



Appeal Decision

Site visit made on 24 February 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2025

Appeal Ref: APP/B3438/W/24/3354028

Apesford Farm, Apesford Lane, Bradnop, Staffordshire ST13 7EX

- 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 Mr & Mrs. Harrison against the decision of Staffordshire Moorlands District Council.
 - The application Ref is SMD/2024/0308.
 - The development proposed is described as the 'erection of 2no. dwellinghouses in lieu of the 2no. dwellinghouses approved by application DET/2024/0005'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address of the appeal site above has been taken from the Council's decision notice and the appeal form, rather than the application form, in the interests of precision.
3. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

Main Issue

4. The main issue is whether the appeal site is a suitable location for the proposed development with respect to local and national policies, and whether there are any material considerations sufficient to outweigh any harm identified.

Reasons

5. The appeal site forms part of a small cluster of farm buildings, located to the south of Bradnop Road, within the countryside. The site accommodates two large storage barns and one small barn. The proposal seeks to demolish the small barn and replace the two large barns with two dwellings.
6. Policy SS 10 of the Staffordshire Moorlands Local Plan 2020 (LP) outlines the other rural areas strategy, which comprises the countryside and the green belt outside of the development boundaries of the towns and larger villages and the open countryside surrounding the smaller villages. These areas will provide only for development which has an essential need to be located in the countryside, in order to protect the character and the role of the countryside. To meet housing

requirements and specific needs, this policy, amongst other things, allows the conversion or replacement of an existing rural building in accordance with Policy H 1 of the LP. Policy H 1 of the LP states that in the other rural areas in the open countryside only certain forms of housing development will be permitted.

7. Both the Council and the appellants agree that the proposal does not meet any of the exceptions of Policies SS 10 and H 1 of the LP regarding appropriate housing development within the countryside. Based on the evidence before me, I concur that the development does not accord with the aforementioned policies.
8. Notwithstanding the above, the appellants consider that other material considerations would outweigh the harm resulting from conflict with Policies SS 10 and H 1 of the LP. The appellants rely on a fallback position, which relates to the grant of prior approval¹ for the conversion of two portal framed buildings under Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The submitted evidence includes the plans considered under the prior approval application.
9. My attention has been drawn to a judgment², which concerns the materiality of a fallback position. In this regard, the appellants state that there is a strong prospect of implementing the fallback scheme and I have little reason to find otherwise. Nevertheless, the degree of weight to be given to the fallback position also depends on whether or not the fallback position would be equal to or more harmful than the scheme proposed.
10. The proposal would involve the demolition of the existing three barns and the erection of two dwellings, which would have a similar footprint and rectangular form as the existing large barns. They would have a different position to the existing buildings, as they would be set away from each other to allow for their gardens, patio areas and parking areas to be in between them. The proposed materials, which include natural stone to match the colour and texture of nearby buildings and Staffordshire blue plain clay tiles would also differ from the existing concrete blockwork, timber cladding and metal sheet roof. In terms of height, the appellants indicate that the proposed dwellings would be taller by approximately 1 metre than the existing barns.
11. The fallback scheme differs from the appeal proposal in that it would reuse the existing agricultural buildings, and thus the overall external alterations would be significantly less than those proposed for the appeal scheme. Accordingly, the barns would maintain their rural appearance, genuinely reflect their agrarian origins and continue to relate well with their surroundings. I am further mindful that the prior approval procedure required consideration of the design and external appearance of the permitted scheme and was found not to be harmful in this respect.
12. Notwithstanding the environmental benefits outlined by the appellants in favour of the proposed dwellings, including in terms of energy efficiency standards, it has not been demonstrated that these benefits would offset and exceed the effects of the demolition of existing buildings and the construction of two new dwellings. By comparison, the reuse of existing structures upgraded to modern standards is likely to have considerable environmental benefits.

¹ LPA ref: DET/2024/0005

² Mansell v Tonbridge and Malling Borough Council [2017]

13. The proposed materials and design, including the high solid-to-void ratio, would generally accord with Policies SS 1 and DC 1 of the LP. These collectively require, amongst other things, that developments are well designed, protect and enhance the natural environment, and add value to the local area through detailing and materials appropriate to the character of the area. These requirements reflect the aims of Paragraph 135 of the Framework, and those of the Staffordshire Moorlands District Council Design Guide 2018. Even so, it is not shown that the appeal scheme would be clearly superior in design terms to the proposed conversions. Moreover, the latter would reflect a genuine agricultural original whereas the proposed design would not.
14. Furthermore, it is not demonstrated that the relationship of the grounds of the permitted dwellings would suffer from intrusive levels of overlooking from the public footpaths. Neither is it explained why such concerns could not be simply addressed with suitable boundary treatments. As such, any benefit from the proposed reconfiguration in this respect would be marginal.
15. Consequently, overall, the proposal would be more harmful than the fallback scheme. As such, it does not weigh in favour of permitting the appeal proposal, rather the opposite.
16. The appellants consider the proposal would not conflict with paragraph 84 of the Framework, which states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of its listed circumstances apply. Nevertheless, the Council has a spatial housing strategy that broadly aligns with the government's approach to rural housing set out in paragraphs 82-84 of the Framework in that it identifies where development can take place in rural areas to reflect local needs. There is no dispute that the proposal conflicts with this.
17. In conclusion, it has not been demonstrated that the appeal site is an appropriate location for the proposed development having regard to local and national policies, and the material considerations do not outweigh the harm arising from the conflict with the local plan. As such, the proposal conflicts with LP Policies SS 10 and H 1, and the aims of the Framework.

Other Matters

18. The appeal site is not located in a conservation area or nearby listed buildings, and the proposed works would not affect the public footpaths. There were no concerns regarding residential amenity. However, these are neutral matters rather than ones that carry positive weight for the development.

Conclusion

19. The proposal would conflict with the Council's spatial housing strategy and the development plan when taken as a whole. The material considerations do not outweigh the harm identified. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

Andreea Spataru

INSPECTOR