



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: 26 June 2025

Appeal Ref: APP/P3420/W/25/3359643

Land off Wesleyan Road, Ashley, Staffordshire TF9 4JT

- 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 Mr Wright against the decision of Newcastle-under-Lyme Borough Council.
 - The application Ref is 24/00161/OUT.
 - The development proposed is two detached dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline with all matters reserved for future consideration.

Main Issue

3. The main issue in this appeal is whether the appeal site would be served by suitable walking routes providing access to local facilities and sustainable modes of transport.

Reasons

4. The appeal site lies in open countryside and relates to a parcel of undeveloped land between Ashley Methodist Church and a dwelling on Wesleyan Road. There is an existing footpath and bridleway between the appeal site and Gravelly Hill. Regular bus services run along Gravelly Hill, which is close to the settlement boundary of Loggerheads.
5. An interested party has indicated that they walk on this footpath regularly, highlighting that it is a safe and pleasant route. However, the footpath is unlit, unsurfaced and relatively secluded. As a result, although it may only take five or so minutes to walk between the appeal site and the bus stops, it is unlikely to offer a safe or attractive route, particularly during hours of darkness or inclement weather. The absence of lighting, combined with the enclosed and isolated nature of the path would potentially deter use by future occupiers of the proposed development, particularly those with limited mobility or travelling alone.
6. The alternative walking routes to local facilities and bus stops would be along stretches of roads that are unlit and with no footpath in places, including Newcastle Road A53, which carries fast-moving traffic. As such, these walking routes would be unattractive or safe for pedestrians. Consequently, future occupiers would most

likely rely on the use of private vehicles to access everyday services, community facilities and employment.

7. For the reasons given, the appeal site would not be served by suitable walking routes providing access to local facilities and sustainable modes of transport. Accordingly, the proposal would be contrary to the sustainable development and sustainable transport objectives in paragraphs 110 and 115 of the National Planning Policy Framework (the Framework).

Planning Balance and Conclusion

8. The Council submits that all the policies that are most important for determining the appeal are out-of-date. No policies are therefore cited in the Decision Notice. The Council therefore considers that paragraph 11 d) of the Framework applies. In such circumstances, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 of the Framework sets out the specific policies referred to in paragraph 11 d) ii).
9. In assessing the most relevant policies referred to in Footnote 9, I find that the proposal would conflict with paragraphs 110 and 115 of the Framework. This is because the appeal site would not be served by suitable walking routes providing access to local facilities and sustainable modes of transport choices, thereby likely increasing private car transport. This is a serious shortcoming of the proposal, and I attach significant weight to this harm in the planning balance.
10. On the other hand, the proposal would deliver two additional houses, contributing to housing supply and supporting the Framework's objective of significantly boosting the supply of homes. It would provide economic benefits during construction and in subsequent occupation. However, given the small scale of the development, the benefits would be modest and carry moderate weight in the planning balance.
11. Taking all matters into account, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
12. While I have no basis to find that the proposal conflicts with the development plan, material considerations, including the Framework, indicate that the appeal should be decided other than in accordance with it. For the reasons given above, the appeal should be dismissed.

U P Han

INSPECTOR