



---

# Appeal Decision

Site visit made on 13 September 2022

**by Helen Smith BSc (Hons) MSc MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 October 2022**

---

**Appeal Ref: APP/Y3425/W/21/3280149**

**Grindley House Farm, Grindley Business Village, Uttoxeter Road, Grindley, Stafford ST18 0LR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs Hughes (Grindley Business Village) against the decision of Stafford Borough Council.
  - The application Ref 20/33247/FUL, dated 15 October 2020, was refused by notice dated 3 February 2021.
  - The development proposed is described as "expansion of Grindley Business Village to provide additional office accommodation."
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The Council's decision notice refers to the National Planning Policy Framework (Framework) (2019). This version of the Framework has been superseded by the Framework (July 2021). The relevant policy of the Framework (2021) was referred to in the Council's statement and the appellant's statement, and consequently no parties have been prejudiced by me having regard to the Framework (2021) in reaching my decision.

## Main Issue

3. The main issue is whether the proposal would be in a suitable location, having regard to the sustainable settlement hierarchy of the local plan, and whether the proposal would conflict with the sequential approach advocated within the National Planning Policy Framework.

## Reasons

4. The appeal site is a plot of land adjacent to Grindley Business Village. The site is undeveloped grassland, located just north of the A518 Stafford to Uttoxeter Road. The site is accessed through the existing Grindley Business Village. It is located outside a defined settlement boundary and within the open countryside.
5. Policy SP7 of the Plan for Stafford Borough 2011-2031 (adopted 2014) (Local Plan) requires development outside of the sustainable settlement hierarchy to be consistent with the objectives of Spatial Principles SP6, Policy E2 and Policy C5 in supporting rural sustainability. Policy C5 is not relevant to this appeal, as it relates to residential development. SP7 also states that only where insufficient sites on previously developed land, in sustainable locations, are

- available to meet new development requirements should greenfield sites be released.
6. Policy SP6 states that achieving rural sustainability includes promoting 'a sustainable rural economy.'
  7. Policy E2 states that for rural areas outside the defined settlements, support will be given to the achievement of rural sustainability by encouraging, amongst other things, development on recognised industrial estates, provision for the essential operational needs of agriculture, forestry or rural businesses, and proposals which meet the essential local development needs of a community.
  8. The appeal site is not located within a recognised industrial estate. It is a greenfield site in a rural location outside of the settlement boundary. Whilst the appeal site is on the edge of the existing Grindley Business Village, the proposal would represent encroachment of urban form into open countryside. In addition, the proposal would not fit into the categories listed in Policy E2, such as providing for the essential needs of agriculture or forestry, or meeting the essential local development needs of the community. Whilst the proposal would facilitate job creation in the rural economy, the proposal would not avoid the development of new buildings in the open countryside, which would conflict with Policies SP7 and E2.
  9. In seeking to provide town centre uses in appropriate locations, paragraph 87 of the Framework makes it clear that a sequential test should be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. It also states that main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
  10. Furthermore, paragraph 89 of the Framework states that the sequential approach should not be applied to applications for small scale rural offices or other small scale rural developments.
  11. There is no definition in the Local Plan, Framework or Planning Practice Guidance (PPG) of 'small scale rural development'. The proposal would occupy around 0.3ha of land and would consist of 12 office units with a combined floor space of around 737sqm on greenfield land adjacent to the existing Grindley Business Village. Furthermore, the proposal would attract a large number of employees, visitors and associated vehicular trips to the 12 units, which are likely to be open for several hours during the day, most days of the year. Consequently, in my judgement, the appeal scheme would not represent small-scale rural development for the purposes of Policy E2 and the Framework.
  12. The PPG (para: 012 Ref ID: 2b-012-20190722) also sets out that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification.
  13. Within the appellant's evidence, there is interest from some 7 companies. However, on the evidence before me, I am not satisfied that it can be assumed

that the majority of the employees would come from the local area. It is also not clear whether the additional employees would be employed as permanent or temporary staff, which would indicate the length of time the office space would be required for.

14. In addition, there is no substantial evidence to demonstrate the extent of how much office accommodation is required by these companies or how the needs of the businesses in the local area would be met. Furthermore, there is no substantial evidence to demonstrate that it is essential for them to be in this location instead of an alternative location, such as an established industrial estate or defined settlement, and whether alternative sites have been ruled out. There is also insufficient evidence before me to show whether the existing buildings at Grindley Business Village are operating at full capacity or whether space could become available in the near future.
15. Consequently, the weight I attach to the benefits of the proposal providing office accommodation and supporting existing businesses at Grindley Business Village is diminished to a modest level by the absence of meaningful evidence.
16. Even though the site is located on a bus route, the particular market and locational requirements of the development have not been convincingly substantiated. I also note the support for the proposal from one of the local councillors. Nevertheless, a sequential approach would be required for the proposal, and the absence of one fails to establish whether a sequentially preferable site exists. The PPG is clear that compliance with sequential and impact tests does not guarantee permission will be granted; but failure to undertake either could itself constitute a reason for refusing permission.
17. Therefore, I conclude that the appeal proposal would not be a small-scale rural development in the countryside. It has not been robustly evidenced that a sequentially preferable site could not accommodate the proposal or that there would not be a significant adverse impact on the vitality and viability of an existing centre. Consequently, the proposal would not be sustainable development and would conflict with Policies SP7 and E2 of the Local Plan, and paragraph 87 of the Framework.

#### *Other Matters*

18. The appellant has submitted a Statement of Common Ground (SofCG), but this has not been signed by the Council. In particular, paragraph 4.4 of the SofCG suggests that the Council does not currently have the required supply of employment land in accordance with the requirements of Policy SP2. This is disputed by the Council, as shown in the Council's Statement in paragraph 3.1. Therefore, the SofCG is not an agreement between the two main parties and consequently I attribute little weight to it.
19. Whilst the appeal site may be underutilised and of a size not suitable for modern farming methods, this does not negate the conflict that has been identified with the development plan. I therefore attach little weight to this matter.

#### *Planning Balance*

20. The proposal would provide social and economic benefits, creating jobs during the construction phase, and the creation of well-paid jobs and indirect employment through use of local suppliers. However, I have not been provided

with substantive evidence of local job needs or how future employment opportunities would demonstrably be secured for local workers. Although there would clearly be benefits associated with creation of jobs, some of which would be skilled jobs, the absence of a sequential test diminishes the weight I can attach to these benefits to a modest level.

21. It is suggested that the proposed development would result in the planting of new mixed native trees and hedges that would provide environmental enhancement of the appeal site. Nevertheless, I have been provided with no firm evidence of what these measures might be or how they might be achieved. In the absence of any details of such measures I attach little weight to this as a benefit.
22. When the application was submitted to the Council it was suggested that the development would benefit from the on-site anaerobic digestion plant as a source of renewable energy. However, this has since been decommissioned. Reference has been made to a wind turbine, but no information has been provided. I therefore attach no weight to this.
23. Although external materials and solar photovoltaic panels on the proposed office units could be imposed by condition, and the proposal would be thermally efficient and benefit from good broadband connection and secure undercover bicycle storage, these modest benefits would not outweigh the harm identified.
24. Whilst not weighing against the proposed development in the overall planning balance, any absence of harm in respect of the surrounding highway network, flood risk, and living conditions of neighbouring occupiers, is a neutral factor which does not weigh in favour of the proposal.
25. I am mindful that the Covid-19 pandemic and Brexit has placed increased uncertainty on local businesses. Nevertheless, I do not consider this to be a factor to justify making a decision other than in accordance with the development plan read as a whole.
26. The appellant seeks to compare the appeal site to Dunston Business Village. The Council state that both business villages began as conversion schemes, re-using existing former agricultural buildings. It is understood that since the Dunston Business Village was established, a shortfall in employment land to meet projected demand was identified and expanding the Dunston Business Village was seen as a solution to this shortfall. I note that the Council's latest monitoring report indicates that there is no longer a shortfall of employment land. Whilst I acknowledge that the proposal would increase the range of employment land available in the Borough that is suitable for small and medium enterprises, I have no compelling evidence that there is a shortage of such units in the available supply.
27. The harm I have found arising from this proposal is so significant that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. This provides a clear reason for refusing the development.
28. The proposal would conflict with Policies SP7 and E2 of the Local Plan. The proposal would not be sustainable development and would not be in a suitable location, contrary to the development plan read as a whole and to the Framework. This carries considerable weight against the proposal.

## **Conclusion**

29. The proposal conflicts with the development plan as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

*Helen Smith*

INSPECTOR