

Appeal Statement

Permission in Principle – Erection of a Detached Dwelling

Land Adjacent to 1 Ash Bank Road, Ash Bank, Stoke on Trent, ST2 9DS

Project	Ash Bank Road, Werrington
Client	Mr C Cooper
Reference	2642
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Version	1
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1 Introduction

- 1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years combined experience in both the public and private sector.
- 1.2 The author of this appraisal, Jim Malkin, has worked as a Principal Planning Officer in local government, and more recently as a planning consultant in the private sector. He has extensive knowledge of the planning system and significant experience of the appeals process. He is a Chartered member of the Royal Town Planning Institute.
- 1.3 This statement accompanies an appeal against the decision of Staffordshire Moorlands District Council to refuse an application for permission in principle for the erection of a single detached dwelling at land adjacent to 1 Ash Bank Road, Werrington.

2 The Appeal Site

- 2.1 As set on in the original Planning Statement, the appeal site consists of the side garden of 1 Ash Bank Road, Ash Bank. The applicant Mr Cooper lives in the main property with his family and uses the site as domestic garden.
- 2.2 The site is surrounded by linear residential development associated with Ash Bank Road, with farmland to the rear. The site sits adjacent to the administrative boundary between Staffordshire Moorlands and City of Stoke on Trent Council, but falls to be considered by Staffordshire Moorlands District Council.
- 2.3 The site is provided with its own dedicated access from Ash Bank Road.
- 2.4 The site is shown on the below aerial photograph:



3 The Proposed Development

- 3.1 The application sought permission in principle for the erection of a single detached dwelling on the side garden of the property.
- 3.2 Permission in Principle is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

4 Reasons for Refusal

- 4.1 The application, reference SMD/2025/0472 was refused by Staffordshire Moorlands District Council on the 15th December 2025 for a single reason, as follows:

The proposed development would be inappropriate development in the Green Belt and conflict with the aims and purposes of including land in the Green Belt. There would be significant harm to the Green Belt. The application of the policies in the NPPF that protect an area of particular importance, the North Staffordshire Green

Belt to the edge of Stoke on Trent, provide a strong reason for refusing the development proposed. There are no considerations that clearly outweigh the substantial weight that is attached to that harm. There would be conflict with SMDC Local Plan Policies SS10 and H1 and the terms of the NPPF.

5 Statement of Case

- 5.1 The application was refused on a single ground, namely that the development would constitute inappropriate development in the greenbelt. The reason for refusal does not provide clarity on why the scheme is considered ‘*inappropriate*’ but further interrogation of the officers delegated report advises that the objections to the scheme are relate to the following:

In these regards, the site is land that makes a strong contribution to purpose (a) at paragraph 143 of the NPPF. The land therefore is not ‘grey belt’ and the exception at paragraph 155 does not apply.

- 5.2 The disagreement therefore relates solely to whether the development of the site would be at odds with the requirements of criteria (a) of paragraph 143 which seeks to ‘*check the unrestricted sprawl of large built-up areas*’.
- 5.3 It also follows that the Council is comfortable that the scheme complies with the requirements of criteria (b), prevention of towns merging; and (d), setting of historic towns of paragraph 143 of the NPPF.
- 5.4 It is the appellants contention that the site does not make a strong contribution to purpose (a) and therefore the scheme results in the development of a ‘grey-belt’ site which is not inappropriate development as defined by paragraph 155 of the NPPF.
- 5.5 The submitted planning statement stated the following in relation to criteria (a):

The site sits within an area of linear housing facing Ash Bank Road; it is urban in character and the erection of a single dwelling within the domestic curtilage will have limited impact on the contribution to or future prevention of the sprawl of an existing large built-up area. In this instance it is considered that the application site does not strongly contribute to purpose (a).

5.6 Further to the above it is clear that the site is located in an urban fringe location, but we contend that the importance of the site is significantly lower than the Council have stated, the officers report states that *‘the site provides and is part of a significant swathe of open undeveloped space immediately and directly to the edge of the Potteries conurbation’*.

5.7 It is contended that the appeal site itself is very different from the *‘significant swathe’* of countryside referred to in the Councils report. The site is very small covering an area of no more than 500m², and as such its development would not erode the significant swathe of open countryside referred to by the Council, whilst it is enclosed by existing built development. Furthermore, apart from the small area of woodland to the northwest, the site is within a continuous run of linear development.

5.8 Therefore, as a result of its small size and its relationship to the surrounding development, the appeal site contributes little to the Green Belt’s purposes of restricting urban sprawl, as required by criteria (a) of paragraph 143. The site therefore meets the NPPF’s criteria to be regarded as grey belt land.

5.9 A new dwelling on the appeal site would add slightly to the amount of development on this part of the urban fringe. However, as set out above it would appear as an intensification of the existing pattern of development on an area of land already in

use as domestic curtilage, rather than as an extension of the town beyond its current limits.

- 5.10 The significant swathe or remaining greenbelt, which is considered to be the fields to the north and south of existing linear development, as roughly highlighted on the below aerial photograph, would continue to be capable of fulfilling the requirements of criteria (a) and will continue to check the unrestricted sprawl of large built-up areas.



Other Matters

- 5.11 Of critical importance to the determination of this appeal is the Council's catastrophic five-year land supply position. Staffordshire Moorlands District Council have a long-standing failure to provide an appropriate level of land supply. The Council in the recent appeal at '*land to the east of Froghall Road, Cheadle*'

(APP/B3438/W/24/3351035) agreed that their land supply position was 2.95 years, a significant and demonstrable undersupply.

- 5.12 Therefore in line with paragraph 11, footnote 8 of the NPPF policies that restrict the delivery of new housing are deemed out of date, and support is given to a new residential development providing that it is deemed sustainable as defined by the NPPF.
- 5.13 In this instance the Council have made no suggestion that the development would be considered unsustainable.
- 5.14 The Council in the determination of this application chose to give very limited weight to its dire housing land supply position. It is the appellants view that the negative land supply position is of critical importance in the decision-making process.
- 5.15 The appeal scheme which will make a small but nonetheless much needed contribution towards the supply of housing, and this is an important benefit associated with the scheme.

6 Conclusions

- 6.1 For the reasons set out above it is concluded that the provision of a detached dwelling on the appeal site is acceptable and complies with all relevant planning policies in relation to development in the greenbelt.
- 6.2 The Council cannot exhibit a five year housing supply and therefore there is significant expectation and justification for taking a positive approach towards sustainable development, such as that which is the subject of this appeal.
- 6.3 The site is located in a sustainable location, within a reasonable walking and cycling distance of services and sustainable transport options

- 6.4 As such it is respectfully requested that the appeal is allowed, and permission in principle is granted for the development of the site.