



Appeal Decision

Site visit made on 18 June 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2024

Appeal Ref: APP/C3430/W/23/3329613

Pear Tree Cottage, Meadow Lane, Acton Trussell, Staffordshire ST17 0RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr M Goodall against the decision of South Staffordshire District Council.
 - The application Ref is 22/01154/FUL.
 - The development proposed is a bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) in December 2023. For the avoidance of doubt, where reference is made in this decision to paragraph numbers they are taken from the latest version.

Main Issue

3. The main issue is whether the appeal site is suitable for the proposed development, having regard to local and national policy.

Reasons

4. Core Policy 1 (CP1) of the Core Strategy (CS) sets out a Spatial Strategy to deliver the rural regeneration of South Staffordshire. It seeks to direct new development to the larger settlements, which have access to a wider range of services and facilities. In Small Service Villages and Other Villages and Hamlets residential development is restricted to affordable housing where it would clearly support local needs.
5. The appeal site lies outside of the specified service villages and, therefore, it is not in the areas identified for rural housing. Accordingly, in the absence of any robust evidence that demonstrates the proposal would provide affordable housing, or that it would support tourism, the rural economy or rural diversification, it is not supported by CS Policy CP1.
6. The site lies very close to Acton Trussell. Nonetheless, the nearest settlements that provide services, facilities and employment opportunities are a considerable distance away and would be accessed, for much of the route, along unlit roads, without a footway and subject to the national speed limit. As a result, it is unlikely that the occupants of the proposal would walk to such

settlements, particularly during times of darkness and inclement weather. The speed of vehicles along the route is also likely to be off-putting for all but the most competent and confident cyclists. Furthermore, there is no evidence before me that the occupants would have access to a frequent bus service from nearby bus stops, thereby providing a realistic alternative mode of transport. Consequently, the future occupants would be highly dependent on the use of private cars for most of their day-to-day needs.

7. The site is not isolated as it is positioned between two dwellings very close to Acton Trussell. As such there is no conflict with paragraph 84 (formerly 80) of the Framework. However, the Framework highlights, at paragraph 83, that to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. In view of the accessibility concerns I have identified, the benefits of the proposal due to the support it would give to services in a nearby settlement would be minimal.
8. Accordingly, I find that the appeal site is not a suitable location for the proposed development and would be contrary to the Spatial Strategy set out in CS Policy CP1 and to the Framework.

Other considerations

9. I have had due regard to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic (in this case disability) and people who do not share it.
10. The proposed dwelling would provide purpose-built accommodation at ground floor level which would meet the mobility needs of the appellant, as well as providing accommodation for a live-in carer. Furthermore, due to the location of the proposed dwelling, the support given to the appellant within the community would continue.
11. However, whilst dismissal of the appeal would negate the opportunity to live in single-storey accommodation, this is set against the harm arising due to the appeal site being poorly related to the settlements identified for growth and the associated conflict with the overall Spatial Strategy. Moreover, it has not been satisfactorily demonstrated that, if the appeal were dismissed, there are no other appropriate alternatives to provide suitable accommodation within the community, such as the adaptation of Pear Tree Cottage. Therefore, dismissal of the appeal is a proportionate response.
12. The proposal would, through the delivery of an additional housing unit, contribute towards the Frameworks aim to boost the supply of housing. It would also add to the mix and type locally available. However, the Council state that it has a five-year housing land supply, which is not disputed by the appellant. As such there is nothing before me to suggest that current policy is not providing enough housing to meet the requirements for the area. I therefore attach limited weight to the provision of two dwellings as proposed. Benefits to the local economy would also be limited due to the small scale of the scheme.

13. The absence of objections from consultees, the acceptability of the design and lack of an adverse landscape impact are neutral factors that do not weigh in favour of, or against, the scheme.

Other Matters

14. Based on the evidence before me, the appeal site lies within the Zone of Influence for the Cannock Chase Special Area of Conservation which is vulnerable to recreational disturbance. However, because the scheme is unacceptable for other reasons there is no need for me to consider the implications of the proposal upon such a designated site as would otherwise be required by the Conservation of Species and Habitats Regulations 2017.

Conclusion

15. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
16. I therefore conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR