The Planning Inspectorate

Appeal Decision

Site visit made on 14 November 2023

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2023

Appeal Ref: APP/B3438/W/22/3313486
THORNCROFT FARM, BLACKSHAW MOOR, LEEK, ST13 8TW

- 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 Ken Phillips against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2022/0144, dated 12 April 2022, was refused by notice dated 26 August 2022.
- The development proposed is demolition of agricultural buildings and erection of new detached house and garage within the footprint. Erection of detached garage in association with existing farmhouse.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the original application form is very long and detailed, so I have shortened it in the banner heading above to include only those features which constitute development. The proposed rejuvenation of the existing farmhouse does not involve changes to the scale or external appearance of the dwelling, so I have not included this element in the description.

Main Issues

3. The main issues are:

   - whether the appeal site would be a suitable location for housing, having regard to development plan policies for housing in the countryside, and
   - the effect of the proposal on the character and appearance of the area.

Reasons

Whether a suitable location for housing

4. The appeal site comprises of a rectangular parcel of land in a rural location, occupied by a traditional farmhouse with agricultural buildings to the rear. The proposed development would involve the demolition of the existing agricultural buildings and their replacement with a new detached dwelling. Two double garages would also be provided, to serve the new dwelling and the existing farmhouse, which would be retained.

5. The site is close to the settlement of Blackshaw Moor, but the main part of the village, which includes a small estate of modern housing and a primary school,

is on the other side of the A53 from the appeal site. There is sporadic development along this, western, side of the A53, including a country pub and hotel complex, but the appeal site is located away from the main road, some distance down a lane. The site is surrounded by agricultural land, in a location which is not well related to the existing pattern of development of the village. Although close to the pub, the appeal site is physically separate from the main part of Blackshaw Moor, and is distinctly rural in character.

6. Policy SS1 of the Staffordshire Moorlands Local Plan 2020 requires that proposals for development be considered in the context of the spatial strategy for the area, which seeks to concentrate most new development to existing built-up areas. The aim is to foster a sustainable pattern of development which supports the regeneration of towns and helps maintain services and facilities, ensuring the needs of rural areas are met whilst protecting the character of the area.

7. Blackshaw Moor is identified as a 'smaller village' in Local Plan Policy SS9. In accordance with the wider spatial strategy for the area, Policy SS9 allows for appropriate development in Blackshaw Moor, but only where it enhances community vitality, or meets a social or economic need of the settlement and its hinterland.

8. In this case, the contribution to community vitality which the proposed dwelling would make would be very small, and there is no suggestion that it would meet any specific village need. The proposal would not constitute infill development, and would not provide affordable housing, so cannot be considered to be rural exception housing. As such, the proposal would not comply with any of the criteria for housing development contained in Policy SS9 or Policy H1 Part 4b).

9. Local Plan Policy SS10 sets out the strategy for Other Rural Areas, including the open countryside surrounding the smaller villages, and so is also relevant. To ensure that the character and role of the countryside is not undermined, Part 1 of Policy SS10 controls new housing in the countryside except in specific circumstances. This includes development which has an essential need to be located there.

10. Further information is provided in part 5) of Local Plan Policy H1, which indicates that such an essential local need could include accommodation for an agricultural, forestry or other rural enterprise worker. This approach is consistent with paragraph 80a) of the National Planning Policy Framework (the Framework), which seeks to avoid isolated homes in the countryside except in specific circumstances, including meeting an essential need for a rural worker. There is no suggestion that the proposal would meet such a need, so the proposal does not comply with this aspect of policy.

11. Policy SS10 also allows for the replacement of an existing rural building, but when read alongside Part 5c) of Policy H1, it is clear that this applies to proposals involving replacement dwellings. In this case, the proposed house would not be a replacement dwelling as it would be constructed on the site of existing agricultural buildings. It would not, therefore, comply with this aspect of the policy.

12. Part 5e) of Policy H1 provides for new housing in the countryside where it involves the redevelopment of previously developed land in the countryside, provided it is not of high environmental value. In this case, there are already

buildings on the site, but the definition of previously developed land in the glossary of the Framework specifically excludes land that is or was last occupied by agricultural buildings. As the site is in existing agricultural use, the proposal does not constitute the redevelopment of previously developed land for the purposes of the Framework or development plan policy.

13. Policy SS1 supports development which provides easy access to jobs, shops and transport services, and Policy DC1 expects development to be well integrated for car, pedestrian and cycle use, as well as other sustainable transport links. In this case, the site is within easy walking distance of the pub, primary school and bus stop, but to reach these local facilities on foot requires walking along a lane with no lighting or footway. At the time of my visit, the lane was not particularly busy but the vehicles that did pass along this straight section of road were travelling fast. The primary school is on the other side of the A53, which is a busy road with no dedicated crossing.

14. Walking may not be an attractive option for future residents, even to reach those limited facilities that are nearby, and cycling along fast roads may be unappealing to many people too. The site is close to a bus stop so local towns including Leek and Buxton could be reached by public transport, but information on the timetable suggests that services are infrequent. It is therefore highly likely that future occupiers of the proposed house would use a private vehicle for the vast majority of trips.

15. I conclude that the proposed site would not be a suitable location for housing, having regard to relevant development plan policies for housing in the countryside. The proposal would not reflect the spatial strategy of the area, as required by Local Plan Policy SS1, and would not meet any of the criteria for new housing in the countryside set out in Policies H1, SS9 and SS10.

Character and appearance

16. The site is located on a long, straight lane leading west from the A53, which is lined with trees and tall shrubs. Glimpse views can be seen though the vegetation of the surrounding attractive countryside and hills beyond.

17. The existing house is set back from the lane and the traditional rural buildings to the rear appear subservient. The agricultural buildings on the site are not obvious from the road, and from where they can be seen, through gaps in the hedgerows, their dark coloured materials blend into the landscape. Although somewhat ramshackle in appearance, the buildings on the site are of a form which is expected in this rural location. They appear unobtrusive in the wider landscape, and despite their condition, do not detract from the appearance of the area.

18. The proposed new dwelling and two detached double garages would be sited within the footprint of the existing buildings. The new house would incorporate accommodation over two floors, with the upper floor accommodation in the roofspace.

19. No elevation plans of the proposed dwelling have been provided, and in the absence of clear drawings which show the relative heights of the proposed dwelling and existing farmhouse, the relationship between the existing and proposed buildings cannot be clearly ascertained. According to the appellant, the proposed dwelling would be of a low profile and would be subservient to

the existing house, but the submitted 3D images suggest that the existing, low-key collection of agricultural buildings would be replaced with a substantial brick built house, which would visually compete with the existing farmhouse in scale.

20. Even if the new house would be of a similar height and scale to the existing buildings, the proposed replacement of the lightweight agricultural barns with three solid brick buildings would change the character of the site markedly. When viewed from the eastern side, the new house would appear to be of a simple form which would be expected in a rural area, but the extensive glazing would give a contemporary appearance, undermining attempts to give the impression of a barn conversion.

21. The western elevation of the house would incorporate four large dormer windows which would give an urban appearance to the building. This side of the building would face into the site, but even through it would not be particularly noticeable from the wider area, the proposal would introduce a form of development which would appear out of character in this rural location.

22. According to the appellant, there would be a reduction in the overall amount of built form on the site. Despite that, the scale of the individual buildings proposed, together with the proposed use of brick and light coloured metal sheeting, would result in a form of development that would be significantly more conspicuous than the existing situation. Existing and proposed vegetation would provide a reasonable degree of screening, and the creation of a garden to the rear of the site would result in some reduction in the amount of hardstanding. Even so, the proposal would still be visible in the wider landscape. It would appear as a contemporary form of development that would significantly alter the character of the site, from a farmhouse and associated barns, to a domestic development in a distinctly rural location.

23. When viewed from the road, the existing farmhouse appears to be in reasonable condition. Whilst it may well benefit from a scheme of renovation, which could improve its appearance, this does not justify the wider works proposed at the site, which would cause harm to the character and appearance of the site and the immediately surrounding area.

24. At the time of my visit, the site appeared to be being used for agricultural purposes, with sheep grazing on the adjacent field. Wrapped hay bales were being stored at the rear of the site, and agricultural equipment was visible. I note the appellant's comment that the proposal would help to contain the site, would reduce storage of agricultural equipment and materials from spilling outside of the site. However, this did not appear to be a significant problem at the time of my visit, as any materials appeared to be confined to the site or the land immediately adjacent to it. Furthermore, from the information provided it is unclear where the agricultural equipment and machinery that is currently on the site would be stored, or whether the scheme would generate the need for new agricultural buildings to be erected outside the site.

25. I conclude that the proposal would cause harm to the character and appearance of the area. As it would fail to respect the site and its surroundings, it would conflict with Local Plan Policy DC1.

Other considerations

26. The scheme involves a small site, which could be built out quickly, and the creation of an additional dwelling would make a positive contribution, albeit a small one, to meeting local housing needs. The new house would provide a good standard of accommodation, with outdoor amenity space and ample parking for both houses. The proposal would provide flexible accommodation capable of future adaptation, as required by Policy H1 part 3d).

27. There would also be benefits to the local economy through construction and occupation of the property, although the impact of a single additional dwelling would be very modest.

28. There would be no harm to the living conditions of neighbouring occupiers, and the access and parking arrangements would be acceptable. These matters represent a lack of harm and are neutral in the planning balance.

Planning balance

29. Local Plan Policies SS1, SS9, SS10 and H1 form part of the spatial strategy for the area, which concentrates development in the towns and larger villages in areas of highest accessibility where it can support regeneration and maintain services. At the same time, the policies provide for an appropriate level of development in the countryside which allows for its character and function to be sustained. This approach is consistent with the Framework, which promotes sustainable patterns of development and movement, and gives substantial weight to the value of using suitable brownfield land within settlements for homes.

30. Local Plan Policy DC1 ensures that all development be well designed and reinforce local distinctiveness, which reflects the Framework aim of achieving high quality design that is sympathetic to local character, including the surrounding landscape setting. The requirement for development to be well integrated to a range of transport modes is consistent with the Framework objective of promoting sustainable transport.

31. Given their consistency with the Framework, I give significant weight to the conflict with Policies SS1, SS9, SS10, H1 and DC1 in this appeal.

32. As there are no policies in the Local Plan which positively favour development of this kind in this location, there would be a conflict with the development plan as a whole.

33. The Council is unable to demonstrate a five year supply of deliverable housing sites, although I have not been provided with information about the extent of the shortfall. Nonetheless, owing to the housing land supply situation, footnote 8 of the Framework establishes that the policies which are the most important for determining the application are deemed to be out of date. Permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

34. The social and economic benefits associated with a single dwelling would be limited, even taking account of the objective of boosting significantly the supply of housing in the Framework and the Council's housing land supply position.

35. As it would undermine the spatial strategy for the area, increase the use of the private car and cause harm to the character of the area, the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

36. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

R Morgan

INSPECTOR