The Planning Inspectorate

Appeal Decision

Site visit made on 4 October 2019

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2019

Appeal Ref: APP/P3420/W/19/3233979
Land between 52-54 Station Road, Keele, Newcastle Under Lyme ST5 5AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr Ian Jefferies against the decision of Newcastle-Under-Lyme Borough Council.
- The application Ref 19/00361/OUT, dated 10 May 2019, was refused by notice dated 5 July 2019.
- The development proposed is one no. dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is in outline with all matters reserved. An indicative site plan has been included for illustrative purposes. I have determined the appeal on that basis.

Main Issues

3. The main issues are:

   - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (NPPF) and local policy.
   - The effect of the proposal on the openness of the Green Belt.
   - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development

4. The appeal site is located within the Green Belt. Paragraph 143 of the NPPF states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that the construction of new buildings in the Green Belt is inappropriate. It sets out some exceptions, which include limited infilling in villages and the limited infilling or the partial or complete redevelopment of

previously developed land which would not have a greater impact on the openness of the Green Belt.

5. Saved Policy S3 of the Newcastle Under Lyme Local Plan 2011 (Local Plan) identifies that development for residential purposes of a small gap (no more than 1 or 2 plots in width) as an exception in the Green Belt, within the built up area of the village of Keele, as defined on the Proposals Map, may be permitted so long as the gap makes no material contribution to the amenity of the locality. The Local Plan was published some time before the publication of the NPPF and in terms of residential development, it is more restrictive than the NPPF and does not fully accord with it. I consequently give this very little weight in consideration of the case.

6. The appeal site is a rectangular plot located between No 52 and 54 Station Road, in a short row of detached and semi detached properties. The site is located outside the settlement boundary of Keele. The appellant has made reference to the Court of Appeal Judgement Julian Wood v The Secretary of State for Communities and Local Government and Gravesham Borough Council [2015] which determined that the 'village' in paragraph 89 of the NPPF (at the time of the judgement) may not be the same as the settlement boundary, depending on the situation 'on the ground'.

7. There are significant gaps separating development between the appeal site and Keele. The site does not form part of a continuous ribbon of development extending from the village. This means that the site does not feel part of the settlement, even if a footpath provides a physical link.

8. The appellant has identified that the site does not form part of the other neighbouring settlements of Madeley Heath or Silverdale. Be that as it may, it does not mean that the site consequently forms part of Keele, even if as identified by the appellant, historical mapping indicates that the number of properties in the vicinity of the appeal site has increased over time.

9. The adjoining properties of No 52 and 54 Station Road may have a postal address of Keele but this does not make it part of Keele on the ground. This is irrespective of whether the name Station Road has any links to the former Keele railway station towards the centre of Keele, as identified by the appellant. The same also applies to the fact that the site is not known as a separate hamlet. The site is not located within Keele. It is not located in a village, it is in the countryside. The location of the Conservation Area boundary referenced by the appellant does not alter this.

10. Whilst a single dwelling on the appeal site may represent limited infilling, the proposed development would not constitute infilling in a village. The proposal would be inappropriate development in the Green Belt and would conflict with paragraph 145 of the NPPF.

Openness

11. Paragraph 133 of the NPPF says 'the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence'.

12. The site is positioned between neighbouring properties No 52 and No 54 Station Road. To the rear of the site is open fields. Christmas Tree Farm is located opposite, separated from the site by Station Road. The tree lined

boundary of the site blends in with the wider rural character of the area and the separation distance and openness of the road means that there is not an enclosing effect, as proffered by the appellant. To the rear of the site is open countryside.

13. The site itself is undeveloped. As such the proposal would lead to built development where currently there is none. Irrespective of the final design and location, the scale and massing of a dwelling on the site, along with any associated domestic paraphernalia would result in a loss of openness.

14. The proposal would reduce openness and therefore would constitute inappropriate development. The development would therefore conflict with national policy in this regard.

15. The appellant has referred to an appeal case in support of the scheme where it was deemed not to have an impact on openness[1]. I have limited details in which to draw comparisons with the case before me. However, I note that the site is in a different location where the circumstances are likely to be different. In any event, each case is determined on its own merits and my decision is based on the information before me.

Other Considerations

16. Paragraph 144 of the NPPF states that substantial weight should be given to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.

17. The appellant has identified that Keele provides a range of services and facilities and that bus stops link the settlement to other areas of the Borough. Nevertheless, the proposal would be located outside of the settlement away from these services and facilities which reduces the weight I attach to this.

18. The development of an additional dwelling would lead to social and economic benefits, both during construction and occupation of the property thereafter. However, the scale of the benefits would be limited by the very modest size of the development.

Planning Balance and Conclusion

19. The development would constitute inappropriate development in the Green Belt which by definition is harmful. Paragraph 144 of the NPPF requires substantial weight to be attributed to harm to the Green Belt.

20. For the appeal to succeed the combined weight of other considerations must clearly outweigh the harm caused. The other considerations do not clearly outweigh the totality of the harm that would be caused and so very special circumstances to justify the development do not exist. For the reasons identified, I therefore conclude that the appeal should be dismissed.

K Ford

INSPECTOR

[1] Appeal Ref: APP/P3420/W/15/3132805