



Appeal Decision

Site visit made on 6 August 2026

by **A A Phillips BA(Hons) DipTP MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th August 2026

Appeal Ref: APP/B3438/C/25/3371728

The Land to the East of Ross Road, Staffordshire ST10 2JF

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr C Maddock of Nationwide Silo Access Ltd against an enforcement notice issued by Staffordshire Moorlands District Council.
- The notice was issued on 24 July 2025.
- The breach of planning control as alleged in the notice is the erection of four gate posts and further works including walls attached to the posts to form the main entrance to an approved new dwelling and holiday let building in the form of a rebuilt stone stables building.
- The requirements of the notice are to remedy the breach by removing the gate posts and walls attached to the posts, highlighted red on photograph EN2.
- The period for compliance with the requirement is 6 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (f) of the Town and Country Planning Act 1990 (as amended).

Summary of decision: The appeal is dismissed, the enforcement notice is upheld and the application deemed to have been made is refused.

The appeal on ground (a)

1. The ground of appeal is that planning permission should be granted. The main issues are the effect on the character and appearance of the area and whether the development preserves the setting of the Grade II Listed Buildings, Eavesford Farmhouse and Barn approximately 25 metres North-East of Eavesford Farmhouse, and any of the features of special architectural or historic interest that they possess.

Character and appearance

2. The site is in the countryside South-West of Whiston, next to Ross Road and close to Heath House Farm and agricultural buildings at Eavesford Farm, which includes two Grade II listed buildings. The appeal site has planning permission for rebuilding a former stable block as a home and holiday let, although it has not yet been completed. There is an existing approved vehicle access further north on Ross Road.
3. Although walls and gates exist in the area, local entrances to farmsteads and other properties are typically simple, using hedges, low stone walls and agricultural gates. The four gate posts and attached walls form a relatively large, formal and dominant feature which is out of keeping with the area's rural character. Hedgerow planting could partly screen the development, but the piers and associated walls would still be clearly visible from Ross Road and would be intrusive in the rural setting. The appellant has argued that the stone piers match the stable block and were reclaimed from the original site, but the evidence presented is insufficient to

firmly support this or to clearly show that the original stable block had a similar grand entrance.

4. Therefore, I conclude that the gate posts and walls do not reflect the traditional appearance of agricultural buildings or stables in the surrounding countryside and are at odds with the rustic, agricultural setting within the rural landscape. Consequently, the development is harmful to the character and appearance of the area and conflicts with Policy DC1 of the Staffordshire Moorlands Local Plan Adopted September 2020 (the LP), which requires developments to be well designed and reinforce distinctiveness by positively contributing to and complementing the special character of the area.

Heritage

5. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest.
6. Grade II Listed Eavesford Farmhouse was first listed in December 1986 and is described as *"Farmhouse built in the mid-seventeenth century with mid-nineteenth and twentieth century alterations. Coursed dressed square red sandstone ashlar quality; tiled roof; verge parapet with pitched copings; brick end stacks and end ridge stack above entrance. It has an L-shaped plan with two storeys and a gable-lit attic, 3 window front; twentieth century casements in seventeenth century chamfered reveals, formerly mullioned; gable over left handed end with small attic window; further small light to right of centre set over entrance which has a boarded door. Right gable has fire mark, gable to rear has circular twin-shafted stack"*.
7. The Grade II Listed Barn approximately 25 metres North-East of Eavesford Farmhouse was first listed in December 1986 and is described as a *"seventeenth century barn with addition dated 1840. Coursed dressed and squared stone; tiled roof; verge parapets. L-shaped plan of hay lofts over cattle sheds. Range farthest from house has vent to loft and door to centre with lintel inscribed with coat-of arms and "J B 1840", possibly referring to the Beeches family, landowners in the vicinity. The east range has 2 doors, the inner with heavy lintels; the gable facing the house has 2 chamfered reveals, one to the apex and an opening below retaining one chamfered mullion"*.
8. The special interest of the listed buildings is their traditional design, form and materials, the continued presence of many original historic and architectural features and detailing, evidence of historic development over the years, their close relationship with one another as part of the farmstead and their role in agricultural activities in the local countryside over the years.
9. The two Grade II listed buildings are located approximately 75 metres from the appeal site. However, views of the listed buildings are blocked by large portal-framed agricultural buildings and a two storey brick and blockwork barn which abuts the highway. These dominate the setting of the listed buildings and consequently, there is little clear visible relationship between the appeal site and the historic assets. Furthermore, due to other buildings in the immediate vicinity of the listed buildings, their close and wide settings and their association with the surrounding land have been significantly compromised already.

10. Although I have concluded that the development is harmful to the character and appearance of the area, as a consequence of the distance, the lack of inter-visibility between the site and the listed buildings and the presence of large agricultural buildings, I do not consider that the development affects the setting of the listed buildings and their relationship with the surroundings. For these reasons I conclude that the development preserves the setting of the nearby Grade II listed buildings and does not detract from their significance. It therefore accords with Policy DC2 of the LP which seeks to ensure that developments conserve and where possible enhance heritage assets and their setting.
11. I have concluded that the development is harmful to the character and appearance of the area. Although it is acceptable in terms of preserving the setting of the nearby Grade II listed buildings, that is neutral in the planning balance. The development conflicts with the development plan and there are insufficient other considerations in this case to outweigh this finding. Therefore, the appeal on ground (a) is dismissed and the application deemed to have been made is refused.

The appeal on ground (f)

12. The ground of appeal is that the steps required by the notice to be taken exceed what is necessary to achieve the purpose. The purposes of an enforcement notice are set out in s173 of the Act and are to remedy the breach of planning control (s173(4)(a)) or to remedy injury to amenity (s173(4)(b)). Since the notice requires the gate posts and walls attached to the posts to be removed, the purpose is to remedy the breach. Leaving any parts in place would not achieve that purpose.
13. I have also considered the detailed arguments regarding permitted development allowances and lesser steps, but those are neutralised by the fact that, according to the evidence before me, such rights (including those for Part 2 Class A) have been removed by previously granted planning permission.
14. Therefore, given the above I conclude that the appeal on ground (f) fails.

Formal Decision

15. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

A A Phillips

INSPECTOR