The Planning Inspectorate

Appeal Decision

Site visit made on 4 June 2019

by B Bowker Mplan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2019

Appeal Ref: APP/B3438/W/19/3220112
Land adjacent to 67 Shawe Park Road, Kingsley Holt ST10 2DJ

- 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 F Klucznik against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2018/0282, dated 2 May 2018, was refused by notice dated 10 July 2018.
- The development proposed is erection of 4 detached dwellings.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

    - The effect of the proposal on the character and appearance of the surrounding area; and,
    - Whether sufficient information has been submitted in respect of biodiversity.

Reasons

Character and appearance

3. Whilst the built form of Kingsley Holt is to the immediate east, the site's location and undeveloped appearance give it a strong visual affinity with the surrounding open countryside. The site contributes positively to the rural character of the open countryside, appreciable along Shawe Park Road.

4. Kingsley Holt contains single and two storey dwellings sited alongside one another. However, the single storey scale of Nos 67 and 68 Shawe Park Road aids the transition into the open countryside and helps visually define the extent of the built form of Kingsley Holt. The two storey scale, siting and combined mass of the dwellings would be a visually intrusive feature in the open countryside. Furthermore, the downward slope of land away from Kingsley Holt and the vehicular use associated with the proposal at the site frontage would further add to the prominence of the development.

5. Consequently the proposal would harmfully affect the predominant rural character of the site and its surroundings, which would be noticeable from Shawe Park Road. Owing to the scale and mass of the development and the

associated site activity, existing and proposed landscaping measures would not fully prevent this harm. Whilst the proposal would not fully conform with the rear garden depths set out in the Space About Dwellings Supplementary Planning Guidance document, this in itself would not materially harm local character and appearance. However the harm identified above would remain.

6. Therefore the proposal would have a harmful effect on the character and appearance of the surrounding area and thus would be contrary to Core Strategy (CS) policies DC1, DC3, R1 and paragraph 170b) of the National Planning Policy Framework (the Framework), which of relevance seek to ensure development is well designed, enhances rural character, respects its surroundings and recognises the intrinsic character of the countryside.

Biodiversity

7. The site comprises grassland with flowers and a vegetated rear boundary. The submitted Reptile Survey confirms that the site is not an important habitat for reptiles. However, as highlighted by the Council, no habitat assessment has been undertaken for invertebrates, the site habitats have the potential to be a Local Wildlife Site and the submitted Preliminary Ecological Appraisal advises the need for further bat survey work. No compelling case has been made in response to the Council's concerns. Drawing the above together, based on the submitted evidence, I cannot conclude with certainty that the proposal has demonstrated that it would not have a harmful effect on biodiversity.

8. Therefore sufficient information has not been submitted in respect of biodiversity. Consequently the proposal would not meet the requirements of CS policies DC1, R1, NE1, and paragraphs 170b), d) and 175a of the Framework, which of relevance, seek to ensure that development recognises the wider benefits from ecosystems, and conserves and does not significantly harm biodiversity.

Other Matters

9. A number of benefits are associated with the proposal, which includes its contribution to housing supply (in light of the agreed position on housing land supply between the main parties) and support to construction employment. Future occupants would also access and support some services and facilities in the area. Whilst no planning harm has been identified by the Council other than that above, this is a neutral factor in the planning balance.

10. Overall the benefits associated with the proposal would be commensurate with the modest scale of the development. In this case the adverse impacts of granting permission identified above would significantly and demonstrably outweigh the modest benefits associated with the proposal. Furthermore, the harm identified to local character and appearance in isolation is sufficient to justify dismissal of the appeal.

Conclusion

11. The proposal would conflict with the development plan and the Framework when taken as a whole, and as there are no other material considerations that indicate permission should be granted, the appeal is dismissed.

B Bowker INSPECTOR