



Appeal Decision

Site visit made on 9 June 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2025

Appeal Ref: APP/P3420/W/25/3359190

Land off Hill Crescent, Alsagers Bank, Stoke-on-Trent, Staffordshire ST7 8BG

- 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 A Timmis against the decision of Newcastle-under-Lyme Borough Council.
 - The application Ref is 24/00155/OUT.
 - The development proposed is outline planning permission for 1 detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address is taken from the Appeal Form as it is more complete than that given in the Application Form.
3. The planning application was submitted in outline with all matters reserved for future consideration. I have had regard to the submitted Outline Planning Statement which describes how the site might be developed but have treated this as indicative when considering the likely impact of the proposal on the matters set out in the main issues below.

Main Issues

4. The main issues in this appeal are:
 - whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - the effect of the proposed development on the openness of the Green Belt; and
 - and if the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal site relates to an area of open land which forms part of a larger field located within the Green Belt. The appellant contends that the proposal could be classed as infill development.

6. The Framework establishes that development in the Green Belt should be regarded as inappropriate unless one of the specified exceptions applies. This includes under paragraph 154 e) limited infilling in villages and paragraph 154 g) limited infilling or the partial or complete redevelopment of previously developed land, which would not cause substantial harm to the openness of the Green Belt.
7. While the appeal site is close to the settlement boundary of Alsagers Bank, it is not within the village boundary. Therefore, the exception under paragraph 154 e) of the Framework does not apply.
8. Annex 2 of the Framework provides a definition of previously developed land. On the basis of the evidence submitted and my site observations, the appeal site has not been developed, nor is or was occupied by a permanent structure. Neither does the site comprise large areas of fixed surface infrastructure. As such, the site does not constitute previously developed land and so the exception under paragraph 154 g) of the Framework does not apply.
9. Policy S3 of the Newcastle-Under-Lyme Local Plan 2011 (October 2003) (the NuLLP) indicates that there is a presumption against any form of development in the Green Belt, subject to the listed policies. The appeal proposal would not satisfy any of the listed policies in Policy S3.
10. The appellant suggests that the appeal site has an expired planning permission. They have also pointed to Hill View which lies within the Green Belt and is said to have been built around 2015. However, I do not have full details of the circumstances that led to any planning permission being granted for those schemes and so I cannot be certain that they represent a direct parallel to the appeal proposal. In any event, I have considered the appeal proposal on its own merits.
11. The proposal would comprise inappropriate development in the Green Belt as it would fail to meet the exceptions listed in the Framework. There would also be conflict with Policy S3 of the NuLLP.

Openness of the Green Belt

12. Openness is an essential characteristic of the Green Belt that has spatial and visual aspects. The appeal site comprises part of an open field dotted with some trees.
13. The proposal would result in built development where there is presently none. The mass and bulk of the dwelling would inevitably erode the openness of the Green Belt in both visual and spatial terms. This is particularly the case as the site is part of an open vista from Hill Crescent, across open countryside.
14. Considering the above, the degree of harm to the openness of the Green Belt would be significant. This would be in addition to the harm associated with the inappropriate development in the Green Belt.

Other consideration

15. The proposal would deliver one new house, assisting the Government's aim of significantly boosting the supply of homes. However, given the small scale of the development, the benefits derived would be modest and carry moderate weight in favour of the proposal.

Other Matters

16. Access is a reserved matter in the appeal scheme so while the appellant has indicated a potential access point, I can only treat this as indicative at this stage and cannot assess it as a fixed element of the proposal.

Green Belt Balance and Conclusion

17. The Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that substantial weight should be attached to any harm to the Green Belt.
18. The proposal would constitute inappropriate development in the Green Belt to which I attach substantial weight. I have also found that the proposal would harm the openness of the Green Belt.
19. The Framework states that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.
20. The other considerations in this case do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the development do not exist.
21. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, the appeal should be dismissed.

U P Han

INSPECTOR