

DELEGATED DECISION REPORT

SMD/2026/0218
Valid 08/05/2026

RUSHTON INN (FORMER)
MACCLESFIELD ROAD
RUSHTON SPENCER

PLANNING IN PRINCIPLE FOR
THE ERECTION OF FIVE
DWELLINGS ON THE "GREY
FIELD" SITE AND
PREVIOUSLY DEVELOPED
LAND FORMER RUSHTON INN
SITE

(PERMISSION IN PRINCIPLE)

MAIN ISSUES

- Impact on Character and Appearance

DESCRIPTION OF SITE

Rushton Inn, formerly the Golden Lion, is a roadside public house that dates from the 19th century fronting and to the north of Macclesfield Road (A523) and situated on the Feeder Canal towpath to the north. The mature woodland tree line and wild embankment to the edge of the canal provides a backdrop behind the Inn and a significant stretch of roadside to the northwest.

The Inn closed for business more than 10 years ago. Historically, as an outlier from the small village of Rushton Spencer, the pub would have served the Corn Mill to the south, Chemical works to the north, railway workers, and the towpath.

For the purpose of the SMDC Local Plan the Inn is to the northwest and outside of the 'smaller village' of Rushton Spencer. The smaller villages have a limited role as a rural service centre and do not have defined settlement boundaries. Points of reference that might be considered as being central to the village include the Station Lane and Sugar Street junctions with the Macclesfield Road, 500m and 860m to the southeast of the Inn respectively. The houses to the northwest of Station Lane become increasingly loose and scattered.

To adapt to highway improvements and an increased dependency on the car, a driveway access road was introduced to the side and northwest of the Inn. The driveway provides parking; it follows a line parallel to the highway between roadside verge and the tree line to the edge of the canal and has an annexed highway access 100m to the northwest of the Inn.

The application site includes the Inn building and all the driveway parking land to the northwest, forming a long narrow strip of roadside land that follows the road for a stretch of some 160m and consists of an area of 0.2ha. The site is set back behind highway verge, and its northern edge aligns with the canal tow path (Rushton Footpath 49). A centrally positioned access crosses the highway verge and provides visibility

splay. The application site, therefore, essentially consists of a slim access driveway between highway verge and mature tree line.

The woodland edge embankment to the north of the site and the highway verge have grown wild and the tarmac of the driveway is becoming reclaimed by nature and increasingly verdant.

Macclesfield Road roughly coincides with the boundary to the edge of the Green Belt that extends to the south and west, the Green Belt includes the highway verge and the centrally positioned access bell mouth. In those respects, the Inn and much of the application site are to the edge of, but outside the Green Belt.

PROPOSAL

The application seeks a permission in principle for the erection of 5 detached dwellings on the site. All matters of detail would be determined at a later stage.

An indicative plan is submitted to demonstrate how 5 large detached six-bedroom dwellings might be positioned and set out on the site in a linear row, fronting the roadside and backing onto the towpath. One of the dwellings would be provided as a replacement of the Inn building.

Determination of an application for permission in principle is limited to location, land use and amount of development. This is known as Stage 1 and, if approved, a Stage 2 application must follow. This is termed the technical details stage at which point such matters as design, ecology, and highways would be considered.

Biodiversity Net Gain (BNG)

A grant of permission in principle (Stage 1) is not within the scope of biodiversity net gain, as it is not a grant of planning permission. However, the subsequent technical details (Stage 2) consent, as a grant of planning permission, would be subject to the biodiversity gain condition.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS9 Smaller Village Area Strategy
- SS10 Other Rural Areas Area Strategy
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- H1 E1New Housing Development
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

Adopted Supplementary Planning Documents/Guidance (SPD/G) and Supporting Evidence Documents

- ☐ Space About Dwellings SPG
- ☐ Design Principles SPG

- Design Guide SPD adopted 21st February 2018
- Landscape and Settlement Character Assessment (2008)

National Planning Policy Framework

The following paragraph(s) and chapters are particularly relevant:

- Introduction and Achieving Sustainable Development (Paragraphs 1 – 14)
- Chapter 4 – Decision making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well designed places
- Chapter 13 – Protecting Green Belt Land
- Chapter 15 – Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

84/12757/OLDDC Lobby extension and internal alterations. APPROVED.

02/00293/FUL Change of use from public house to dwelling. REFUSED.

02/00292/FUL 2 log cabins (holiday let units). REFUSED.

07/00946/FUL Change of use from public house to dwelling. REFUSED.

CONSULTATIONS

Publicity

Site Notice expiry date: 16/06/2026

Neighbour consultation period ends: 16/06/2026

Press Advert: N/A

Public Comments

Three responses have been received from members of the public; the following concerns are raised:

- This level of development would have a large impact on the approach to the village.
- The proposed 5 new builds there would be overcrowded, with little scope for outdoor space.
- Removal of trees and hedgerows would be detrimental to wildlife, and disturbance of the ground could affect the banks of the feeder.
- There are several 4 bed properties remaining unsold in the village area which questions the need
- The owner has had the property for several yrs with little maintenance undertaken. We would prefer to see that developed before considering more.
- The problematic site at Ivy Farm needs to be dealt with before allowing more developments. The village is living with the visual impact of this abandoned site with no signs of a conclusion.
- The four cottage style properties currently under construction will not provide for any need in the immediate future.

- Significant overdevelopment of the site. The plot is relatively constrained, and the introduction of five or six new dwellings, together with the associated roads, parking areas, service infrastructure, drainage systems and garden spaces, would result in a cramped and urbanised form of development that is wholly out of character with the surrounding area.
- Highway safety is another major concern. The site is situated on a busy section of Macclesfield Road where traffic volumes are significant, and vehicle speeds can be high. Visibility is already restricted, and access to and from the site can be challenging.
- The addition of five or six dwellings could reasonably be expected to generate at least ten to twelve resident vehicles, before visitor parking is considered.
- The application does not appear to demonstrate how sufficient parking provision can be accommodated within the site without resulting in overcrowding, overspill parking, or compromised manoeuvring space.
- No explanation of how foul drainage will be managed despite the well-known limitations of sewerage infrastructure within Rushton Spencer. The village is not served by a conventional mains sewerage arrangement comparable to larger settlements, yet no detailed foul drainage strategy appears to have been submitted
- No meaningful assessment of utility provision. Existing overhead electricity cables serve the area, but the application provides little information regarding how electrical infrastructure will be delivered.
- The application also appears to overlook existing easements and third-party rights. For example, a neighbouring water meter is located within the application site.
- Existing trees and hedgerows make an important contribution to the rural character of the site and provide valuable habitat for wildlife. The application does not clearly identify which trees and hedgerows will be retained, removed, or protected no consideration of the feeder canal bank located behind the site.

Town / Parish Comments

Rushton PC: Object.

Highway dangers/access, drainage, there are currently issues within the village on other partially built developments, impact to the feeder and public access to the footpath along the feeder. Intensity of development, all the national guidelines identify Rushton as a small village which does not have the infrastructure to support extensive building, the parish council has a neighbour plan which is awaiting approval and appropriateness of design in relation to the village.

SCC Minerals and Waste

When applications are small, and constrained by existing development, particularly residential development, we would conclude that it is not practicable or environmentally acceptable to extract any underlying mineral.

The proposed site is in a Mineral Safeguarding Area (MSA) for sand. However, as stated by our standing advice, Staffordshire County Council as the Mineral Planning Authority have no comments to make.

Peak and Northern Footpath Association

PROW Rushton 49 runs close to the proposed site.

Use of the PROW, and the safety of users must not be affected by the development, nor during the work taking place.

SCC Rights of Way

The Definitive Map of Public Rights of Way for Staffordshire shows a public right of way immediately adjacent to the boundary of the application site.

The following should be brought to the attention of the applicant and noted in the planning consent if granted:

Public Footpath No. 49 Rushton Parish runs immediately adjacent to the application site, along the western bank of the canal.

Public Footpath No. 20 Rushton Parish runs south of the application site.

Part of a regionally promoted route 'The Staffordshire Way' runs west of the application site.

Ramblers Association

Rushton 49 follows a brook and past where the proposed development will take place. This must not affect the use of this path in any way.

United Utilities

Should this proposal be approved, and a further application submitted for Technical Detail Consent, it is important to note that our response to a subsequent application will be based upon the information that is available at the time of response, and therefore, our position and advice may vary.

We strongly recommend that the applicant or any subsequent developer contacts United Utilities, using our pre-development enquiry service to discuss their proposals directly with our Developer Services team. They can find further advice, along with a pre-development enquiry form, on our website: Building & Developing - United Utilities. Alternative ways to contact the team are available in the Appendix, Section 6.0 'Contacts'.

Staffordshire County Council Highways

Conditional

Site is previously developed with vehicular access and car park.

Proposal is acceptable subject to provision of safe and reasonable access(es) with visibility appropriate to speed limit of the road (speed limit changes from 40mph to national on the frontage of the site) or with betterment to the existing visibility available at the existing access(es) if reused.

Care will be required to site the access(es).

Pedestrian linkages will be required to ensure pedestrian safety, with adequate visibility at any crossing point.

Parking provision to Local Plan standards are required. Turning areas must be provided.

OFFICER COMMENTS

Introduction and Background

The scope of permission in principle applications is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Where permission in principle is granted by application, the default duration of that permission is 3 years. Local

planning authorities must specify the location of the site, the type of development and provide an indication of the amount of development the site has permission in principle for.

The amount of residential development must be expressed as a range, indicating the minimum and maximum net number of dwellings (i.e. taking in to account any existing dwellings on the site) which are, in principle, permitted. It is not possible for conditions to be attached to a grant of permission in principle, and its terms may only include the site location, the type of development and amount of development.

In its general approach, in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, including those circumstances where the Council cannot demonstrate a 5 year supply of housing, the Council will grant permission unless material considerations indicate otherwise – taking into account whether: (a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or (b) specific policies in that Frameworks indicate that development should be restricted.

Local and National Policy Approach to Rural Housing Development

As defined by the Local Plan settlement hierarchy at policy SS2, the site has a location that is beyond what could be identified as the edge of a 'smaller village', within an 'other rural' area of countryside that surrounds the villages and towns.

For the purposes of the SMDC Local Plan, in the other rural areas, policy SS10 applies. These areas 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. The policy places restriction on new build housing development in the countryside to that which has an essential need to be located in the countryside in accordance with Local Plan housing Policy H 1.

Local plan policy SS9 is applicable to the 'smaller' villages. Here there is some support in a limited way, for new housing development, including small infill schemes of an appropriate scale and character provided that the development would be well related to the existing pattern of development of a smaller village and would not create a ribbon development or lead to a sporadic pattern of development (all in accordance with Policy H 1). SS9 requires new development to reflect and enhance each village's special character and heritage by protecting and enhancing the setting of individual settlements.

Local Plan Housing policy H1 requires that, generally, all development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified housing needs, having regard to the location of the development, the characteristics of the site and the economics of provision. In addition, the policy requires that, all housing development should be at the most appropriate density compatible with the site and its location, and with the character of the surrounding area; and that in all cases the development would not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside.

The Council cannot currently demonstrate a 5-year supply of housing land. As such the development plan policies most important for determining the application shall be considered out of date and it is paragraph 11 of the NPPF that applies which says that planning permission should be granted unless - the application of policies in the NPPF that protect areas or assets of particular importance, such as the Green Belt, provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The provision of five dwellings would make a small contribution to housing supply and there would be some economic and community benefit associated with the development in those regards.

Impact on the Green Belt

Most of the application site is not in the Green Belt. The Macclesfield Road roughly coincides with the Green Belt boundary in this location, and the Green Belt lies on the other side of the road to the application site and extends to the west. The Green Belt overlaps the highway verge to the front of the application site and covers the existing access bell mouth. The application site would rely on the existing access arrangement and does not include the highway verge either side. The application proposal would not, therefore, result in new development in the Green Belt.

Impact on the Character and Appearance of the Area and Settlement Setting

With consideration for the location and amount of the development proposed, the proposal, and a permission in principle, would have an impact on the character and appearance of the area and the setting of the settlement, particularly when considered on approach from the north. All strands and elements of Local Plan policy converge to provide protection for the character and appearance of the locality and settlement setting through development that relates well to the form and pattern of existing development.

Specifically, Local Plan policy SS9 (smaller villages) requires new development to reflect and enhance each village's special character and heritage by protecting and enhancing the setting of individual settlements.

Local Plan housing policy H1 states that all housing development should be at the most appropriate density compatible with the site and its location, and with the character of the surrounding area. Outside of the development boundaries, development considered to be infill of an appropriate scale and character will be supported, provided that the development is well related to the existing pattern of development of a smaller

village.

Local Plan design and landscape character policy DC1 and DC3 require all development to be well designed and to reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area; and, to protect and, where possible, enhance the setting of settlements by resisting development which would lead to prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement.

Generally, these Local Plan policies reflect the national policy set out in the NPPF. Paragraph 135 of the NPPF (Chapter 12 'Achieving well-designed places') requires that decisions should ensure that developments will function well and add to the overall quality of the area; are sympathetic to local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place. Paragraph 187 of the NPPF (Chapter 15 'Conserving and enhancing the natural Environment') requires that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes or sites of biodiversity; and recognising the intrinsic character and beauty of the countryside.

From Macclesfield Road, either on approach to or leaving the village, the application site, beyond and to the northwest of the Inn building, essentially provides the broad highway verge on the inside of a sweeping bend. The verge is lined by mature tree line that presents to the roadside as a woodland edge with broad and leafy canopy that overhangs the access driveway that is becoming reclaimed by nature and increasingly verdant.

The application site falls within an area of landscape that is described in the 2008 Landscape Character Assessment as an 'Ancient Slope and Valley Farmland' landscape. From the road, with open views afforded across the site, a key characteristic of this landscape type can be identified - The strong mature tree line and hedgerow boundary, set back behind broad wilding highway verge, create the sense that the road passes through an intimate wooded valley.

This landscape provides particularly attractive and distinctly rural verdant setting on approach to the village travelling from the north. The canal towpath footpath follows the northern edge of the application site. The land to the north of the village is undeveloped and distinctly rural, confirming its rural location.

The amount of development proposed, up to five dwellings, on a site of this size and narrow depth would inevitably create a form of ribbon development that would require the removal of mature trees, obscure and obstruct views of the tree line and appear as a prominent intrusion in the countryside. In this location, such development would appear disconnected from the edge of the village.

The development would be detrimental to the visual amenities of the area, the character and appearance of the area and the setting of the settlement. As a result of the proposed development the scene to the edge of the roadside would become more

substantially built up and increasingly urban at the expense of the special rural setting of the village that contributes to the character of the area.

In these regards, there would be significant and demonstrable harm to the character and appearance of the area and conflict with SMDC Local Plan Policies SS9, SS10, H1 and DC1 and the terms of the NPPF.

The Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. The provision of five dwellings would make a small contribution to housing supply and there would be some small economic and community benefit associated with the development. However, the harm to the rural character and appearance of the area and the setting of the settlement would be an adverse impact that would result from the development that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Living conditions for intended occupiers

Local Plan Policy DC1 requires that development protects the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.

Measured from front to back, south to north, the depth of the site is narrow at just 12m. Much of that depth is covered by trees and tree canopy. It is impractical for such a narrow site to deliver houses that have suitable standards of outdoor amenity space and parking provision. Details of design, scale, and layout are not for consideration at this stage, however, it is clear that the development could not deliver acceptable living conditions for intended occupiers.

There would be conflict with Local Plan policy DC1 in these regards.

Other matters

There are no other matters raised in the consultee responses to suggest that permission in principle should not be granted. Such matters of concern, raised in the objections, as drainage, access, highway safety and ecological assessment are all for the technical details stage.

Consultee responses do not indicate that any of these matters raise insurmountable barrier to the proposed development being acceptable in principle. The granting of permission in principle does not guarantee success in regard to technical details at stage 2.

The majority of points raised in public comments by the objectors and supporter have in effect been addressed in the course of compiling this report. Certain matters raised such as ownership and easement rights are not material planning considerations.

CONCLUSION / PLANNING BALANCE

The Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. The provision of five dwellings would make a small contribution to

housing supply and there would be some economic and community benefit associated with the development in those regards.

However, with consideration for the location and amount of the development proposed, the proposed development would have a detrimental adverse impact on the visual character and appearance of the distinctly rural area and the setting of the settlement, the proposed development would create a form of ribbon development that would require a significant number of mature trees to be removed and make a prominent intrusion in the countryside apparent from Macclesfield Road and the canal towpath Rushton Footpath 49. The narrow depth of the application site makes it impractical to provide dwellings with suitable standards of outdoor amenity space and parking provision and thus suitable living conditions for intended occupiers could not be provided. These harms would be adverse impacts of granting a 'permission in principle' that would significantly and demonstrably outweigh the benefits that would be associated with the application proposal.

There would be conflict with policies SS8, SS10, H1, DC1, and DC3 of the SMDC Local Plan 2020, and the terms of the NPPF.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 19/06/2026

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council