



Appeal Decision

Site visit made on 9 July 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2024

Appeal Ref: APP/Y3425/W/24/3340363

Pasturefields Farm Pasturefields, Great Haywood, Stafford, Staffordshire, ST18 0RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Shannon McDarby against the decision of Stafford Borough Council.
 - The application Ref is 23/37104/OUT.
 - The development proposed is described as "The proposal for this application is a new dwelling. The new dwelling will replace a redundant building previously used for a cattery business."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme relates to an outline proposal, with access to be considered at this stage, and with all other matters reserved for future consideration. I have considered the appeal accordingly. A plan has been submitted as part of the appeal which indicates how a dwelling could be accommodated on the site. I have taken this plan into account for indicative purposes only.

Main Issues

3. The main issues are:
 - whether the appeal site would be a suitable location for the proposed development, with particular regard to sustainability.
 - the effect of the development upon highway safety.

Reasons

Location

4. The appeal site is currently part of Pasturefields Farm (the Farm) which contains a mix of residential buildings as well as buildings pertaining to a cattery business. The Farm is located off the A51 in a small hamlet with limited local services, limited pedestrian access and an existing gated access.
 5. As the site sits outside any defined settlement boundary, it falls to be considered under Policy SP7 of the Plan for Stafford Borough 2011-2031 (PSB). This allows for housing in the countryside where certain criteria are met. This includes meeting the relevant requirements of Policy C5.
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6. There is no evidence before me to suggest the proposal could not be accommodated within the settlement hierarchy, as set out in Policy SP3. Neither is there a parish based local housing need assessment which demonstrates a need for the development. While I see no reason why the development could not be of a high standard of design or harmful to the form and character of the locality, this would not alter the failure to meet two of the three necessary criteria to satisfy Policy C5A.
7. There are limited local services in close proximity to the appeal site and limited access to pedestrian footpaths. This would result in the future occupiers relying upon a car to access nearby services in larger settlements. I acknowledge the appellant's argument that the addition of a new dwelling would be for their family who are already accommodated within the Farm site and therefore the reliance upon a car would not increase. However, I give only limited weight in favour of the appeal scheme because although there may be no increase of vehicles related to the appeal site at this time, the reliance upon a car to access local services is still relevant and consequently would still result in a new dwelling in what is an unsustainable location. Therefore, the proposed development remains contrary to Policies SP1 and SP7 of the PSB. These policies seek to ensure sustainable locations for new development.
8. In conclusion, the appeal site has not been demonstrated to be a suitable location for the proposed development, having regard to local and national policy. Therefore, it is contrary to Policies SP1, SP3, SP7 and C5 of the Plan for Stafford Borough 2011-2031 which seek to ensure that developments are in accordance with its spatial strategy as well as providing the right mix and tenure of housing for identified local housing need in suitable locations. The development does not accord with the principles set out in Chapter 9 'Promoting Sustainable Transport' of the National Planning Policy Framework.

Highway Safety

9. The development would utilise an existing access. This already serves two dwellings. Upon my site visit the cattery business was still operating. It is reasonable to assume that this use generates additional trips over and above the existing residential use. There is no evidence before me to suggest the use of the access has been the cause of any accidents. The intention is for the property to be used by family members who already reside on the site. There would be no immediate increase in trips if this were the case. However, this clearly cannot be controlled in perpetuity and so the dwelling would likely be used by other families in future. Nevertheless, the increase in trips from the site from an additional dwelling are unlikely to be significant in any event.
10. There are some constraints to visibility from the access, vehicles may need to edge out onto the pavement or road to see clearly in both directions. The passing road is quite busy and fast moving and there is a limited pedestrian pavement in front of the access to the appeal site. Nevertheless, given the existing use of the access, the intensification in its use would be unlikely to unacceptably exacerbate any existing risks or create new ones. Therefore, I do not consider the addition of a single dwelling would result in unacceptable harm to the safety of road users. The development would therefore comply with Policy T2 of the Plan for Stafford Borough 2011-2031 which seeks to ensure that developments do not have a detrimental effect upon the safety of roads and streets.

Other Matters

11. It is the personal preference of the appellant and their family to build a new dwelling to provide living accommodation for members of their family including children. These personal circumstances do not outweigh the harm I have identified above and there has been limited substantive evidence to demonstrate an absolute need for the development in this location. I acknowledge there are positive elements to the appeal scheme such as: an additional property to the existing housing stock, utilities are already present on the site, the height of the proposed development could mirror that of the existing buildings and there is sufficient space to ensure any development need not result in the overlooking of neighbouring properties. However, I give these matters only limited weight.
12. The appeal site is within the zone of influence of the Cannock Chase Special Area of Conservation (the SAC). I have a duty under the Conservation of Habitats and Species Regulations 2017 to assess any impact the proposed development would have upon the SAC. However, as I am dismissing the appeal for the reasons given above, I do not need to conduct any further assessment in relation to the SAC.

Final Balance

13. The proposal would result in development in an unsustainable location in conflict with the development plan. As described above, the benefits associated with a single dwelling in this location would be limited. Whilst I do not consider the proposed development to result in harm to highway safety, the benefits would not outweigh the conflict with the development plan that would still exist.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
15. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR