# Appeal Decision

Site visit made on 24 September 2014

**by R C Kirby BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 October 2014**

**Appeal Ref: APP/B3438/A/14/2222450**
**Land at Whiston Eaves Lane, Whiston, Nr. Cheadle, Staffordshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr P Richardson against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2014/0166, dated 17 March 2014, was refused by notice dated 15 May 2014.
- The development proposed is erection of detached dwelling.

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issue is whether a new dwelling in this location is acceptable having particular regard to the principles of sustainable development.

## Reasons

3. The development strategy of the Staffordshire Moorlands Core Strategy Development Plan Document (Core Strategy) is to concentrate the bulk of new housing in the towns of Leek, Biddulph and Cheadle. Within the rural areas the larger villages are identified as the most sustainable settlements and able to accommodate the bulk of rural development after the towns. Smaller villages, of which Whiston is one, are identified as having a poor range of services and facilities with local residents having to travel outside the village for most of their daily needs. Limited infill development will be permitted within the smaller villages as set out in Policy SS6 of the Core Strategy. Policy SS6b recognises that there is a need to meet local needs in smaller villages but the objective of this policy is to strictly control new development and restrict it to limited infilling and redevelopment within the as yet to be defined Infill Boundaries.

4. There is no dispute between the parties that the appeal site is located outside of, but adjoining the former development boundary for Whiston as defined in the former Staffordshire Moorlands Local Plan 1998. Although the appellant considers that the development boundary is out of date, in the absence of a Site Allocations DPD, the boundary provides a useful means for distinguishing between settlements and open countryside. The appeal site is part of a larger open field and has a different character and appearance to the built up area of the village. New development within the countryside is strictly controlled by

Policies SS6c and R2 of the Core Strategy. The appeal proposal would not fall within any of the exceptions for new housing within the countryside defined in these policies and there would therefore be conflict with them.

5. However, where a five-year supply of deliverable housing sites cannot be demonstrated, local plan policies for the supply of housing including Policies SS6, SS6b, SS6c and R2 cannot be considered up-to-date. The Council acknowledge that it is unable to demonstrate a five-year supply of housing land. In such circumstances, paragraph 49 of the National Planning Policy Framework (the Framework) makes it clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the Framework advises that applications should be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

6. The Framework at paragraph 7 identifies three dimensions to sustainable development – economic, social and environmental. The three roles should not be undertaken in isolation, because they are mutually dependent.

7. In terms of the economic dimension, house building is recognised as an important driver of economic growth and there would be some benefits to the construction industry from the proposed development. Paragraph 55 of the Framework advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

8. Whiston has a limited range of facilities including a village hall where a range of activities occur, a playground and football pitch, a church, golf club and a public house that is currently closed. It does not have any schools or shops. There is no certainty that the public house will reopen and the patronage from residents of one new dwelling would be unlikely to have a discernible effect on whether it would in the future. The appellant submits that residents of the new dwelling would support services and facilities in Ipstones and Kingsley. However, I attach limited weight to this matter as the contribution residents of one dwelling would make to the vitality of these rural communities would not be discernible.

9. In terms of the social role of sustainability, there is no dispute that the new dwelling would contribute to the supply of housing within the District. I have no reason to doubt that it would be delivered within 5 years. The Council raises no objections to the design of the dwelling, and given the mixed character of the architectural styles in the area, I have no reason to reach a different conclusion. These factors are clearly in favour of the proposal.

10. A further social role of sustainability is accessible local services that reflect the community's needs and support its health, social and cultural well-being. Whilst there is no dispute that there are bus services that serve the village, these are limited. The new dwelling is family sized and there is a high probability that school aged children would be resident of it. There is no school bus service from Cheadle High School to Whiston. On this basis, it is highly likely that there would be a high dependency on the private car to access schools within the area. Once in the car, it is likely that parents would travel further afield to access their place of work, shops and services in nearby towns, rather than use public transport. Furthermore, there are no evening bus

services to or from the village which would allow residents to travel by public transport and participate in cultural activities in nearby towns.

11. I have not been provided with substantive evidence to demonstrate that the facilities in nearby towns and villages are accessible by walking and cycling. This adds to my concern that there would be a heavy reliance on the private car for residents' of the new dwelling day to day needs. This would be in conflict with the core planning principle of the Framework which advises that patterns of growth should be actively managed to make the fullest possible use of public transport, walking and cycling.

12. The environmental role of sustainability requires the planning system to contribute to protecting and enhancing our natural, built and historic environment. The appeal site forms part of an attractive field with open views across it. Within the Landscape and Settlement Character Appraisal, the site is identified as being within the Dissected Sandstone Highland Fringe landscape type. A key characteristic of this landscape type is its small/medium pastoral landscape with wide and distant views.

13. The appeal site makes a positive contribution to the character of the area, forming part of a larger field that slopes down from the road. A new dwelling on the site would significantly change the character of this open, undeveloped field into an extension of ribbon development along the lane. This would be harmful to the approach into the village along the lane, and would be harmful to the character and appearance of this rural area. This would be in conflict with the objectives of Policy DC3 of the Core Strategy which seeks to resist development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement. There would also be conflict with the core planning principles of the Framework relating to the account that should be taken of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside, and conserving and enhancing the natural environment.

14. In light of my findings above, whilst there would be some economic and social benefits of the proposal, these would not outweigh the totality of the harm that I have identified. Accordingly, the proposal would not represent sustainable development for which the Framework establishes that there is a presumption in favour. In reaching this conclusion, I have had regard to the appeal decisions[1] that the appellant has referred me to. However, in the absence of detailed drawings of the appeal schemes, I am only able to attach limited weight to them, as I am unable to ascertain if they are directly comparable to the appeal proposal before me. Equally, in the absence of details of the Council's Strategic Housing Land Availability Assessment, I am only able to attach limited weight to its findings in respect of the appeal site.

## Other Matters

15. A local resident has raised concern over the increased traffic that the proposal would generate. I note that the Highway Authority raised no objections to the proposal. Given that the proposal is for a single dwelling, it is unlikely that traffic associated with it would give rise to highway safety concerns. In this respect, I have no reason to reach a different conclusion to the Highway Authority.

[1] APP/K2420/A/12/2168670; APP/B3438/A/13/2205887; APP/Y3425/A/12/2184621

## Conclusion

16. For the above reasons, and having regard to all other matters raised, the appeal should be dismissed.

*R C Kirby*

INSPECTOR