



Appeal Decisions

Site visit made on 2 September 2025

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 September 2025

Appeal A Ref: APP/B3438/W/25/3368361

Banktop Farm Holiday Cottages, Dilhorne Road, Blakeley ST10 2PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
- The appeal is made by Mrs Kathleen Davenhall against Staffordshire Moorlands District Council.
- The application Ref is SMD/2024/0465.
- The development proposed is change of use of three holiday cottages to Residential Dwellings (C3).

Appeal B Ref: APP/B3438/Y/25/3368362

Banktop Farm Holiday Cottages, Dilhorne Road, Blakeley ST10 2PN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Mrs Kathleen Davenhall against Staffordshire Moorlands District Council.
- The application Ref is SMD/2024/0466.
- The works proposed are change of use of three holiday cottages to Residential Dwellings (C3).

Decisions

1. Appeal A is dismissed.
2. The appeal is allowed and listed building consent is granted for Change of use of three holiday cottages to Residential Dwellings (C3) at Banktop Farm Holiday Cottages, Dilhorne Road, Blakeley ST10 2PN in accordance with the terms of the application Ref SMD/2024/0466 and the plans and information submitted with it subject to the following condition:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.

Preliminary Matters

3. There are two appeals at the same site for the same proposal which were submitted under different legislation. For the purposes of expediency, I have determined both appeals in the same decision letter.

Main Issues

4. The main issues are as follows:
 - For Appeal A
 - Whether the appeal site represents a suitable location for the proposal with regards to the development plan and the National Planning Policy Framework (the Framework).

- Whether the proposal would provide future occupiers of the dwellings with suitable living conditions.
- For Appeal B
 - Whether the works would preserve the listed buildings, or any features of special architectural or historic interest which they possess, including their settings.

Reasons

Appeal A

Whether Suitable Location

5. The appeal proposal seeks to change the use of existing holiday let cottages located within a converted barn associated with Bank Top Farm. The form of the barn remains in an 'L' shape and comprises 7 cottages, 3 of which are subject to this appeal.
6. Policy SS2 of the Staffordshire Moorlands Local Plan (LP) (adopted September 2020) details the Council's settlement hierarchy for the distribution of housing throughout the plan area. The appeal site is not located within any of the settlements listed and as such for the purposes of planning is located within open countryside. I note this is not disputed.
7. Policy SS10 of the LP states that areas outside of will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. It sets out a strategy for achieving these goals and restricts residential development within rural areas, subject to a number of exceptions, including allowing rural exception sites where it can meet the requirements of policies H1 and H3. However, there is nothing before me to indicate that the proposal would meet any of the requirements of either H1 or H3.
8. While the cottages are existing buildings, albeit in use as holiday lets, the proposal would not meet any of the exceptions given in the relevant policies for a permanently occupied dwelling. Moreover, the nearest services and/or facilities appear to be a significant distance from the appeal site. Bank Top Road does not have a footpath in the vicinity of the junction with the farm and has a national speed limit with no street lighting. As such, future occupiers of the dwellings would be discouraged from walking and cycling to access services and public transport opportunities, particularly during hours of darkness and/or in poor weather conditions. As such, it seems to me there would be a reliance on private vehicles for access to services and facilities.
9. My attention is drawn to another application¹ approved by the Council for what was ostensibly a similar proposal. Be that as it may, I have little substantive information before me on that application while it would have had its own site-specific circumstances regardless.
10. Based on the foregoing, the appeal proposal would not be in a suitable location and would therefore conflict with the development plan strategy for the distribution of

¹ SMD/2024/0517

housing. This would conflict with Policies SS1, SS2, SS10, H1 and T1 of the LP. These seek, among other things, to ensure that rural areas such as the location of the appeal site will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside and promote and support development which reduces reliance on the private car for travel journeys.

Living Conditions

11. The appeal proposal would create 3 separate dwellings which would be occupied by full time residents. As such, my attention is drawn to the Council's Space About Dwellings Supplementary Planning Document (the SPD) which advises on the minimum space requirements for private gardens applied to development proposals for new dwellings.
12. The submitted plans do not indicate any private external amenity space for prospective future occupiers of the properties. I note there is nothing to the contrary on this matter from the appellant. While I did observe patio areas to the rear of some of the cottages, it was unclear as to their size and whether they would provide the requisite privacy to permanent occupants as opposed to holidaymakers.
13. As such, the proposal would be contrary to policy DC1 of the LP which seeks to ensure new developments create, where appropriate, attractive, active, functional, accessible and safe public and private environments. The proposal would also be contrary to the guidance in the SPD and Framework, in particular at paragraph 135 which advises that development proposals should ensure a high standard of amenity for existing and future users.

Appeal B

Special Interest and Significance

14. The host building is an 'L' shaped former barn which is grade II listed² and officially known as 'Barn Approximately 25 Metres to North-East of Banktop Farmhouse.' The building is built from red brick and coursed stonework with a pitched tile roof. The former cart entry is still evident at the joining of the two limbs as is a hayloft opening.
15. I have had regard to the appellant's Heritage Statement³ (HS). From all that I have seen and read the special interest and significance of the barn is largely derived from historic and architectural interests. This includes its age; simple form which is typically agricultural and utilitarian; use of traditional materials; and retention of historic details such as the openings which would have been used for light and ventilation.
16. The adjacent 'Banktop Farmhouse' is also grade II listed⁴. It is formed of matching red brick with a pitched tile roof. From all that I have seen and read the special interest and significance of the farmhouse is also largely derived from its historic and architectural interests. Historic interest is drawn from its age and ties to both

² List Entry Number: 1037940

³ Avalon Heritage: Ref HS/banktopfarm/AH1035/14/8/24V1

⁴ List Entry Number: 1205217

the agrarian heritage of the area. Its architectural interest is mainly taken from its simple but traditional form and proportions, traditional materials, surviving historic fabric and vernacular character.

17. Moreover, there is group value between the two buildings which adds to the significance of both. This includes the hierarchy and close associations with one another which contributes significantly to the understanding and experience as designated heritage assets.

Effects of the Proposal

18. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
19. The appeal building is a typical ancillary agricultural structure with regards to its form. It was evidently converted in the mid-1990s to the current use. Much of its plan form as therefore likely been lost, although features have been preserved such as the cart entry while openings have been minimised as typically seen in agricultural buildings. There are no proposed physical changes to the buildings and while their use may intensify when permanently occupied, the plans show no elements of landscaping, new materials or changes to layout.
20. As such, I find that the proposal would preserve the special interest and significance of the listed buildings, including the setting of the farmhouse, in accordance with the provisions of the Act. The proposals would also comply with the historic environment and preservation aims of the Framework, including at paragraph 212 which advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposal would also accord with policy DC2 of the LP, which states that the Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance.

Planning Balance

21. There is no dispute between the main parties that the Council cannot currently demonstrate a 5-year supply of deliverable housing land. While the year-figure varies, it appears that the shortfall is substantial. As such, I am taken to paragraph 11(d) of the Framework which states that for applications involving the provision of housing, where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, permission should be granted unless the proposal would conflict with either limb (i) or (ii).
22. The proposal would add 3 dwellings to the Council's housing figures. While every dwelling matters, particularly in light of the current national housing shortage, the contribution of 3 dwellings would be worthy of limited weight in favour of the scheme. I agree the dwellings would be of limited impact in terms of their environmental impact generally due to the lack of physical works required and the reuse of an existing building is worthy of some further limited weight.
23. Set against these benefits, the proposal would conflict with the development plan insofar as the location would be in open countryside, a significant distance from

shops and facilities. This would require future occupiers of the properties to be more reliant on their private vehicles, increasing the amount of travel to and from shops, schools, leisure and other day-to-day amenities. The location would conflict with the development plan's settlement hierarchy and spatial distribution aims as well as paragraph 115 of the Framework which seeks to ensure sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. This weighs against the scheme significantly.

24. Furthermore, there would be no provision of private amenity space for permanent residents to seek seclusion from holidaymakers. This would offer further moderate weight against the scheme insofar as the living conditions of future occupiers would not be suitable.
25. There is also significant evidence from the Council regarding the overarching tourism development aims of the organisation. The 'Tourism Strategy for Staffordshire Moorlands 2022 – 2027' document outlines the general aims for the Council, which includes investing in overnight accommodation and attempting to encourage visitors to stay longer to increase spend in the plan area. The loss of 3 holiday cottages would invariably conflict with this aim.
26. I have taken on board the appellant's argument that the cottages are no longer financially viable and that bookings of the properties in question have declined in recent years. However, there is very limited evidence of this before me. There is a screenshot of a booking calendar for one of the properties still being advertised which shows several dates still available for hire. However, there is nothing before me to indicate when this image was taken, if steps have been taken to improve the accommodation or advertise the cottages. As such, the loss of tourism accommodation in this manner would have a negative economic impact and conflict with paragraph 88 of the Framework which seeks to enable sustainable rural tourism and leisure developments which respect the character of the countryside. This attracts further weight against the scheme.
27. There were no objections from some consultees to the proposal, such as highways and flood risk management. A lack of objections or harm would be neutral in the planning balance and neither weigh in favour of or against the proposal.
28. Based on the foregoing, the conflict with the spatial distribution aims of the development plan and increased reliance on private vehicles caused by the unsuitable location for permanent dwellings, lack of suitable living conditions for future occupiers of the properties and loss of tourism income all weighs against the scheme considerably. To my mind this would not be overcome by the benefits of the addition of 3 dwellings to the Council's housing land supply. As per paragraph 11(d) of the Framework, any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Conditions

29. The Council has suggested 1 condition to be attached to any grant of permission which involves clarity regarding the subdivision of the plots, including parking and external amenity areas. This would be best served attached to a grant of planning permission, although I have dismissed that appeal. With regards to Appeal B, other than the standard time condition there are no others attached given the lack of physical works.

Conclusion

30. I have concluded that Appeal A would be contrary to the development plan as a whole and advice in the SPD and Framework. While I recognise the benefits of the proposal, I have determined that they would not outweigh the harm. As such Appeal A is dismissed.
31. Appeal B involves no physical works to facilitate the change of use. As such, this would preserve the special interest and significance of the listed host building and the setting of the listed farmhouse in accordance with the Act, Framework and, insofar as it is a material consideration, the development plan as a whole. As such, Appeal B is allowed.

C McDonagh

INSPECTOR