
Appeal Decision

Site visit made on 23 September 2025

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/K3415/W/24/3357641

Rose Bower, Stafford Road, Lichfield, Staffordshire WS13 8HZ

- 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 and Miss S and S Oceans and Starkey against the decision of Lichfield District Council.
 - The application Ref is 24/00588/COU.
 - The development proposed is change of use of domestic outbuilding to dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to 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 local policies; and
 - the effect of the proposal on highway safety and, linked to this, whether the site is in a suitable location for the proposed use with regard to access to services and facilities.

Reasons

Whether Inappropriate Development

3. The appeal building is an outbuilding associated with Rose Bower, a two-storey detached dwelling. The land surrounding Rose Bower is irregularly shaped, and the outbuilding is positioned a modest distance from the main house. There is a further outbuilding situated between these two structures, which the appellant indicates is currently used as an annexe to the dwelling.
4. Policy NR2 of the Lichfield Local Plan Strategy (LPS) states that the construction of new buildings is regarded as inappropriate in the Green Belt, unless it is for one of the exceptions listed in the Framework. While the proposal is not for a new building, the Framework clarifies that all new development in the Green Belt is inappropriate development unless it complies with various exceptions. This includes Paragraph 154h)iv) of the Framework that identifies that the re-use of buildings, provided that the buildings are of permanent and substantial construction, would be considered to be not inappropriate development in the Green Belt provided it preserves its openness and does not conflict with the purposes of including land within it.

5. The proposal seeks to re-use the existing building. It is agreed by both parties that the building is of permanent and substantial construction and based on the evidence presented and my site observations, I concur with this assessment.
6. The land associated with the appeal building is already used in connection with Rose Bower, a residential property. As a result, residential paraphernalia is present across the wider site, including around the appeal building. While the proposal may result in a clearer delineation of land associated with each property, fencing could be erected under permitted development rights, and I have not been made aware of any restrictions on Rose Bower's rights in this regard. Similarly, vehicles could already be parked on the site given its residential use. As these are not permanent structures, their presence would be intermittent. Furthermore, such development and paraphernalia would typically be limited in scale and taking into consideration the site characteristics, bound by hedges and set back from the roadside, there would be limited views of it. Therefore, any additional development or paraphernalia of a similar nature would have only a minimal effect on the openness of the Green Belt.
7. The proposed path between the two outbuildings on the wider site would only be for a limited distance and at ground level which would limit its impact on openness. No additional hardstand is proposed, however, even if hardstanding were introduced, its ground-level nature would mean its effect on openness would be very limited, particularly as it would likely be screened by the building and the surrounding boundary treatment.
8. For all these reasons, any change in the appearance of the site would be negligible and the openness of the Green Belt would be preserved.
9. The appeal site is already in residential use, and the proposal does not seek to extend the area of land used for residential purposes. As such, the development would not result in further encroachment into the countryside and would assist with safeguarding it from such intrusion.
10. The Council has not identified any conflict between the proposal and the other purposes set out in paragraph 143 of the Framework. Based on the evidence before me, I find no reason to conclude otherwise.
11. Therefore, for the reasons given above, the reuse of the building would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. Consequently, the proposed development would be not inappropriate development in the Green Belt and would comply with paragraph 154h)iv). As a result, the proposal would accord with Policies NR2 and CP13 of the LPS which state, amongst other matters, that the construction of new buildings is regarded as inappropriate development in the Green Belt, unless it is for one of the exceptions listed in the Framework.

Highway Safety and Location

12. The appeal site is in the countryside and accessed via a service road serving a small cluster of buildings, including a secondary access to the Plant Plot garden centre. This road connects to the A51 (Stafford Road), a two-way carriageway with a 60 miles per hour limit. The proposal would reuse an existing 3.2 metre(m)-wide access, which generally accords with Staffordshire County Council Residential Design Guide. The service road does not have a pedestrian footpath and on either

side of it and is a shared surface. The service road is limited in length, very few buildings take access from this road and as vehicles would be travelling along it at slow speeds, pedestrians and other road users accessing the appeal site via this service road would not cause significant highway safety concerns. The shared surface design of the service road would generally be consistent with the guidance in Manual for Streets. Visibility from Stafford Road is clear for a significant distance, and the junction with Stafford Road has 215m visibility splays, complying with Design Manual for Roads and Bridges standards. The junction is also wide enough, based on the submitted evidence, for two-way vehicular movements from it.

13. Lichfield, a substantial settlement offering a wide range of services, lies to the south of the site, with many, though not all, services and facilities located approximately 2 kilometres away via Stafford Road. Pedestrians and cyclists would need to cross Stafford Road to travel towards Lichfield. Many facilities would be less than 2 kilometres from the appeal site and Manual for Streets acknowledges that trips on foot within this distance offer the greatest opportunity to replace short car trips. If a safe and suitable pedestrian route was available, then those services and facilities would not be located at such a distance as to be unreasonable for most pedestrians to walk to along Stafford Road that does have streetlights.
14. The availability of bus services would partly mitigate the distances involved and would provide an alternative option during inclement weather, as the southbound bus stop, which provides services throughout the day into Lichfield, has a shelter and real time information. Given that the bus stops are only located slightly further than the maximum walking distances recommended in the Chartered Institute of Highways and Transportation's Guidelines for Planning for Public Transport in Developments, they are generally within a reasonable distance from the site. Similarly, for those cycling from the site, services and facilities would be within around 5km from the appeal site which would not be an unreasonable distance for most cyclists to travel.
15. The appeal site, via the service road, is located on the western side of Stafford Road and there is no footpath on this side of Stafford Road, and the eastern side has an overgrown, narrow made surface. Whilst the appellant has offered to remove the overgrowth, there is no certainty or mechanism before me that would ensure this would be maintained thereafter, particularly as this is on land outside of the appellant's ownership. Although permission exists for a footway and crossing near the Plant Plot junction, it is distant and requires crossing grass verges, making it impractical for most users. The owner of the Plant Plot site has said that the occupiers could walk through the site, but this relies on private land where the submitted plans for that site show the pedestrian gate to have a fob entry system. There is no legal agreement before me that would secure access through the Plant Plot site for the occupiers of the dwelling at all times and without it, there would be no safe and suitable access to the approved Plant Plot crossing from the appeal site.
16. Given the road's width, permitted speeds, and lack of crossing facilities near the service road, crossing would pose significant safety risks, particularly for children and those with limited mobility. The converted dwelling would contain a single bedroom; however, it cannot be guaranteed that children or individuals with limited mobility would never occupy the property. While vehicles may slow near the

roundabout and occasional gaps in traffic may occur due to the signal-controlled junction to the south, there is insufficient substantive evidence regarding actual vehicle speeds or the duration of such gaps to confirm that pedestrians and cyclists could cross safely. The proposal relies on pedestrians and cyclists crossing this road, which would increase potential conflicts with other road users, especially vulnerable ones. Although cycling to Lichfield may be feasible once across, the need to cross Stafford Road remains a critical concern. Despite the limited movements associated with a single dwelling and the absence of recent recorded accidents, the scheme fails to demonstrate safe and suitable access for pedestrians and cyclists. Consequently, I am not persuaded that future occupiers would regularly choose walking or cycling as practical options for accessing services and facilities in Lichfield.

17. The appellant has suggested that they would be willing to install a dropped kerb and tactile paving on Stafford Road near to the appeal site, but I do not have plans before me to indicate how this would be delivered or whether such development could be located safely with regard to highway safety. As it has not been demonstrated that such development would be appropriate, I have had regard to the scheme that is before me.
18. Several commercial facilities are located within the Plant Plot, providing for some day-to-day needs of the future occupiers. However, these primarily offer convenience shopping, and residents would still need to travel for employment, education, healthcare, and social activities, most likely into Lichfield. In the absence of safe and suitable access to bus services or the nearby footpath, occupiers would be largely dependent on private car use to meet their daily requirements.
19. The inclusion of an electric vehicle charging point would support the use of electric vehicles as a sustainable transport option. However, this measure alone would not remove the reliance on private motor vehicles for accessing essential services, nor would it deliver the health and environmental benefits associated with regular active travel such as walking and cycling.
20. With regard to the nearby converted dwelling known as Lyncroft Villa, while the occupiers still have to cross the road, the dwelling is closer to the footway network and facilities in Lichfield than the appeal building. Additionally, there is limited substantive evidence that occupiers of nearby properties do regularly walk or cycle into Lichfield rather than rely on private car use.
21. Although pedestrians and cyclists could cross Stafford Road to reach the Plant Plot, the footpath on the opposite side of the main access is wider and more easily accessible to most users than the narrow, overgrown path adjacent to the appeal site and like Lyncroft Villa the Plant Plot is closer to the footway network and facilities in Lichfield. The Plant Plot is a commercial destination rather than a residential property where daily travel to services and facilities would be required which is a material difference between the schemes.
22. The Framework recognises that opportunities to maximise sustainable transport will vary between urban and rural areas. Nevertheless, while the site is rural and movements from a single dwelling would be limited, the proposal fails to provide a genuine choice of transport or prioritise sustainable modes. Future occupiers would therefore remain highly dependent on private car use for day-to-day needs.

23. For the reasons given above, the proposed development would not provide a safe and suitable access for all users. Furthermore, given the difficulties in using alternative transport options to access services and facilities, the proposal would not be in a suitable location for the proposed use. Consequently, the development would not accord with Core Policies 1, 3 and 6, as well as Rural Policies 1 and 2 of the LPS insofar as they expect development, amongst other matters, to be located where it will reduce the overall need to travel, whilst optimising choice of sustainable modes of travel, particularly walking, cycling and public transport.

Other Matter

24. The Council also refused permission due to the potential for adverse effects on the Cannock Chase Special Area of Conservation (SAC). Whether or not the submitted planning obligation would provide adequate mitigation, as I am dismissing the appeal for other reasons, no significant effects will arise from my decision.

Planning Balance and Conclusion

25. The proposed development would deliver a single dwelling. Although the Council can demonstrate a five-year housing land supply, the addition of one unit would make a modest but positive contribution to maintaining this position. The conversion of the building into a residential dwelling would also support the local economy in both the short and long term. Furthermore, the reuse of the appeal building represents efficient use of land, consistent with the objectives of the Framework, which weighs in favour of the proposal. The scheme would include an electric vehicle charging point alongside sustainability enhancements such as solar panels which would provide environmental benefits. Subject to a S106 agreement the scheme would ensure that any combined effects on the integrity of the SAC are appropriately mitigated. In light of these considerations, I afford moderate weight to the benefits of the development.
26. However, the proposal would fail to provide a safe and suitable access for all users and would not be located in a suitable location for the proposed use when assessed against local policies. This would result in an unacceptable impact on highway safety. For the reasons given above, the development would conflict with relevant development plan policies, and I attribute significant weight to this conflict and the associated harm. The proposal would not accord with the development plan as a whole.
27. Consequently, even when considered cumulatively, the benefits of the development do not outweigh the identified harms. Accordingly, the material considerations do not indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

G Sibley

INSPECTOR