
Appeal Decision

Site visit made on 9 October 2018

by Kevin Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2018

Appeal Ref: APP/B3438/W/18/3207919

Land to the west of the northern end of Sutherland Road, Longsdon, ST9 9QF to the south of the property Hill-Crest.

- 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 G Messenger against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2017/0613, dated 13 September 2017, was refused by notice dated 16 March 2018.
 - The development proposed was originally described as 'Outline planning application for the erection of up to three dwellings including approval sought for access. All other matters reserved for future approval.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with details of the matter of access also submitted for approval. All other matters are reserved. I have had regard to the site location plan (drawing 645-1), and the Indicative Site Plan drawing (unnumbered) but have regarded all elements of this drawing as indicative apart from the site boundary and details of the access.
3. The revised National Planning Policy Framework (the Framework) was published on 24 July 2018 and replaces the first Framework published in March 2012. This change to national guidance is a material consideration and the main parties have had an opportunity to comment on it. References hereafter in the decision are to the new Framework.

Main Issues

4. The site lies within an area of Green Belt. Therefore, the main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt and the purposes of including land with it;
 - If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed

by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development in Green Belt

5. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 identifies the construction of new buildings within the Green Belt as inappropriate, but lists certain forms of development which are not regarded as inappropriate in the Green Belt. These include e) limited infilling in villages.
6. Policy SS6b of the Staffordshire Moorlands Core Strategy Development Plan Document (March 2014) (the CS) sets out the strategy for development in smaller villages, of which Longsdon is one. The policy allows for housing development which meets a local need, including affordable housing and rural exceptions housing in appropriate locations on the edge of settlements (both in accordance with policy H2). Policy H2 refers to affordable housing, which is not proposed in this case. Neither is cogent evidence advanced by the appellant that the proposal would meet an identified local need, beyond generally addressing housing needs in rural areas. I therefore find that the appeal scheme would not satisfy the relevant requirements of Policies SS6b or H2.
7. I note that despite the indications of Policy SS6b, Longsdon does not have a defined village boundary. The supporting text at paragraph 8.1.66 of the CS states that these settlements will continue to be subject to Green Belt or countryside policies but in addition some limited infilling and redevelopment is considered acceptable. Listed in the Council's delegated report, although not referred to in the reasons for refusal, is Policy SS6c, which applies to other rural areas, and includes the countryside and the Green Belt outside of the development and infill boundaries of the towns and villages. I sought the views of the main parties on this policy and its relevance to the appeal, and have taken into account the response received. The final paragraph of the policy states that strict control will be exercised within the Green Belt allowing only for exceptions as defined by Government policy. This is consistent with the Framework, and given the Green Belt washes over Longsdon, I find this policy to also be relevant in this case.
8. Longsdon is a dispersed settlement with development mainly scattered along a stretch of the A53 road between Endon and Leek and along Sutherland Road. At the junction of the A53 and Sutherland Road is a concentration of dwellings, and also a public house, village hall and church. Dwellings are then sparsely dispersed along Sutherland Road before a further cluster of development at the junction with Limes Avenue.
9. The appeal site is located to the northern end of Sutherland Road, in the vicinity of the development cluster at the junction with the A53. It comprises an undeveloped and overgrown field which drops away noticeably in level from the road in a westerly direction towards further undeveloped, rural land beyond. The fall in level permits broad views over the countryside from Sutherland Road. The dwelling 'Hill Crest' stands to the north of the site, separated by an access lane. To the opposite side are a row of detached and

- semi-detached dwellings. To the south is a further undeveloped area of land, and beyond this are the semi-detached dwellings, 'Boscobel' and 'Cullentra'.
10. The Council argues that the proposed dwellings would not amount to 'limited infilling', due to the large width of the gap in which they would be located. There is no definition of 'infill' within national policy or any local policy or guidance to which I have been referred. However, a straightforward interpretation of the term would indicate that the development would occupy a gap between two buildings or developments. In this case, the existing site forms a significant break in the built form on this side of Sutherland Road, which permits clear views over the surrounding countryside. Whilst there are trees which act as a physical and visual barrier within the space between the appeal site and 'Boscobel', the gap between them is nonetheless significant, and an expanse of open countryside clearly separates built development on this side of Sutherland Road. Therefore, I would not regard this gap in the built form as limited in extent or scale.
 11. I acknowledge that there is a concentration of development between the site and the A53 road, and on the opposite side on Sutherland Road. However, the adjacent side is more sporadically developed around the appeal site, and as a result views of open countryside are extensive. The natural appearance of the appeal site and the visible continuation of rural land beyond the site give an overall impression of the appeal site forming part of the countryside, and not part of the nearby built form.
 12. I note from the appellant's submissions that the site was identified as a draft site allocation in evidence base documents as part of the Council's local plan preparation¹. Subsequently, the Council published its submission New Local Plan in February 2018, in which the site is not allocated, nor is a development boundary proposed for Longsdon. The Council advises that the Local Plan is yet to be adopted. Notwithstanding this, I give very limited weight to the inclusion of the site in the aforementioned consultation documents, given that following public consultation the site was not allocated as part of the plan submitted for examination.
 13. The appellant draws my attention to two permitted schemes within Longsdon. Both are located on the A53 Leek Road and I viewed their locations at my site visit. To the southern side, I observed almost continuous visible development along the road from the junction with Sutherland Road to the site of Lymewood Architectural Joinery. On the opposite side, there is a gap in development from the Sutherland Road/A53 junction until St. Chad's Church is reached, after which there is linear development of dwellings as far as The Old Smithy. The proposed developments would both be located within gaps of more limited scale and extent and directly surrounded by other built form to either side. From my observations, these schemes contrast with the appeal scheme in terms of their physical characteristics, and are not therefore directly comparable to the proposal before me, which I have considered on its own merits.
 14. The appellant criticises the Council's reference to measured distances when comparing various gaps between developments, indicating that this is not a method in policy or guidance for considering if development is infill. However,

¹ Strategic Housing Land Availability Assessment (2015); 'Site Allocations: Site Options' consultation document (2015); 'Preferred Options and Sites and Boundaries' consultation document (2016)

the Council refers to the distance to illustrate its overall size, and goes on to describe it as 'very open in its nature and appearance' and indicates the effect of the proposed dwellings on the openness of the Green Belt.

15. The appellant also refers to several appeal decisions² in support of his case. These are, however, located in different authorities, and from my reading of the submitted details, there are material differences in both site circumstances and the existence of settlement boundaries in some cases. Therefore, I do not find these developments to be directly comparable to the appeal before me, and they attract little weight in my considerations.
16. Taking these considerations together, I find the character of Longsdon to be that of a dispersed linear settlement, stretched over some distance on the A53, Sutherland Road and other surrounding roads. Large gaps are frequent between dwellings where views of the open countryside can be experienced, reinforcing the rural character of the area. To interpret 'limited infilling' to apply to gaps such as that around the appeal site would potentially be to permit extensive housing development over long frontages, and effect significant change in the scale and character of the village. To my mind, this is not the purpose of exception e) of paragraph 145 of the Framework.
17. Therefore, having regard to the evidence before me, and my observations on site, I find that the proposal would not amount to limited infilling within a village. Consequently, in principle, the proposal would be inappropriate development within the Green Belt, and would conflict with Policies SS6b and SS6c of the CS and with the aims of the Framework. Inappropriate development is, by definition, harmful to the Green Belt and the Framework directs that substantial weight should be given to any harm to the Green Belt.

Openness of the Green Belt and Green Belt Purposes

18. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect.
19. The appeal site forms part of an open landscape to the west of Sutherland Road, where views of the countryside are extensive. The appellant indicates that a large proportion of the site would be left undeveloped behind the proposed dwelling plots, and the details of reserved matters applications could demonstrate how gaps and views between the buildings could be created to minimise the perceived loss of the openness of the Green Belt. However, the development of the site for housing would result in built development where there is presently none. This would lead to an inevitable and demonstrable loss of openness, in both visual and spatial terms, and any gaps maintained between the buildings would not be comparable to the existing situation.
20. With respect to the purposes of the Green Belt, given my findings above that the proposal would not amount to infilling within a village, the proposal would lead to encroachment of development into the countryside and would impact on the related Green Belt purpose.

² APP/R0660/W/17/3170279, APP/Y3615/A/12/2184747, APP/M3645/W/16/3141780, APP/H1033/W/15/3131988.

Other Considerations

21. In respect of character and appearance, I have had regard to the indicative plans submitted, and to comments from interested parties regarding the design of the proposed dwellings being incompatible with the Victorian character of surrounding buildings. The submitted designs are indicative, however, and it is possible that suitably designed buildings respecting the local vernacular could be submitted at reserved matters stage. This is not, therefore, a determinative matter in this appeal.
22. The application sought approval for the reserved matter of access. I note that subject to revision to the location of the access to plot 3, following comments from the Local Highway Authority, the Council appears to raise no further concern in this regard. From my observations on site, I have no reason to reach a different view, although this would be a neutral factor overall in my considerations.
23. The appellant refers to the Council's inability to demonstrate a five-year housing land supply, which is not contested by the Council. However, the first bullet point of part d) of Paragraph 11 of the Framework indicates that the presumption in favour of sustainable development does not apply where application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Land designated as Green Belt is one such area or asset of particular importance, as made clear by Footnote 6 of the Framework. Notwithstanding the five year housing land supply position, in view of the harm to the Green Belt that I have identified, Paragraph 11 of the Framework indicates development should be refused in this case.
24. Three dwellings on the site would nevertheless make a contribution towards rural housing and the shortfall in the Council's housing supply position. However, given the small scale of the proposal, the contribution would be modest, and I therefore ascribe limited weight to this in favour of the proposal.
25. The site is close to some village facilities at the top of Sutherland Road, and a bus route providing access to Leek and Endon. In these respects the development would be relatively sustainable for a rural location. However, given its small scale, its contribution towards supporting the viability of local facilities, whilst positive, would be limited. Moreover, despite the availability of bus routes, occupants would still be likely to rely on the private car for transport, which, environmentally, would weigh against the proposal.
26. Reference is made by interested parties to the planning history on the site, which the appellant provides in his planning statement. I note however that the most recent application was refused in 2008, under a different policy context. I therefore attribute limited weight to these decisions and have considered the appeal scheme on its own merits.

Green Belt Balance

27. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition there are adverse impacts on openness and the Green Belt purpose of safeguarding the countryside from encroachment. Substantial weight should be given to the harm to the Green Belt. Very special

circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.

28. As explained, I give only limited weight to each of the material considerations in support of the proposal and conclude that, taken together, they do not clearly outweigh the harm the scheme would cause. Consequently, there are not the very special circumstances necessary to justify inappropriate development in the Green Belt.

Other Matters

29. I have had regard to other concerns raised beyond those encapsulated by the main issues, particularly by interested parties, concerning issues such as site drainage and placement of septic tanks, increased traffic and impact on highway safety, overlooking, harm to outlook and loss of light. However, as I am dismissing the appeal for other reasons, it is not necessary for me to explore these matters further, as they would have no bearing on the outcome.

Conclusion

30. The appeal is therefore dismissed.

Kevin Savage

INSPECTOR