
Appeal Decision

Site visit made on 18 September 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/18/3204059

High View, Sutherland Road, Longsdon ST9 9QD

- 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 L Leigh against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2017/0694, dated 5 October 2017, was refused by notice dated 11 January 2018.
 - The development proposed is erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with all matters reserved. I have therefore considered the appeal on that basis.
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 within it;
 - The effect of the proposal on the landscape character of the area;
 - 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. Longsdon is identified as a smaller village under Policy SS6b of the Staffordshire Moorlands Core Strategy Development Plan Document (March 2014) (the CS), but does not have a defined village boundary. The supporting text 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."
7. Policy SS6c sets out the strategy for development in rural areas, and states that strict control will be exercised within the Green Belt allowing only for exceptions as defined by Government policy. This policy therefore is consistent with the Framework.
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. The next main cluster of development is close to the site, at the junction with Limes Avenue.
9. The appeal site comprises a plot of land to the eastern side of Sutherland Road, opposite Limes Avenue. Access is by means of a gated entrance with brick pillars, aside the entrance to the neighbouring dwelling, High View. A stone wall leads into the site with a tarmac surface on the ground for a short distance. The ground level of the site rises steadily from the front to the rear, steepening around halfway back. There are maintained grass areas towards the front, with a vegetable patch to the centre, and unmaintained ground to the steeper slope at the rear. A thick hedge stands on the roadside boundary, with another in the early stages of growth to the side boundary. The site is surrounded to the side and rear by steeply rising ground covered in dense woodland, protected by Tree Preservation Order (TPO), which prevents views out of the site in these directions.
10. Although Longsdon does not have a defined village boundary, the Council accepts that the site lies within the village, but argues that the siting of the dwelling would not amount to 'limited infilling', due to the extent of the gap between the site and Stone Barn Farm, the next property to the north. The appellant states that the location of the appeal site in the heart of the village would constitute infill development.
11. 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, there is an existing dwelling to one side, High View, whilst to the north is a plot of land undeveloped and open except for a small, single storey garage to the front.

Beyond this is a tall outcrop of land covered in woodland trees, and then an open field until Stone Barn Farm is reached. Whilst I accept the outcrop acts as a physical and visual barrier within the space between the appeal site and Stone Barn Farm, the gap between the two 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.

12. I acknowledge that there is a concentration of development to the opposite side of the road on Sutherland Road itself and leading down Limes Avenue. However, despite the proximity of this, the adjacent side is more sporadically developed around the appeal site. Despite features such as entrance gates, a hedgerow, maintained grass and a vegetable patch, which give the site a quasi-domestic appearance from the road, the steep slope and imposing backdrop of the woodland nevertheless give an overall impression of the appeal site forming part of the countryside, and not a natural extension of the built form to the other side.
13. My attention is drawn to the dwelling under construction to the far side of High View, which was considered by the Council to amount to limited infilling. I note in this case that the gap in question, between High View and the next dwelling, Brackenhurst, is smaller, and can be understood within the street scene given the visibility of the entrance of Brackenhurst and development beyond from the entrance to the site. The development of this dwelling would differ therefore from the appeal scheme, which would not be read as infilling a gap given the greater distance to Stone Barn Farm, and the more open character which exists in between.
14. In coming to this view, I appreciate that the appeal site is confined by the topography and the gap to Stone Barn Farm is interrupted by the outcrop and trees immediately beyond the adjacent land. I also acknowledge that the dwelling would be located close to other properties. However, the proposal would not infill a gap, but would extend the built form into the countryside on this side of Sutherland Road. I also find that the character of Longsdon is that of a dispersed linear settlement, stretched over some distance on Sutherland Road and other surrounding roads. Large gaps are frequent between dwellings on these roads, wherein views of the open countryside can be experienced. To interpret 'limited infilling' to apply to gaps such as that existing 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.
15. 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 Policy 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

16. 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.

17. In this case, the surrounding topography substantially encloses the site from long range views on approach from either direction on Sutherland Road. The construction of a dwelling on the site would result in built development where there is presently none. The footprint of the dwelling, its bulk and any accompanying domestic features such as a garage, hard landscaping and boundary treatments, would inevitably lead to a loss of openness.
18. I accept that the loss of openness would be limited given the confining topography, and would not harm longer views through or across the village into the countryside. Nevertheless, the development of a dwelling on the site would alter the openness of the site, and this would weigh against the proposal.
19. With respect to the purposes of the Green Belt, the Council refers specifically to preventing neighbouring towns merging into one another. Whilst development to the outskirts of Leek is indicated to be some 400 metres away, this intervening distance is occupied by steeply rising ground and woodland protected by a TPO, and exposed agricultural fields on high ground. It seems to me that these physical constraints present an effective barrier to the potential amalgamation of the two settlements, and the development of a single dwelling in this location would not materially undermine this purpose of the Green Belt.
20. However, 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.
21. The development would therefore lead to a loss of Green Belt openness and would impact on the Green Belt purpose of safeguarding the countryside from encroachment.

Effect on Landscape Character

22. Policy DC3 of the CS seeks to protect and where possible enhance local landscape and setting of settlements, whilst policy R1 seeks to protect rural character and the environmental quality of the area.
23. The appeal site is described as being of high quality, being within the Dissected Sandstone Cloughs and Valleys landscape character type within the Council's planning policy evidence document 'Landscape Character Assessment (2008)'. The main features of this landscape include deeply incised wooded valleys with narrow winding watercourses, stone buildings and walls, large broadleaf woodlands with newer conifer plantations, dominant views to higher ground, and lowland heathland.
24. The site does not, in my view, exhibit these features to a strong degree, being a confined location not exposed as part of a wide landscape. I therefore concur with the appellant in that the development, in principle, would not have a harmful effect on the character of the landscape due to its confined location and limited visibility beyond its immediate setting of high woodland and nearby residential development. I also note the similarities in terms of landscape setting with the dwelling south of High View, where the Council considered it to be acceptable in respect of its effect on landscape character.

25. Whilst the application was made in outline, and the scale and design of the dwelling would be more fully addressed at reserved matters stage, in view of the surrounding topography, I consider that, in principle, a dwelling in this location would not have a harmful effect on the landscape character of the area, and I therefore find no conflict with Policies R1 or DC3 of the CS.

Other Considerations

26. No objection was raised by the Council in respect of the effect on neighbours' living conditions, nor in respect of highway safety, and I have no reason to reach a different view. Although I have not identified harm in these respects, these would be neutral considerations neither weighing in favour or against the proposal.
27. 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.
28. A dwelling on the site would nevertheless make a contribution toward rural housing and the shortfall in the Council's housing supply position. However, given the small scale of the proposal, the contribution would be very modest, and I therefore ascribe limited weight to this in favour of the proposal.
29. 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, and I have had regard to the representations of the interested party in support of the proposal. 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.

Green Belt Balance

30. 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.
31. As explained above 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.

Conclusion

32. The appeal is therefore dismissed.

Kevin Savage

INSPECTOR