The Planning Inspectorate

Appeal Decision

Site visit made on 5 November 2024

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2024

Appeal Ref: APP/B3438/W/24/3347209
Land South of Shay Lane, Ipstones ST10 2LY

- 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 Ms. Nicola White & Ms. Jude Douch against the decision of Staffordshire Moorlands District Council.
- The application Ref is SMD/2023/0614.
- The development proposed is for the erection of detached dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- Whether the location of the appeal site is suitable for a new dwelling; and,
- The effect of the proposal on the character and appearance of the surrounding area and landscape, including the Ipstones Conservation Area (the ICA).

Reasons

Suitability of Location

3. The appeal site is located at the edge of Ipstones and comprises a yard area, with workshops, and part of a paddock. The wider paddock contains a barn and, at the time of my visit, sheep. A stream runs to the front and one side of the site with land levels quickly rising to either side of it. The stream is largely bounded on both sides by mature trees. Although parts of the appeal site may extend into the settlement, the location of the proposed dwelling is outside of, and detached from, Ipstones.

4. Ipstones is identified as a Larger Village under Policy SS8 of the Staffordshire Moorlands Local Plan (the LP) while Policy SS10 describes any land outside of Larger Villages to be countryside. The Council's policies support a limited degree of residential development in the countryside including through Policy H1 of the LP. Briefly, and amongst other requirements, this policy allows for limited infilling adjoining the outside of development boundaries serving Larger Villages.

5. There is development around the location of the proposed dwelling and the appellants consider that the dwelling would, therefore, be infill. This development namely comprises the workshops and dwellings to the front of the site, a barn to the rear and, on the opposite side of Shay Lane, a small

stable block. Although the dwellings and workshops are closely related they are some distance from the location of the proposed dwelling. Similarly, the stable and barn are also some distance away from the proposed dwelling. In this way the appeal site does not read as a gap but as a part of the open countryside between a built-up area and sporadic development. Therefore, the proposal would not meet the infill exception set out under LP Policy H1(4)(b).

6. The Policy goes on, under point 5, to set out other instances where new residential development can be supported within the open countryside. From the information before me, the most relevant of these six exceptions is that relating to new dwellings to meet essential local needs such as a rural worker's dwelling. However, although I understand the appellants undertake conservation-farming at the site, no substantive justification has been provided to demonstrate the dwelling is needed to support this.

7. The appeal site would not, by way of its location and relationship with Ipstones, meet the requirements of the Council's spatial strategy and would therefore not be a suitable location for a new dwelling. The proposal would therefore conflict with LP Policies SS8, SS10 and H1 as set out above. It would also conflict with the National Planning Policy Framework (the Framework) with regard to the achieving sustainable development.

Character and Appearance

8. The front portion of the appeal site, where it crosses the stream, is within the Ipstones Conservation Area (the ICA). This conservation area covers two parts of Ipstones, one focused around Brookfields Road and the other to the north around the High Street and some surrounding roads. The settlement is relatively compact with a clear definition between it and the undulating rural landscape beyond. It is characterised by a range of buildings that demonstrate the growth of Ipstones from two distinct cores to a connected, larger, whole. Older properties are primarily finished in red, coursed ashlar and while they are predominantly simple dwellings, I noted a number of others with decorative quoins and stonework. Later properties bring in a range of design styles and materials, including red brick and render.

9. I consider that the significance of the ICA stems from the legibility of Ipstones as a rural settlement closely connected to its countryside setting. Whilst the wider countryside surrounding Ipstones may not be included within the Council's appraisal, given the above I nevertheless still find it to be important and contribute to its significance given their close historic relationship with Ipstones. Significance equally stems from the presence of the older vernacular buildings that are largely intact and demonstrate the original core areas of Ipstones.

10. I am mindful that the dwelling itself would be outside of the conservation area and that it is separated from it by mature trees. I also recognise that it would be partially cut in to the hillside. However, the dwelling is proposed to be sited in an elevated position where views to and from the ICA are afforded, including from a number of points along Shay Lane. Whilst trees and hedgerows in leaf may reduce any views, this would not be so complete as to screen the site's relationship with the ICA. I note as well the appellants' photographs which show some of these views. Given the above and that the significance of the conservation area stems, in part, from its rural

surroundings, I find the proposal has the potential to affect the ICA itself, and not just the setting.

11. The dwelling itself would be of a single-storey that, by way of its long and low nature, would be somewhat suggestive of a barn. However, its scale and kinked form would not be sympathetic to those in the surrounding area. Moreover, the use of modern detailing and materials would further identify the building as a modern dwelling rather than an agricultural building more typical of a countryside location. It has also not been demonstrated that the building would reflect a Moorlands Long House. As such, the building would be incongruous against the other rural buildings, especially when viewed from the conservation area where it would erode the closeness of the rural landscape to Ipstones.

12. The proposed location of the dwelling would also more generally not relate well to the existing pattern of residential development which does not extend beyond the edge of Ipstones. Its siting, especially given the elevated position on the hillside, would be a prominent intrusion into the countryside and weaken the definition between Ipstones and its rural context.

13. I am mindful of the more modern bungalows within Ipstones, particularly those near the allotments, and that these would be visible in relation to both the conservation area and proposed dwelling. I find that, with regard to their design and materials, they do not particularly contribute to the ICA. However, their presence does not justify the development proposed here which I have found to result in harm to the conservation area.

14. Against this background, and given the scale of the development, I find that less than substantial harm to the significance of the designated heritage asset would occur. Although less than substantial, the Framework is clear that great weight should be given to any asset's conservation. Paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.

15. The proposal would provide a new dwelling, in a location with access to services, which would contribute towards the Council's shortfall and the Government's objective to significantly boost the supply of housing. The proposal would also lead to a small and time-limited economic benefit during the construction phase, as well as some limited social and economic benefits resulting from future occupiers. Some environmental benefits would also stem from the provision of renewable energy generation and through the use of thermally efficient materials. These matters would be public benefits and collectively, given the scale of the development, I afford them moderate weight.

16. I note that the appellants' existing house may not suit their needs and may not be able to be extended to accommodate them. I understand also, that they wish to remain in the village. I recognise that the proposed dwelling would be beneficial in meeting their needs and would prevent them from needing to look for accommodation elsewhere. However, this benefit would not be public and so does not weigh in favour of the scheme.

17. In the circumstances of this case, I have attached moderate weight to the public benefits in support of this case. Consequently, they do not outweigh the great weight I have given the harm to the designated heritage asset.

18. The proposal would therefore unacceptably affect the character and appearance of the surrounding area, including its landscape and the ICA. It would therefore conflict with LP Policies SS8, SS10, H1, DC1, DC2 and DC3 which collectively, and amongst other matters, require that developments are of a high-quality that is well designed to respect and reflect its built and landscape settings. Particular regard is further paid to heritage assets and their settings, and that developments should conserve or, where possible, enhance these. The proposal would also conflict with Framework Section 12, including Paragraph 135, which seeks for developments to add to the quality of an area, by sympathetic and maintain a strong sense of place. It would further conflict with Section 16 of the Framework which considers heritage assets to be an irreplaceable resource and that they should be conserved.

Planning Balance and Conclusion

19. There is no dispute that the Council is unable to demonstrate a five-year housing land supply. However, the Framework provides a clear reason for refusing the development, the harm to the designated heritage asset, and therefore the proposal does not benefit from the presumption in favour of sustainable development.

20. The proposal would conflict with the Council's spatial strategy and would result in further harm to the character and appearance of the surrounding area including the Ipstones Conservation Area. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR