



Appeal Decision

Site visit made on 17 July 2025

by **C Billings BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 August 2025

Appeal Ref: APP/M3455/W/25/3365075

Former Red Lion Pub site, Ruxley Road, Stoke-on-Trent, ST2 9BN

- 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 Mr Sajid Hussain against the decision of Stoke-on-Trent City Council.
- The application Ref is 70516.
- The development proposed is residential development to create 4 No. 2-bed houses and 2 No. 2-bed apartments, involving the change-of-use from former Pub (A4) to Residential (C3a).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted updated and amended details with its appeal submission, including a Tree Constraints Report (dated 29.11.2024), an updated Design & Access Statement (dated 02.05.25), and revised drawings, including Proposed Site Plan (dwg no. Pr-050-SP02 Rev C) and Swept Path Analysis- Fire Tender (dwg no. TSP/2504/ATR01 Rev A). Such documents and plans were not considered by the Council in reaching its decision and so, I cannot be sure that all relevant parties have had the opportunity to review and comment on them.
3. Furthermore, the amended site plan includes some substantive differences to the proposed access and area in front of the proposed dwellings, including a revised kerb line to the site entrance, changes to the parking and turning areas and revised positions of the bin store and bike shelter within the appeal site. It also includes changes to the garden of house 1 and the introduction of gravel pathways to the side of the gardens of houses 1 and 4. Therefore, in the interests of fairness, I have considered the appeal proposal on the basis of the original plans and documents and not the amended or revised versions.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area;
 - highway safety; and,
 - whether the proposed dwellings would provide suitable living conditions for future occupiers.

Reasons

Character and appearance

5. The appeal site comprises a vacant, overgrown site, with some areas of hardstanding, set within a predominately residential area. There are a number of

significant large trees and vegetation along three sides of the site, including trees protected by a tree preservation order to one side. The trees are attractive verdant features which provide positive benefits to the character and appearance of the surrounding area. Existing dwellings in the local area are predominately two storeys and front toward their respective road frontages, although there is a mix of house type and design evident. Also, to one side of the appeal site is a single storey building which is a Jehovah Witness Kingdom Hall.

6. The appeal proposal is a scaled back scheme compared to a previous proposal. It would deliver additional dwellings on an unkempt, brownfield site in an area where the principle of residential development is generally supported by national government guidance. However, government guidance also requires well-designed places, ensuring that developments add to the overall quality of an area, are visually attractive and sympathetic to local character. It also sets out that trees make an important contribution to the character and quality of urban environments.
7. Even though there is a variety of house type and design features used in the surrounding area, the proposed development would be a large, tall 2.5 storey high, conjoined building. While the central link element of the proposed building would be of a lower height than the other parts of the building, this would not discernibly break up the overall mass of the proposed building. As a result, the building would be an overly large, bulky form of development, not comparable to the scale and form of existing dwellings in the local area. Also, although it is proposed to use red brick and render, as used on existing dwellings nearby, and the windows and door detail seek subtle contemporary features, the elevation treatment of the proposed development lacks detail and interest. This would create a relatively bland frontage and utilitarian form of development, not comparable with the general design of dwellings in the surrounding area.
8. Additionally, as the proposed development would not front toward the road, it would not follow the prevailing character of dwellings found within the surrounding area in terms of its siting. Therefore, by virtue of its proposed scale, form, siting and design, the proposal would appear as an unsympathetic and incongruous form of development in the local area.
9. It is intended to retain the existing trees to the site perimeter as part of the proposed soft landscaping and, the trees would provide some screening of the proposed development from certain viewpoints. However, the proposed extensive areas of hardstanding for parking and manoeuvring and the fenced gardens of the proposed houses would be harmfully visually dominant from within the street scene in the gap at the site access and on approach down the hill. Also, based on the originally submitted tree information and in view of the likely close proximity of the proposed dwelling block to trees, including the windows in the rear elevation, it is unclear whether the proposal would harmfully impact on the integrity of the existing trees, or place future pressure for the pruning and removal of the trees. Any subsequent impact or loss of the existing trees would have a harmful effect on the character and appearance of the surrounding area.
10. In view of the above, the proposal would have a harmful effect on the character and appearance of the surrounding area, in conflict with Policy CSP1 and Strategic Aim 16 of the Newcastle-Under-Lyme and Stoke-on-Trent Core Spatial Strategy (October 2009) (CS), which amongst other matters, seek good quality design and

that new development respects the character, identity and context of Newcastle's unique townscape and landscape.

Highway safety

11. The site is situated toward the corner of Ruxley Road and Townsend Place and has a stone retaining wall along much of its road frontage along Ruxley Road, set immediately at the road edge, with no intervening footway. Due to the wall, existing tree and other vegetation to the site frontage, the rising topography of the road and location of the appeal site on a bend, I observed during my site visit that visibility is restricted to the right on exit from the site. Also, the local highway authority, set out that it has not been demonstrated that all the proposed parking spaces are useable and that the proposed manoeuvring areas are adequate to allow larger vehicles to exit the appeal site in forward gear.
12. Despite the previous use of the site, due to the adjacent road layout and obstructions to visibility at the site access, a safe means of access for the proposed dwellings would not be provided. Also, without adequate space within the site to serve the parking requirements of the proposed development and that all types of vehicles would unlikely be able to manoeuvre and leave the site in forward gear, this would add to the danger of highway users. Therefore, the proposed development would likely have a detrimental impact on highway and pedestrian safety.
13. In view of the above, the proposed development would have an unacceptable impact on highway safety, in conflict with Policy SP3 of the CS, which amongst other matters, requires increased safety of travel by ensuring developments adopt design principles which work to create safer environments and where appropriate by delivering infrastructure improvements with new development.

Living conditions

14. Due to the location of the proposed dwellings to the large existing trees, the trees would cause significant overshadowing of the gardens of the proposed apartment garden areas, detrimentally limiting the amount of useable outdoor space for the occupiers of these units. Also, due to the close proximity of the trees to proposed habitable room windows, this would negatively impact on the outlook from some of the proposed dwelling units. The main entrances to some of the proposed dwellings would be on the side elevations, where natural surveillance would be limited by the location and proximity to existing trees. This would likely have a negative effect on the well-being of the future residents, including in relation to fear of crime. Additionally, I have not been provided with substantive information with regard to the proposed internal floor areas of the apartments, to ensure a suitable level of internal floorspace would be provided for the future occupiers.
15. Having regard to the above, the proposed development would not provide suitable living conditions for its future occupiers, in conflict with Policy CSP1 and Strategic Aims 4 and 16 of the CS, which amongst other matters, require quality development, including that new development has public and private spaces that are safe and attractive and contributes positively to healthy lifestyles.

Other Matters

16. Even if the Council did not provide the opportunity for amended details to be submitted during the application process, such actions of the Council are neutral matters in regard to my findings on the main issues. Although, the appeal process is not the appropriate stage to progress a development proposal.
17. Also, while the appeal site is not within the Green Belt, a Conservation Area, near other heritage assets, nor in an area with ecological designations or at risk of flooding, these are not matters which affect my findings on the main issues.

Conclusion

18. For the above reasons, I find that the proposal conflicts with the development plan taken as a whole and material considerations do not indicate a decision should be made other than in accordance with it.
19. Accordingly, the appeal should be dismissed.

C Billings

INSPECTOR