



Appeal Statement

Appeal Against Refusal of Permission in Principle

[LPA Ref: SMD/2025/0498](#)

Land adjacent Woodland Cottage, Congleton Road, Biddulph, Staffordshire

[Visualise](#)

Site: Land adjacent Woodland Cottage, Congleton Road, Biddulph, Staffordshire

Local Planning Authority: Staffordshire Moorlands District Council

Appeal Proposal: Permission in Principle for the erection of one dwelling

LPA Reference: SMD/2025/0498

1. Introduction

This Statement has been prepared in support of an appeal against the refusal of Permission in Principle (PiP) for the erection of a single dwelling on land adjacent Woodland Cottage, Congleton Road, Biddulph.

The appeal proposal seeks PiP for residential development of **one dwelling only**, with all matters relating to detailed design, layout, scale, access, landscaping and appearance reserved for subsequent consideration under a **Technical Details Consent (TDC)** application.

The Local Planning Authority refused the application for the following reason:

The proposed development would have an unacceptable adverse impact on highway safety and have a detrimental adverse impact on the visual character and appearance of the area...

The Council further states that these impacts would significantly and demonstrably outweigh the benefits of the proposal and cites conflict with Local Plan Policies **SS10, H1 and DC1**, **Biddulph Neighbourhood Plan Policies DES1 and DES2**, and the **National Planning Policy Framework (NPPF)**.

This appeal statement clearly illustrates the Council's refusal decision is **unfounded and disproportionate**, particularly given the **limited scope of assessment appropriate to Permission in Principle applications**.

2. The Site and Surroundings

The appeal site is located on the western side of Congleton Road, currently appearing as a toothless gap within this well-established lengthy ribbon of residential development extending both north and south of the appeal site.

The appeal site sits starkly between two established dwellings:

- Woodland Cottage to the north
- Greenfields to the south

These properties form part of a **linear development comprising predominately individual dwellings fronting Congleton Road**, each with their own vehicular access arrangements.

The appeal site itself comprises a defined parcel of land containing a redundant although quite substantial now semi-derelict outbuilding and a loose stoned frontage.

The rear of the site is bounded by a **steep wooded embankment**, which forms a strong natural containment to development, visually limiting the extent of any built form.

The appeal site clearly sits within an established built frontage, and its development represents infill within the existing residential development ribbon certainly not representing incursion of development into open countryside.

3. The Proposal

This proposal seeks **Permission in Principle for a single dwelling**.

The proposal would:

- Occupy a plot comparable in size and width to adjacent properties
- Reflect the established linear pattern of development along Congleton Road
- Remove a derelict and redundant structure previously used as a stable before conversion into a garage. Additionally, it is worth reflecting that were the land absorbed into a neighbouring amenity plot it would attract PD rights and is not therefore an open greenfield site.
- Utilise an existing access arrangement shared with Woodland Cottage
- Retain the established building line along the road frontage

It is important to emphasise despite Staffordshire Moorland's 'Reasons for Refusal' that **all detailed design matters are reserved** for later approval through Technical Details Consent.

4. The Scope of Permission in Principle

Permission in Principle is intended to establish **only three matters**:

1. **Location**
2. **Land use**
3. **Amount of development**

All other matters including, design, layout, access details and landscaping, are explicitly reserved for **Technical Details Consent**.

Government guidance emphasises that PiP should provide **a simple route to establish the acceptability of development in principle**, particularly for small housing sites.

The proposal clearly satisfies these tests:

Location:

The site lies within a well-established ribbon of detached, terraced and semi-detached residential properties spanning a century of design & construction. Its location is strongly related to this existing development and benefits from long established highways access.

Land Use:

This proposal for residential usage of this site is entirely consistent with its position within this location.

Amount of Development:

The proposal is for a **single dwelling**, representing a very modest scale of development consistent with neighbouring plots.

Staffordshire Moorland's refusal decision is reliant upon design details and access considerations, factors which are premature at this PiP stage and therefore are not substantive issues for deliberation within PiP applications. A position which is in accord with the Inspector's conclusions on **APP/M3645/W/24/3347815 (2025)**

5. Development Plan Policy

The development plan for the area comprises the Staffordshire Moorlands Local Plan (2020) and the Biddulph Neighbourhood Plan.

The Local Planning Authority cites the following policies in its refusal:

- Policy SS10 – Other Rural Areas Strategy
- Policy H1 – New Housing Development
- Policy DC1 – Design Considerations
- Biddulph Neighbourhood Plan Policies DES1 and DES2.

In the context of a Permission in Principle application, and its limited scope of assessment, **location, land use and amount of development**, it is important to distinguish detailed matters reserved for subsequent consideration at the Technical Details Consent stage such as design.

Policies such as **DC1, DES1 and DES2** primarily relate to detailed matters including architectural design, appearance, layout, landscaping and visual integration of development. These are matters that cannot reasonably be assessed at the Permission in Principle stage because no detailed scheme is submitted or required.

Accordingly, while these policies will become relevant at the Technical Details Consent stage, they **are not relevant in determining whether residential development of the site is acceptable in principle.**

The key policies applicable to the current stage are therefore **SS10 and H1**, which address the principle and location of housing development.

For the reasons set out below in Section 6, the appeal proposal accords with the objectives of these policies.

6. Principle of Development

Policy **SS10** allows for **limited infill development within existing built frontages in rural areas** where development reflects the existing pattern and character of surrounding buildings.

The appeal site is clearly situated within an **established ribbon of development** along Congleton Road.

The site represents a **small gap between two existing dwellings** within that frontage.

Development would therefore constitute **logical infill**, rather than encroachment into open countryside.

Similarly, Policy **H1** supports housing development where it is sustainably located and compatible with surrounding development.

The proposal satisfies this requirement by:

- Being flanked by residential development
- Occupying a plot comparable in overall size and proportion to neighbouring properties
- Well serviced by public transport, etc. (see section 9 of this statement)
- Making efficient use of previously developed land.

7. Visual Character and Appearance

The Council's refusal asserts that the proposal would have a detrimental impact on the visual character and appearance of the area.

However, this conclusion is unsupported by evidence.

The site is currently occupied by a **semi-derelict structure and poorly maintained frontage**, which contributes little to the quality of the street scene.

Its redevelopment with a single dwelling would:

- Complete the existing frontage
- Remove a visually degraded structure
- Reinforce the established pattern of development

The surrounding area is characterised by **individual attached and detached dwellings on varied plots**, rather than a rigid uniform layout. To the north, two detached properties flank the row of adjacent 5 terraced properties, with minimal visual space between them.

This variation means that the site is entirely capable of accommodating a dwelling **without appearing incongruous or harmful to the character of the area**.

The specific form of this application site, which is inset within an area classified in planning policy as open countryside and in Green Belt, does not appear, even on casual inspection, to exude obvious qualities of open countryside. It is clear it was previously in use, witnessed by the presence of the prominent semi-derelict outbuilding and stoned frontage. Further it is flanked by occupied residential housing, with its own highway frontage and steeply wooded embankment to the rear. Redevelopment of this site is not a development incursion into open countryside nor will approval for a single house on this plot, undermine the openness of the green belt. **The wooded embankment would remain both visible and visually dominant**, as it does above the existing tightly knit ribbon of development.

Importantly, matters of architectural design, landscaping and layout would be determined at the **Technical Details Consent stage**, ensuring that any future dwelling responds appropriately to local character.

Consequently, there is **no reasonable basis to conclude that the principle of a single dwelling on this plot would cause visual harm**.

8. Highway Safety

The Council also asserts that the proposal would result in significant highway safety concerns relying solely on visibility splays for new highway accesses.

This conclusion is similarly unsupported.

The site benefits from an **existing domestic vehicular access onto Congleton Road**, currently shared with Woodland Cottage, measuring approximately 7m in width with dropped kerbs.

The proposal **would not** introduce a new access onto the highway or negatively change the existing access arrangements.

The adjacent properties along Congleton Road are served by similar direct accesses onto the same stretch of road. No evidence has been submitted by Staffordshire Moorlands Highways of any RTC's caused by emerging vehicles along this length of road.

Also of note, Staffordshire Moorlands Highways do not appear to have undertaken any enforcement action to ensure the removal or cutting back of trees or hedgerows to the south of the application site, to safeguard existing visibility splays towards Biddulph.

Appearing instead, to apply the importance of visibility only to this singular also **existing** access.

Consequently, the **principle of safe access is already demonstrated over decades of incident free use**, regardless of unfounded concerns relating to visibility splays. Again, this is not a new road junction, but an existing domestic access.

The addition of **one dwelling** would generate only a **very modest level of additional traffic**, likely amounting to only a few vehicle movements per day. An annex or side extension increasing the size of Woodland Cottage could be considered to generate a similar increase in traffic through increased occupancy.

Such a small increase cannot reasonably be considered to result in **significant highway safety impacts**.

As indicated on the submitted Site Block Plan, the site is more than capable of retaining clear access with no change to existing parking arrangements for Woodland Cottage. Even with vehicles parked in front of the proposed dwelling, access to Woodland Cottage would be significantly improved due to the removal of the existing outbuildings. As Woodland Cottage is in the ownership of the applicant, suitable shared unencumbered access arrangements within the site could be secured via legal agreement.

Furthermore, detailed matters relating to:

- Access design
- Visibility splays
- Parking provision
- Turning areas

should only be considered at and can all be fully addressed through the **Technical Details Consent process** via consultation with an independent highways engineer.

The Council's conclusion therefore appears **premature, unsupported by evidence**, and crucially, **beyond the scope of a PiP application**, whilst also understating the suitability of the existing access arrangements and overstating safety concerns.

9. Sustainability

The site is sustainably located.

Bus stops are located approximately **70 metres from the site**, providing services linking Biddulph and Congleton.

In addition, the nearby **Biddulph Valley Way and Whitemore Local Nature Reserve** provide excellent opportunities for walking and cycling.

Future residents would therefore benefit from:

- Access to sustainable transport options
- Access to green infrastructure
- Proximity to nearby towns and services.

This aligns strongly with the sustainability objectives of the **National Planning Policy Framework** and was detailed in sections 8 and 9 of the submitted supporting PiP Planning Statement.

10. Green Belt Considerations

The appeal site lies within the Green Belt; however, it is considered **Grey Belt land**, as defined in **Appeal Ref: PP/M3645/W/24/3347815**:

“Grey Belt land is defined as land in the Green Belt, comprising previously developed land and/or any other land that, in either case, does not strongly contribute to certain purposes of the Green Belt identified in paragraph 143 [of the NPPF].”

The key policy consideration is whether development would **extend built form into open countryside or materially reduce openness**, rather than whether the site lies administratively within the Green Belt. This issue is also referred to in section 7 of this submission.

The site currently contains a **derelict outbuilding and hardstanding**, and its redevelopment would represent **previously developed land being brought back into use**. Its scale, location between two existing dwellings in a row of ribbon development, and physical containment by the rear wooded embankment mean that development would **not materially harm the openness of the Green Belt**, represent encroachment into open countryside or extend development beyond the existing built form.

Accordingly, the proposal constitutes **limited infilling**, as recognised in **paragraph 154 of the NPPF (2024)**:

“...limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use... which would not cause substantial harm to the openness of the Green Belt.”

Further, **paragraph 155 of the NPPF** provides additional support for development on Grey Belt land where the following criteria are met:

- a. The development would **utilise Grey Belt land** and would **not fundamentally undermine the purposes of the remaining Green Belt** across the plan area;
- b. There is a **demonstrable unmet need** for the type of development proposed; and
- c. The development would be **in a sustainable location**, with particular reference to **paragraphs 110 and 115 of the NPPF**.

All of these criteria are satisfied in this case:

- The development **utilises previously developed Grey Belt land** in the form of a derelict outbuilding previously used as a stable and hardstanding.
- **Staffordshire Moorlands cannot currently demonstrate a five-year housing land supply**, (Interim Position Statement April 2025 - states only 2.95 years) indicating a demonstrable unmet need for residential development; and
- The site lies within a **clearly defined residential ribbon of development on Congleton Road**, with access to local services, bus stops, and the Biddulph Valley Way, making it a **sustainable location in accordance with NPPF paragraphs 110 and 115**.

Taken together, these considerations demonstrate that the proposal represents a **sustainable, limited infill development within the Green Belt** that preserves openness, avoids encroachment and aligns with the NPPF. The appeal site is well-related to the existing built environment, makes efficient use of previously underutilised land, and supports the delivery of housing where there is an acknowledged shortfall.

11. Planning Balance

The benefits of the proposal include:

- Delivery of a new dwelling contributing to housing supply
- Efficient use of a small, underutilised site
- Removal of a redundant and derelict structure
- Completion of an existing residential frontage
- Sustainable location close to transport and green infrastructure

Against these benefits, the Council has identified **no substantiated harm**.

The alleged highway and visual impacts are unsupported and relate to matters that should properly be considered at **Technical Details Consent stage**.

Consequently, the Council has failed to demonstrate that any adverse impacts would **significantly and demonstrably outweigh the benefits**, as required by the **NPPF**.

12. Conclusion

The appeal proposal seeks Permission in Principle for the development of **one dwelling within an established residential frontage**.

The proposal:

- Represents logical infill development
- Is consistent with the established pattern of development
- Would not harm the character of the area
- Would not undermine openness of the Green Belt
- Would not create substantive highway safety issues
- Makes efficient use of an underutilised site
- Aligns with the objectives of both the Local Plan and the NPPF.

The Council's refusal relies on **speculative and premature** concerns relating to matters that would properly be addressed at the **Technical Details Consent stage**.

For these reasons, the refusal is **not justified**, and the proposal clearly represents sustainable development.

The Inspector is therefore respectfully requested to allow the appeal and grant Permission in Principle for one dwelling.