

**FIRST SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**18<sup>th</sup> July 2023.**

**Agenda Item 10**

**Application Ref. 23/00518/SCH17**

**Land North West of Bower End Farm**

Since the publication of the main agenda report, the comments of Staffordshire County Council **Public Rights of Way Officer** (PROW) have been received. The following comments are made:

- The granting of planning permission does not constitute authority for interference with the PROW including items such as gates or stiles, and if these are not required for stock control, they are unlikely to be authorised by the County Council.
- As the PROW that runs through the site is a Bridleway, access also needs to be provided to horse riders and cyclists.

Officers Comments

While the Officer's comments are noted, Schedule 17 of the Act grants deemed planning permission under Part 3 of the Town and Country Planning Act 1990 for HS2 Phase 2a and associated works ("the Works") between West Midlands and Crewe. The Schedule sets out that the Council can only refuse to approve the application, or impose conditions in relation to the local environment and amenity; road safety and traffic and archaeological/historic and nature conservation value.

Implications in terms of access to the PROW that run adjacent to the application sites are not considered to involve any of the aforementioned issues and so it would not be reasonable to refuse the application on this basis.

Notwithstanding this, the applicant was approached to address some of the comments raised by the PROW officer. They have confirmed that the proposed permanent gates to be used are suitable for placement on bridleways, and that Schedule 4 of Part 2 of the Act allows PROWs to be temporarily diverted or suspended. Following the determination of this application, the applicant will be applying through the County Council to secure permission for the permanent structures along the public footpaths and bridleways, which is a separate process to this application.

No new issues are raised and therefore the **RECOMMENDATION** remains as set out in the main agenda report.