The Planning Inspectorate

Appeal Decision

Site visit made on 10 April 2017

by A J Mageean BA (Hons) BPl PhD MRTPI

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

Decision date: 16th May 2017

Appeal Ref: APP/B3438/W/17/3167894
Land off Main Road, Hollington, Staffordshire ST10 4HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr D Allen against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2016/0355, dated 31 May 2016, was refused by notice dated 27 September 2016.
- The development proposed is outline application for the erection of up to 3no. dwellings with all matters reserved except for access.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with approval sought for the means of access only at this stage. Layout, appearance, landscaping and scale are reserved matters. An indicative site plan has been submitted which I shall treat as being for illustrative purposes only.

3. During the course of the application and prior to its determination the number of dwellings for which approval is sought was reduced from 5 to 3. I have considered the appeal on the basis of the lower figure.

Policy Context and Main Issue

4. The site is a small agricultural field located between existing houses, to the west of the village of Hollington. It is outside any recognised development boundary and therefore for planning purposes is in the open countryside.

5. The Council accepts that it cannot currently demonstrate a five year supply of deliverable housing land, as required by paragraph 47 of the National Planning Policy Framework (the Framework). Both parties refer to the available supply currently being 1.87 years. In such circumstances, paragraph 49 of the Framework makes it clear that relevant policies for the supply of housing cannot be considered up-to-date. Where policies are not considered up-to-date paragraph 14 of the Framework sets out the presumption in favour of sustainable development as the golden thread running through both plan-making and decision-taking.

6. The relevant development plan is the Staffordshire Moorlands Core Strategy Development Plan Document 2014 (CS). Whilst the Council recognises that the

CS policies that regulate the supply and location of housing are not up-to-date in the context of paragraph 49 of the Framework, this does not alter the legal status afforded to these policies as part of the development plan for the District.

7. In the present case, in addition to CS Policy T1 referred to in the reason for refusal, the Council and appellant also refer to Policies SS1, SS1a, SS6b, SS6c and R2. Policies SS6b, SS6c and R2 seek, amongst other things, to restrict development in rural areas and smaller villages to that which meets local need or enhances community vitality. These policies therefore seek to constrain housing delivery in terms of form or location and the proposal would conflict with them. Nevertheless, they are broadly consistent with paragraph 55 of the Framework in terms of requiring housing in rural areas to be located where it will enhance or maintain the vitality of rural communities, unless there are special circumstances. Such considerations are therefore relevant, though in the light of the Councils considerable under supply of housing land these policies attract limited weight.

8. Policy T1 is a strategic policy seeking to reduce dependence on private cars and the need to travel generally. Policies SS1 and SS1a are also broad strategic policies setting out development principles. These policies therefore do not constrain the supply of housing.

9. The main issue in this case is therefore whether the proposed development would provide a suitable site for housing, having regard to whether future occupiers would have reasonable access to shops, facilities and services.

Reasons

10. The site is located around 1km outside the small village of Hollington, whose facilities are limited to a church, 2 public houses and a village hall. The village itself falls into the category of the 'smaller villages', identified in CS Policy SS6b, which have a limited role as service centres. Whilst the site would be within reasonable walking distance of the village, and I understand that basic provisions are available for purchase from at least one public house, clearly the full range of day to day needs would not be met locally. Public transport to larger service centres is limited to a weekly bus service.

11. The appellant notes that the larger settlement of Upper Tean, which has a wider range of shops, services, schools, possible places of employment and a bus network, is located 4km away. Whilst it is suggested that this is within cycling distance, this journey down narrow country lanes would be an unattractive proposition for most cyclists. Therefore, realistically, my view is that development in this location would inevitably lead to regular travel outside the village to access most services and facilities, primarily by private car.

12. The proposed dwellings would be located within a small cluster of buildings and accessed from the Main Road running into Hollington. As such the appellant considers that the proposal would represent infill development, and notes the supporting text to CS Policy SS6b which states that in smaller villages such as Hollington some limited infilling and redevelopment is considered acceptable. However, this supporting text goes on to explain that such development would be guided by an Infill Development Boundary. Whilst a confirmed Infill Development Boundary has not been presented in this case, this site is considerably outside the draft Infill Boundary and clearly outside the main

nucleus of Hollington. In this sense the proposal would represent a sporadic form of development.

13. Both parties have referred to other appeal decisions in the District in support of their cases. Those presented by the Council relate to dismissed housing development proposals located close to smaller villages, one of which is Hollington, which raise similar issues to the present case and are therefore of relevance and carry some weight in my decision.[1]

14. Those decisions referred to by the appellant relate to cases which allowed housing development on previously developed land in the Green Belt. In the first of these the appellant demonstrated that there were a range of day-to-day facilities and services within a 2km walking distance of the appeal site.[2] In the second, a proposal for a single dwelling to replace an equestrian centre, whilst there were limited services locally, the site was located close to a regular bus service to larger centres.[3] Given these different site circumstances these latter cases carry little weight in my decision.

15. I therefore conclude that the proposal would not provide a suitable site for housing, having regard to whether future occupiers would have reasonable access to shops, facilities and services. Development in this location would lead to reliance on private transport contrary to the aims of the Framework. In this respect it would conflict with the CS Policy T1 which, amongst other things, seeks to support easy access to jobs, shops and transport services.

Other matter

16. Whilst the Council has not raised any highway safety issues, objectors express concerns about the safety of the proposed access close to a bend in the road and where traffic regularly travels at speeds in excess of 40mph. I noted on my site visit that visibility from the proposed access was adequate and therefore do not share objectors concerns in this regard. However, this is a neutral factor which does not weigh in favour or against the proposal.

Planning Balance and Conclusion

17. At the heart of the Framework is the presumption in favour of sustainable development. Paragraph 7 of the Framework identifies three key elements of sustainability based on social, economic and environmental dimensions.

18. In the present case, the provision of new housing would provide social benefits in terms of the increase in the overall supply of housing and the modest expansion of the local community. I note a supporter's reference to the need for housing for first time buyers, though as the proposal is for open market housing it would not meet a specific local need. In terms of economic benefits there would be short term economic gain through the provision of construction jobs, and an increase in support for local services and facilities, though the effect of this small scale proposal would be limited. However, the proposal would fail to meet the environmental role because of the need to travel to access services and facilities.

[1] APP/B3438/W/16/3154334; APP/B3438/A/14/2222450.
[2] APP/B3438/W/15/3140510
[3] APP/B3438/A/14/2217581

19. Looking at the planning balance overall, I attach moderate weight to the relatively small contribution which would be made to the supply of housing in the District. None of the other factors carry more than limited weight in favour of the proposal. Balanced against this, I have found that due to the poor access to services and facilities from this site, development in this location would cause environmental harm. Therefore the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole and the proposal would not represent sustainable development.

20. For the reasons given above, as material considerations do not indicate that I should conclude other than in accordance with the development plan taken as a whole, the appeal is dismissed.

AJ Mageean

INSPECTOR