



Appeal Decision

Site visit made on 2 September 2025

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Appeal Ref: APP/B3438/W/25/3367834

Land at Basford View, Cheddleton, Staffordshire ST13 7HJ

- 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 F Pegg against the decision of Staffordshire Moorlands District Council.
 - The application Ref is SMD/2024/0479.
 - The development proposed is a single dwelling with all matters other than access reserved.
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Decision

1. The appeal is allowed and planning permission is granted for single dwelling with all matters other than access reserved at land at Basford View, Cheddleton, Staffordshire ST13 7HJ in accordance with the terms of the application, Ref SMD/2024/0479, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal is submitted in outline form with all matters reserved besides access. As such, I have treated the submitted plans as indicative only, albeit they show how the site could be developed.

Main Issues

3. The main issues in this appeal are as follows:
 - Whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies.

Reasons

Whether Inappropriate in the Green Belt

4. The appeal site comprises a square parcel of land bound by hedges and trees. Access is taken from Basford View to the south, which is a narrow track that runs from the A520 road to the west. To the west is a detached property while to the east is a row of terraced properties with garages which are aligned perpendicular to the track. The proposal seeks outline planning permission for the erection of a single detached dwelling.
5. Paragraphs 154 and 155 of the National Planning Policy Framework (the Framework) list exceptions to the presumption against development in the Green Belt. Of relevance to the proposal is paragraph 155(a) which advises that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where points a - d apply.

6. Policy H1 of the Staffordshire Moorlands Local Plan (LP) (adopted September 2020) states with regards to new housing development that when said development is located in the Green Belt, national Green Belt Policy will apply. Policy SS10 seeks to maintain the Green Belt within Staffordshire Moorlands. Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy
7. I note the Council does not dispute that the appeal site could be considered as grey belt, and that it would not conflict with sections b, c and d of paragraph 155. From my observations on the site visit, the narrow access lane, sporadic spread of built form, open fields to the north, spacious and verdant character of the local area alongside the location away from the main area of built form of Cheddleton gave the area a rural character typical of the countryside. The introduction of a dwelling, hardstanding, parked vehicles and inevitable domestication of the site would therefore result in some limited encroachment, contrary to paragraph 143(c).
8. However, to my mind this would not fundamentally undermine the purposes of the remaining Green Belt across the plan area given the size of the site and presence of other built form in the immediate area. As such, in this instance, I consider the proposal would meet the exception given in paragraph 155(a) and would not be inappropriate development in the Green Belt. This would accord with the approach to development in the Green Belt in section 13 of the Framework and policies H1, SS1 and SS10 of the LP which generally follow Green Belt guidance in national policy.
9. In these circumstances, it is not necessary for me to consider any effects on openness of the Green Belt, or whether there are any very special circumstances to justify the development.

Conditions

10. I have had regard to the conditions suggested by the Council and the advice on planning conditions set out by the Framework and the Planning Practice Guidance (PPG). In the interests of clarity and enforceability, I have made some changes to the wording. Any conditions which require details to be agreed prior to the commencement of any works have been agreed in writing with the appellant.
11. For certainty, I have set out the reserved matters as well as the timescale for their submission and the commencement of works. A condition is also necessary, for certainty and enforceability, requiring that the development is carried out in accordance with the approved plans.
12. To protect and enhance the character and appearance of the area, conditions are necessary to secure details of facing materials and a scheme of hard and soft landscaping.
13. In the interests of control of pollution and flood risk, a condition to agree to drainage schemes for foul and surface water is necessary. To preserve potential remains, a program of archaeological works is necessary as is a condition to ensure the proposal is developed in accordance with the ecological appraisal to enhance biodiversity and safeguard protected species.

14. To preserve highway safety, further conditions to agree details of the point of access from the highway, turning within the site, refuse collection and parking are also necessary.
15. A further condition to remove permitted development rights relating to Part 1, Classes AA, A, B, C and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is also recommended by the Council. However, the PPG advises¹ that this may not pass the test of reasonableness or necessity. I note the reasons given are to protect the character and appearance of the area and living conditions of residents. However, there are no particular concerns before me relating to any of those issues. Any development undertaken under these provisions of the GPDO would still be subject to the restrictions given and as such I do not consider this condition is either necessary or reasonable. I have therefore omitted it.

Conclusion

16. The proposal would not be inappropriate development in the Green Belt. As it would not conflict with the policies in the Framework that protect the Green Belt, it has not been necessary to assess other considerations nor for very special circumstances to exist. Therefore, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions in the schedule below.

C McDonagh

INSPECTOR

¹ Paragraph: 017 Reference ID: 21a-017-20190723

SCHEDULE OF CONDITIONS

1. An application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
3. The development hereby permitted shall be carried out in accordance with the following drawings: Location Plan, Dwg No. 2023-2850-03; Site Plan, Dwg No. 2023-2850-02.
4. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use.
5. The development hereby permitted shall not commence until an Archaeological Project Design shall be submitted for the written approval of the Local Planning Authority. The Archaeological Project Design shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and appropriate publication. The archaeological site work shall thereafter be implemented in full in accordance with the Archaeological Project Design approved. The development shall not be occupied until the site investigation and post- excavation assessment has been completed in accordance with the Archaeological Project Design approved and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.
6. The development hereby permitted shall not commence until full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - Layout of site and disposition of buildings and provision of adequate parking and turning within the site curtilage. Provision of parking shall be in accordance with Staffordshire Moorlands District Council's adopted parking standards. All parking spaces shall be a minimum width of 2.4m and a minimum length of 4.8m per car. Any garages shall have minimum internal dimensions of 6x3m for a single garage or 6x6m for a double garage.
 - Refuse collection.

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development

7. The development hereby permitted shall not commence until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- Means of enclosure.
- Hard surfacing materials.

Soft landscape details shall include:

- Planting plans.
- Written specifications (including cultivation and other operations associated with plant and grass establishment).
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate.
- Implementation timetables.

The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

8. No development above ground level shall commence until details of all facing and roofing finishing materials in terms of their type, colour and texture shall be submitted to and approved in writing by the Local Planning Authority and the approved materials shall be used in the construction of the development.
9. The development hereby permitted shall not be occupied until the access drive has been provided in accordance with DWG.2023-2850-02 and shall thereafter be retained for the lifetime of the development.
10. The development shall be undertaken in accordance with Section 5 of the Peak Ecology Preliminary Ecological Appraisal and Baseline BNG report dated 09/09/24 and the ecology measures outlined shall be provided before the development is first brought into use.

END OF SCHEDULE