



Appeal Decision

Site visit made on 25 February 2025

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2025

Appeal Ref: APP/B3438/W/24/3354279

Land Adjacent To The Firs, Sutherland Road, Longsdon, Staffordshire ST9 9QD

- 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 Mrs G Heath against the decision of Staffordshire Moorlands District Council.
 - The application Ref is SMD/2023/0520.
 - The development proposed is described as “outline consent for the erection of a single dwelling with means of access considered and all other matters reserved”.
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Decision

1. The appeal is allowed and outline planning permission is granted for the erection of a single dwelling with means of access considered and all other matters reserved at Land Adjacent To The Firs, Sutherland Road, Longsdon, Staffordshire ST9 9QD in accordance with the terms of the application, Ref SMD/2023/0520, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development in the header is from the application form. In my decision I have omitted reference to “outline consent for” as this does not relate to an act of development and so it is superfluous. This amendment would cause no injustice to any party.
3. The submitted drawings provide details of the vehicular access, drive and parking spaces to serve the proposal. I have taken these details into account in my assessment as access is not reserved for future consideration. One of the plans shows an indicative location and footprint of the proposed dwelling. Layout is a reserved matter and so I have treated these details as being submitted for illustrative purposes.
4. A revised version of the National Planning Policy Framework (the Framework) was issued on 12 December 2024. I invited comments from the main parties on the Framework and I have had regard to the responses.

Main Issues

5. The main issues are (i) whether the proposal would represent inappropriate development in the Green Belt, (ii) its effect on the character and appearance of the area, and (iii) whether the development would be in a suitable location having regard to the Staffordshire Moorlands Local Plan 2020 (the LP) and the Framework.

Reasons

Whether inappropriate development in the Green Belt.

6. Part 6 of LP policy SS10 looks to strictly control inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless one of a number of exceptions applies. Sub-paragraph 154(e) defines limited infilling in villages as being not inappropriate development.
7. The site is in the Green Belt and forms part of the residential garden to The Firs. Its front boundary runs along the road and the plot lies between the side of the house at The Firs and the side boundary of a neighbouring dwelling called Selwyn. The width of the site is similar to the properties on either side and only a single house is proposed. Also, the plans indicate the dwelling would be positioned between the flank walls of the neighbouring residences. Therefore, the proposal would represent limited infilling and so it would accord with the exception at sub-paragraph 154(e) of the Framework provided the site lies within a village.
8. Under LP policy SS9, Longsdon is identified as a smaller village. The preamble to the policy explains the LP does not define boundaries for such settlements. Therefore, the question as to whether the development would be in Longsdon is a matter of planning judgment, based on the site's relationships to the local facilities and the built up extent of the settlement.
9. There is a pub, a memorial hall and a church on the stretch of the A53 near to its junction with Sutherland Road. To my mind, this area forms the core of the village. However, it is also reasonable to treat houses on the local roads as forming part of the full extent of Longsdon as a settlement.
10. The Firs and Selwyn form part of a small row of residences. Similar clusters of dwellings lie along the same side of Sutherland Road from the A53 to the north and past the appeal site to the south. The houses do not form a continuous line as there are occasional spaces that are vacant of buildings. Nonetheless, the west side of the highway is predominantly residential in nature, in contrast to the eastern side where fields are more prevalent and noticeable. Given this context, the appeal site appears to form part of a settlement rather than open countryside.
11. Also, the development would have a fairly close relationship with the core area given the short separation distance. Moreover, to the south of the site on Sutherland Road there is a Longsdon placename sign by the side of the highway. This sign gives the impression that The Firs and the appeal site are within Longsdon when approaching from the south.
12. For these reasons, I find the site lies within the Longsdon settlement and so I conclude the proposal would represent limited infilling within a village. Therefore, it would accord with sub-paragraph 154(e) of the Framework and it would not be inappropriate development within the Green Belt. As such, the proposal would comply with part 6 of LP policy SS10. There is no need to consider the effects on openness as the scheme would accord with Green Belt policy in any event.

The effect on the character and appearance of the area.

13. The internal part of the development site is partially screened from the road by a boundary wall and hedge. However, a gateway allows views of a driveway, a lawn

and ornamental planting as well as outbuildings and a static caravan towards the boundary with Selwyn. The fields opposite and local views of the wider open landscape provide a sense of the rural setting to Longsdon. However, the appeal site makes no meaningful contribution to the intrinsic beauty of the countryside due to its domestic appearance and position within a row of dwellings.

14. The introduction of a new residence on garden land between 2 existing houses would be in keeping with the character of the site and the pattern of development. It would not be seen as an intrusion into countryside. Moreover, the scheme could be designed to ensure the house is not unduly prominent and in keeping with the style and appearance of The Firs and other nearby dwellings.
15. For these reasons, I conclude the development would not harm the character and appearance of the area. In these regards, it would accord with LP policies SS9, SS10 and H1. Amongst other things, these seek to ensure development reflects a village's special character and safeguards the quality of the countryside.

Suitability of location.

16. The Council contends the development would lie outside Longsdon village and so LP policy SS10 is relevant as it sets out a strategy for the open countryside surrounding smaller villages. However, I have already found under the first main issue that the proposed dwelling would be within Longsdon. Therefore, LP policy SS9 rather than LP policy SS10 is relevant as it sets out a smaller villages area strategy. This includes an aim to meet community, social or economic needs by enabling limited new housing development, including small infill schemes in accordance with LP policy H1.
17. Under part 4(b) of LP policy H1, new housing is acceptable where it would not be sporadic and it is well-related to the existing pattern of development of a smaller village. The proposal would accord with this requirement given the site's position between 2 existing residences and within a line of dwellings within the extents of Longsdon. The site's location also means the new house would not create or extend ribbon development.
18. The proposal would not represent an isolated new home in the countryside given the site's relationship to adjoining properties and its position within the village. As such, it would not be contrary to the provisions of paragraph 84 of the Framework. Indeed, the dwelling would be located so as to provide residents with fairly easy access to the facilities within the village. Therefore, it would be located so as to enhance or maintain the vitality of a rural community as promoted under paragraph 83 of the Framework as well as LP policy SS9. Accordingly, I conclude the development would be in a suitable location having regard to LP policies and the Framework.

Other Matter

19. An objection is raised on the basis that 2 new dwellings have been permitted on Sutherland Road within the last 5 years and that to allow a third would indicate that limits are not being applied. However, I am taken to no policy that sets a maximum number of new dwellings to be allowed within Longsdon or that requires an assessment of any cumulative effects in my determination of this appeal. The proposal would accord with LP policies and the Framework when considered on its own merits and the concerns raised do not justify refusing planning permission.

Conditions

20. The Council has not provided a list of suggested planning conditions. However, I have sought the views of the appellant on conditions suggested in consultation responses to the planning application.
21. In the interests of clarity, I have included a condition that requires the access to the development to be constructed in accordance with approved drawings. Conditions 5 and 6 are imposed to safeguard nearby residences from unacceptable noise disturbance during construction works. Conditions 7 and 8 are included to prevent pollution and nuisance caused by dust during construction. Conditions 9 and 10 are required to ensure any ground contamination on the site and soil importation associated with the development are dealt with appropriately and without harm to the environment or human health.
22. Condition 11 is imposed to ensure lighting does not adversely affect the living conditions at nearby houses or the visual qualities of the area. Condition 12 is included in the interests of highway safety. The final condition is needed to ensure waste bins are stored appropriately and without harming the attractiveness of the area.

Conclusion

23. The proposal would accord with the LP when read as a whole. I find no reason to refuse planning permission and so I conclude the appeal should be allowed.

Jonathan Edwards

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called, "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The access to the development hereby permitted shall be carried out in accordance with drawing nos 2023-2835-02 revision C and 2023-2835-03 revision A.
- 5) Construction and demolition works associated with the development hereby permitted shall only be carried out between 8.00am and 6.00pm on Mondays to Fridays, 8.00am to 1.00pm on Saturdays and not at all on Sundays or Bank Holidays.
- 6) During demolition and construction works associated with the development hereby permitted, amplified music and radios shall not be audible beyond the site boundaries.
- 7) Any waste material associated with the demolition or construction of the development hereby permitted shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the local planning authority.
- 8) No development hereby permitted shall cause dust to be emitted beyond the site. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the local planning authority.
- 9) Any ground contamination that is found during the course of construction of the development hereby permitted shall be reported immediately to the local planning authority. Development works shall be suspended and a risk assessment shall be carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued. Following completion of measures identified in the approved schemes and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the local planning authority.
- 10) No soil is to be imported as part of the development hereby approved until it has been tested for contamination and assessed for its suitability for the

proposed development. A methodology for testing this material should be submitted to and approved in writing by the local planning authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validity evidence submitted to and approved in writing by the local planning authority prior to the importation of any soil onto the site.

- 11) No artificial external lighting shall be included as part of the development hereby permitted unless details of the lighting have been submitted to and approved in writing by the local planning authority.
- 12) The development hereby permitted shall not be first occupied until details of visibility splays to be provided on either side of the access have been submitted to and approved in writing by the local planning authority. The approved visibility splays shall be provided before the development is first occupied and thereafter they shall be kept clear of obstructions higher than 600mm above the level of the adjacent carriageway.
- 13) The development hereby permitted shall not be first occupied until details of bin storage facilities to be included as part of the development have been submitted to and approved in writing by the local planning authority. The approved bin storage facilities shall be provided before the development is first occupied and thereafter they shall be retained and used only for the storage of bins.