Planning Inspectorate

Appeal Decision

Site visit made on 25 February 2025

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2025

Appeal Ref: APP/B3438/W/24/3349985
Stonehouse Farm, Ash Bank Road, Werrington, Staffordshire ST9 0JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Carta Real Estate against the decision of Staffordshire Moorlands District Council.
- The application Ref is SMD/2022/0438.
- The development proposed is demolition of existing buildings on site and erection of a Class E retail unit, alongside access, car parking and associated works.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised version of the National Planning Policy Framework (the Framework) has been issued since the appeal was lodged. The parts of the Framework most pertinent to my assessment remain largely unaltered and so there is no reason to seek comments from the main parties on the revisions.

Main Issues

3. The Council's decision to refuse planning permission was made by its Planning Applications Committee (the Committee). The appellant raises concern that the Council's response to the appeal includes objections to elements of the proposed development that were not raised by the Committee. Nonetheless, the appellant has had the opportunity to respond to all the concerns raised by the Council through the appeal process.

4. The Council's decision notice includes a refusal reason as well as an informative that in itself raises concerns. Having regard to the decision notice as a whole, I consider the main issues are (i) the effect of the development on the character and appearance of the area, and (ii) its effect on highway safety.

Reasons

Character and appearance.

5. The appeal site lies on the Ash Bank Road or the A52 as it runs through Werrington. Nearby is a signalised road junction with Washerwall Lane and Salters Lane. The plot consists of a modest-sized field with a hedgerow along the wide roadside boundary and buildings towards the rear. The openness of the site and the agricultural appearance of the buildings are unusual to the locality as Ash Bank Road is predominantly residential. Also, nearby is a church, a pharmacy and

Werrington Community Library and Well-being Centre. Mature trees and grass verges along the road create a fairly open, green and attractive environment, despite the influence of road traffic. Buildings are visible but they tend not to be dominant within the street scene as most are set back from the carriageway.

6. The removal of the existing buildings would be acceptable as they are of limited architectural merit and make no positive contribution to the qualities of the area. However, the Council's concern relates to the design of the proposed building. This would be positioned towards the front and side boundary of the site, near to the adjacent house at 364 Ash Bank Road (No 364).

7. The elevation of the shop facing the road would be only a short distance back from the highway. In these regards, it would be similar to No 364 but at odds with most nearby properties on Ashbank Road. The retail unit would have a mono-pitch roof but this would be hidden by a parapet wall on all sides. As such, it would appear fairly tall even though it would be single storey and not as high as the pitched roof house at No 364. Moreover, when approaching the site from the east, the proposed open space and car park would allow clear sight of the proposed shop from a significant distance away. It would also be seen when approaching from the opposite direction, although No 364 would obstruct views from long and middle distances. A large part of the roadside hedgerow would be retained but it would be maintained at a height significantly lower than the building. Therefore, the unit would have a highly noticeable effect on the street scene.

8. The parapet wall and the rectangular footprint would give the shop a block-like appearance. This would be unusual compared to the pitched roofs and varied forms seen on most local buildings. The nearby library and well-being centre has a flat roof but this is a low single storey building without a parapet wall and it is set back from the pavement. Therefore, the proposed shop would be unusual by reason of its form and prominence.

9. The design of the building would reflect its retail function with shop windows that would provide an active street frontage. The most visible north and east facing elevations would have external brick finish with rendered columns and windows so as to break up the perceived mass of the building. The brick and render would also reflect materials used on other nearby buildings. However, the rear, west facing elevation of the shop would also be seen from the road through a driveway gap to the side of No 364. This wall would be flat, featureless and of a significant length. As such it would appear bland and it would detract from the visual qualities of the street scene. The use of different materials to those shown on the plans could be reasonably secured through the imposition of a planning condition. However, an alternative finish to the west wall would not address its uninteresting appearance.

10. In light of advice in the Council's Design Guide 2018, I appreciate the appellant's intention to not slavishly follow the style of appearance of nearby buildings in the design of the proposed shop. Even so, I see no reason why the development should so strikingly depart from the fundamental characteristics of the site's context and local buildings. Furthermore, I find the simple block form and fairly bland appearance of the development would not demonstrate any meaningful sense of creativity or originality. Therefore, the development would not positively contribute to the qualities of the street. Any visual enhancement resulting from the removal of the existing buildings on the site and additional planting would be significantly outweighed by the incompatibility of the proposed building.

11. I understand the development has been revised following discussions with the Council's officers. Nonetheless, I find the proposal would represent poor design due to its incongruous form, unsympathetic appearance and prominence within the street scene. Therefore, I conclude the development would be harmful to the character and appearance of the area. In these regards it would not accord with LP policy DC1, which amongst other things seeks to ensure all development is well-designed and complements the character of the locality.

Highway safety.

12. The proposed vehicular access would lead off the A52 to a parking and turning area to serve the shop. The Council raises concern that the development would result in drivers reversing onto the highway but the car park would allow vehicles to enter and leave the site in a forward motion.

13. The proposed access would be fairly close to the signalised junction but road markings are proposed to help ensure movement onto and off the car park is not obstructed by queuing traffic. I fail to see how the 40mph speed limit on Ash Bank Road would lead to the development prejudicing highway safety, particularly given the good forward visibility along the road and the interruption to free flowing traffic already caused by the nearby traffic lights.

14. While not part of the appeal development, various works within the public highway are referred to by the appellant, such as widening the roadside footway outside the site and a new uncontrolled crossing point on Salters Lane. These measures could be secured through a planning condition and would assist safe access to the site by pedestrians. The works have been agreed to by the local highways authority. The development would also be close to bus stops and so safely accessible by public transport.

15. Therefore, I conclude the development would avoid an unacceptable effect on highway safety.

Other Matters

16. The proposal would be acceptable in respect of the second main issue but the detriment identified under the first main issue means the proposal would not accord with the LP when read as a whole. It follows to consider whether other factors justify allowing the appeal.

17. The west part of the site is designated Green Belt. However, I agree with the view advanced by the Council that the proposal would represent limited infilling within a village. As such, it would be not inappropriate development in the Green Belt when having regard to paragraph 154(e) of the Framework. The scheme would accord with Green Belt policy. This is a neutral factor in my overall assessment.

18. There is an intention for the development to be occupied by a retailer who currently operates from a nearby shop on Washerwall Lane. It is stated that the retailer's current premises are undersized in terms of shop and storage space with less parking compared to the appeal scheme. The proposed unit would also include additional facilities such as cycle parking and an automatic teller machine as well as energy saving measures. As such, the retailer would be able to provide an enhanced and more comfortable shopping experience. The development would also create employment during construction as well as 4 retailing jobs over and

above those already provided. In light of paragraph 85 of the Framework, I attach significant weight to the economic growth and business expansion benefits of the scheme.

19. However, I am less convinced by the contention that dismissing the appeal would lead to the closure of the retailer's store. Even if the current property does not meet this specific retailer's requirements, there is little evidence before me to show it would not be suitable for another operator. Also, there is no mention within the submissions as to any other potential use for the building. Therefore, I attach limited weight to the claim that dismissing the appeal would lead to a reduction in the shops within Werrington and local residents travelling further afield to buy goods. Even so, the development would provide a new retail outlet in a accessible location and in these respects it would provide a valued local service. The social benefits of the scheme attract moderate weight.

20. The appellant states the development would deliver on-site biodiversity net gain through the provision of new hedgerows and other planting. This benefit attracts modest weight given the scale of the proposed landscape works.

21. As such, there are benefits to the proposal and in these regards the development is supported by the provisions of the Framework. However, at paragraph 139, the Framework states development that is not well-designed should be refused. As such, the harm I have identified in respect of the first main issue is the overriding factor. The other considerations are insufficient to justify granting planning permission contrary to the LP.

Conclusion

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

Jonathan Edwards

INSPECTOR