The Planning Inspectorate

Appeal Decision

Site visit made on 20 November 2019

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2020

Appeal Ref: APP/B3438/W/19/3235788
Travellers Rest, Leek Road, Leekbrook ST13 7DR

- 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 Messrs Davenport against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2018/0563, dated 3 September 2018, was refused by notice dated 26 July 2019.
- The development proposed is outline application with means of access (all other matters reserved) for residential development of up to 55 dwellings.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was originally made for up to 55 dwellings. During the application process this has been amended to incorporate a reduced site area and quantum of development, for up to 30 dwellings. I have determined the appeal on this basis.

3. The application is submitted in 'outline' including access details, with layout, scale, landscaping and appearance reserved for future consideration. However, an indicative housing layout[1] is provided to show how the proposal could be accommodated at the site. I have considered this layout on the basis of the land use principle issues associated with the site accommodating up to 30 dwellings.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises the northern part of a larger agricultural field fronting Cheadle Road, which is located to the south-west of the former Travellers Rest public house.

6. Although there is some dispute between the main parties about the proximity of the appeal site beyond the settlement boundary of Leekbrook, from the

[1] Planning Proposal Indicative Site Plan – Drawing No. 2017-2279-02 Rev G

information available to me the site is outside this boundary. Therefore, for the purposes of the development plan the site is in the countryside.

7. The appeal site is prominently situated alongside the road and is visually open with only a low stone field wall along the boundary with the road frontage. Due to this and its rising topography relative to the road, there are clear and open views directly into and over the site, and the landscape beyond. This includes Cheddleton Heath, to the south-east of the appeal site, which comprises a mosaic of protected woodland, grassland and heathland. Consequently, the site has an open and verdant appearance which along with Cheddleton Heath and adjoining fields contribute positively to the distinctive rural character and appearance of the area.

8. In particular, when travelling along Cheadle Road south-west away from Leek, and beyond the industrial estates there is a marked change in landscape character. To the west side of the road lies the Wardle Gardens residential estate ('Wardle Gardens'), with the exception of the area near the estate's access road junction, this is substantially screened by mature tree cover.

9. To the east side of the road, this is mainly open countryside, with sloping fields rising up to a woodland backdrop and punctuated by a few grouped buildings at Spicers Stone Farm and the Travellers Rest alongside the road. These, landscape and built elements partly obscure the appeal site, but do not detract from the overall rural quality of the area. Beyond this, the road ahead continues into a largely wooded, hilly, undeveloped landscape.

10. When travelling back towards Leek, the appeal site comes into view when heading down the hill from the East Drive/Cheddleton Heath Road area and over the railway bridge. At this point, the established Spicer Stone estate is also in view, but is relatively small-scale and distant from the main road. Most notably, attention is drawn to the largely undeveloped attractive rural landscape of hilly fields and woods in the foreground and middle distance, and longer views to the more open ridgeline of Morridge, beyond Leek to the north-east. As already stated, on the opposite side of the road the Wardle Gardens estate is largely screened by its own tree cover and is also complemented by the extensive wooded setting of Raven House and Brambling House.

11. Therefore, in views particularly after leaving the industrial area, and when approaching the site from Leek, the appeal site forms part of a significant landscape buffer which helps to define and reinforce the physical and visual separation between the urban settlement of Leek/Leekbrook and the village of Cheddleton.

12. Despite the reduction in the quantum of proposed development and the exclusion of the steeper part of the site as originally proposed, development of the site for up to 30 dwellings would significantly and permanently erode part of the open countryside which separates Leek/Leekbrook and the village of Cheddleton. Whilst the scheme before me is indicative only, the creation of an estate with up to 30 dwellings would introduce a distinctly urban form incorporating buildings, roads, driveways and boundary treatments, which due to the highly prominent and visible nature of the appeal site would have a significant detrimental effect on the surrounding largely rural landscape setting.

13. As already stated, landscape details are a reserved matter, I therefore attach limited weight to the appellants' suggestion that with appropriate landscaping,

the proposal would not result in significant and demonstrable harm to the character and appearance of the area.

14. For the above reasons, the proposal would significantly harm the character and appearance of the area. As such, it conflicts with the Staffordshire Moorlands Core Strategy Development Plan Document, Adopted 26 March 2014 (CS). In particular, Policies SS6c, SS1a, SS1, DC1 and DC3 which collectively support the presumption in favour of sustainable development contained in the National Planning Policy Framework ('the Framework') including housing development in the countryside which is essential to local needs. However, such proposals need to enhance and conserve the quality of the countryside by giving priority to the need to protect the quality and character of the area, whilst also respecting and responding sensitively to the distinctive qualities of the surrounding landscape.

15. Accordingly, I also find conflict with similar design aims as set out under paragraph 127 of the Framework.

16. The Council's decision also refers to Policy R1 of the CS, however a copy of this is not in the evidence before me.

Other considerations

17. The Council does not have a five-year supply of deliverable housing sites. As such, paragraph 11 (d) of the Framework is engaged. Accordingly, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

18. The proposal would contribute towards the Council's housing shortfall in a location which is accessible to services, facilities and public transport. Based on the evidence before me it would also generate £280,000 per annum for the local economy, and 32 direct jobs. Notwithstanding the modest scale of the proposal (up to 30 dwellings) given the Government's objective is to also significantly boost the supply of homes, I attach moderate weight to this and the benefits arising from it.

19. The proposal is also required to provide 33% affordable housing on site, along with financial contributions towards leisure and education provision. However, in the absence of a legal agreement I cannot be certain on the delivery of these.

20. The lack of objections from consultees in respect of environmental and technical matters, including drainage, highways and ecology are neutral factors which do not weigh in support of the proposal.

21. On the other hand, I have found that the proposal would harm the character and appearance of the area. Given that a key aim of the Framework is to contribute to protecting and enhancing the natural environment by recognising the intrinsic character and beauty of the countryside. I attach significant weight to such environmental harm.

22. Consequently, the adverse impacts would significantly and demonstrably outweigh the benefits and so the proposal would not represent sustainable development. As such, the harm I have identified is not outweighed by any other considerations.

Other Matters

23. Although the main parties have referred to development being approved on the site of the Travellers Rest public house, I have insufficient information to assess how this would relate to the proposal.

Conclusion

24. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal
INSPECTOR