supporting statement states that the paddock land, once changed to domestic curtilage, will be used for vegetable planting, aka an allotment. This will lead to overlooking and loss of privacy due to increased activity year round and would visually impact on the open countryside
- The use of land as garden has caused significant disturbance to the occupants of an adjoining property and to the enjoyment of all of their private garden
- The proposed alternative location for the retention of the shed will bring the building closer; therefore increasing overlooking and loss of privacy

Officer Comment

The revised scheme in common with the original submission includes the proposal to change the use of the paddock to domestic curtilage and it is considered that the issues surrounding this matter are already covered thoroughly in the officer report.

With regard to the proposal to retain the shed with the revised siting the report sets out that the shed is to be repositioned so as to allow for maintenance to its northern side and also to allow improved access to the existing conifer hedge. The existing and proposed position of the shed (the subject of this application) are clearly shown on the submitted plans.

Further, whilst the submitted plans also include the repositioning of an existing gate within the existing boundary fence this does not require an application for planning permission.

In relation to the procedural matters raised by the interest parties all pre-application advice is provided on the basis of the information available and does not prejudice any decision or recommendation that the case officer may make in respect of the site, pursuant to the submission of a formal planning application which may result in additional issues being raised, either because the submitted proposal differs from that presented at the pre-application stage or because of the responses received following the statutory consultation and publicity process. In the timeline of this planning application process there have been no new or revised national or local planning policies or guidance that are material to the planning considerations of this application.

As has been set out in the officer report the merits of the application have been weighed up having regard to the relevant planning policies, the representations received and a site inspection. These are the fundamental actions of a case officer in any application process. Further, whilst it is recognised that the application seeks the retention of works it also remains the case that the application remains to be judged on its planning merits alone. In relation to the merits of the case the officer recommendation therefore remains one of a grant of planning permission subject to conditions as per the main report.

Recommendation:

No change to recommendation in main report.

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