
Appeal Decision

Site visit made on 27 May 2026

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 June 2026

Appeal Ref: 6005198

Land off Newport Road, Gnosall, Staffordshire ST20 0BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant planning permission for a hybrid application for full and outline planning permission.
 - The appeal is made by Ms Carole Pickin against the decision of Stafford Borough Council.
 - The application Ref is 24/40076/FUL.
 - The development proposed is hybrid application seeking outline planning permission for the erection of 19 dwellings with all matters reserved except for means of access and detailed permission for the conversion of a barn into a dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mrs Carole Pickin against Stafford Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. During the Council's determination of the application the appellant submitted, amongst other things, a revised illustrative layout plan, which reduced the number of dwellings being sought under the outline element of the application from 19 to 17. It also included a pedestrian link to Wharf Road and a Biodiversity Net Gain (BNG) mitigation/planning area as well as a footpath along the internal access road. I understand that the Council did not accept this amendment and the application was determined as originally submitted.
4. It has been requested that I consider the revised scheme as part of my determination of this appeal. However, it includes a substantial and fundamental change to the application that was considered by the Council. Considering the revised scheme would cause procedural unfairness to interested parties and deprive those entitled to be consulted on an application the opportunity to make representation. As such, my decision is based on the proposed development considered by the Council when the application was determined. This includes the illustrative layout plan showing 19 dwellings covered by the outline element of the application, and I have taken this plan into account for indicative purposes only.

Main Issues

5. The main issues are the effect of the proposed development on:
- the character and appearance of the area, including upon green infrastructure;
 - highway safety, with particular regard to footway provision along the south side of Newport Road and the access arrangement on Wharf Road; and
 - whether the proposal would make adequate provision for BNG.

Reasons

Character and appearance

6. There is no dispute between the parties that the site is designated as green infrastructure in The Plan for Stafford Borough 2011-2031 (PSB) and within the settlement boundary of Gnosall. The site is located between Newport Road and Wharf Road, to the rear of traditional cottages, a modern residential development, a community fire station and a hot food takeaway that are positioned towards the junction of these roads. Ground levels rise along its southwestern and northwestern boundaries as well as its northern boundary, where it backs onto existing housing and shares a boundary with Newport Road respectively.
7. The application form states that the site's existing use is grazing land and whilst there was no livestock present at the time of my visit, the condition of the grass with the greater variety of vegetation to much of the site's boundaries gave it a very pleasant rural agricultural landscape. This is also complemented by the low traditional stone wall along Wharf Road. Moreover, due to the open nature of the site's boundary to Wharf Road and at the existing access off Newport Road, it is seen as an open field within a sunken bowl, adding to its landscape quality. Whilst not accessible to the public, the site meets the National Planning Policy Framework's (the Framework) definition of green infrastructure.
8. Except for an area containing an attenuation pond adjacent to the site's boundary with The Rank and a narrow strip of land, containing a seating and play area, next to the existing barn on the site, the illustrative layout plan shows the vast majority of all other undeveloped land within the curtilage of the proposed dwellings. This would result in the loss of the site's existing open countryside character and appearance, which I found to be a rural oasis surrounded by built development and a positive contribution to the locality's sense of place. The urbanising impact of the proposed development would be highly visible from public vantage points as well as surrounding properties. Moreover, due to the site's positioning within the built-up area of Gnosall, its contribution on the character and appearance of the area is unique to this setting.
9. Although matters including landscaping and layout are reserved, on the basis of the evidence before me and from my observations, I am not satisfied that the quantum of development being sought could be delivered on the site in a manner that would be landscape led, which would respect the site's natural features and the wide range of benefits it currently delivers.
10. For the above, reasons, the proposed development would cause significant harm to the character and appearance of the area, including upon green infrastructure.

This would conflict with PSB Policy N1, which includes the need for high design standards that take into account the local character, context, density and landscape. Moreover, it would be contrary to PSB Policy N4, which seeks to protect, enhance and expand the Borough's defined green infrastructure by requiring, amongst other things, new developments to be set within a well-designed and maintained green setting and provide a variety of spaces to meet the needs of people and nature.

Highway safety

11. The Highways Report accompanying the proposals identifies that the frontage accesses to serve the 2 new dwellings off Wharf Road would not be able to achieve the required visibility splays looking to the left out of each access. Research carried out for 'Manual for Streets 2', which found no evidence that a failure to provide visibility in accordance with values recommended in Manual for Streets or the Design Manual for Roads and Bridges actually resulted in an increased risk of injury collisions, is not before me. Moreover, assertions that there are a number of accesses on Wharf Road with restricted visibility splays have not been substantiated. In light of this and the absence of data to demonstrate that the speed of vehicles on Wharf Road is below the 30mph speed limit, I cannot conclude with reasonable certainty that the visibility splays to the new accesses off Wharf Road would not lead to unacceptable harm to highway safety.
12. To the west of the site's existing access off Newport Road, which would be utilised by the proposed development, is a narrow footway. Although it is not suitable to all users, there is an alternative wider footway to the opposite side of Newport Road. Moreover, the footway is wider to the east of the access that leads towards a range of services and facilities as well as bus stops.
13. The provision of footways of suitable width on both sides of Newport Road is clearly desirable, and the appellant has also suggested a pedestrian crossing could be secured via a condition. Due to the alternative footway provision within the immediate vicinity of the Newport Road access, I am satisfied that in this case it would not result in an increase in potential conflicts between pedestrians and vehicles to the detriment of highway safety.
14. In conclusion I have found that the existing narrow footpath to the west of the Newport Road access would not unduly restrict safe and suitable access to the site for all users. This accords with PSB Policy T1 that includes the need to encourage walking and cycling through links to existing routes. However, I have identified harm to highway safety as a result of inadequate visibility splays from the new accesses off Wharf Road. Accordingly, I conclude that the proposed development would have an unacceptable effect on highway safety, with particular regard to the access arrangement on Wharf Road. This conflicts with PSB Policy T2, which requires, amongst other things, all new developments to have safe and adequate means of access and not materially impair highway safety.

BNG

15. Schedule 7A of the Act introduced a statutory framework for BNG and, with some exceptions, every grant of planning permission is deemed to have been granted subject to the Biodiversity Gain Condition (BGC). This requires that at least a 10% increase in biodiversity value is met. It follows that the proposal is subject to the general BGC, as set out in the Act.

16. The submitted Biodiversity Statement and Biodiversity Metric state that the proposal would result in the loss of 3.79 habitat units, which represents a 70.03% negative change. Concluding that it would not be possible to compensate for the loss of habitat within the application site, the statement highlights that at least 4.34 habitat units and 0.01 hedgerow units would be required. In this case it is indicated that this would be achieved off-site and it would also need to meet the metric trading rules. This would be secured by the BGC.
17. I am mindful that the Planning Practice Guidance (PPG) states that it would generally be inappropriate for decision makers, when determining a planning application for a development subject to BNG, to refuse an application on the grounds that the BNG objective will not be met. However, the PPG continues that decision makers may need to consider more broadly whether the BNG condition is capable of being successfully discharged, with matters for consideration including the appropriate balance expected between on-site gains, off-site gains and the use of statutory biodiversity credits for the development, taking account of the Biodiversity Gain Hierarchy.
18. I appreciate the Council's concerns that there is limited information on how the BNG requirement would be achieved. Nevertheless, there is no compelling evidence before me that the 10% increase in biodiversity value could not be delivered off-site. This would be a statutory requirement for later consideration should permission be granted.
19. To conclude, sufficient information has been provided at this stage that the proposal would make adequate provision for BNG.

Other Matters

20. The appeal site falls within the Zone of Influence for the Cannock Chase Special Area of Conservation (SAC), which is a European Site as defined in the Conservation of Habitats and Species Regulations 2017 (as amended). A 'Statement of Willingness' has been submitted in relation to the provision of a final contribution to mitigate the likely negative impacts to the SAC, though there is no mechanism to secure the contribution before me.
21. Whilst details have not been provided by the Council on the European Site, based on my knowledge of the SAC, this approach accords with the mitigation developed for the SAC, and Natural England has raised no objection. Nevertheless, as I have found the appeal scheme would be unacceptable for other reasons, it is not necessary for me to consider whether there would be any likely significant effects on the integrity of the SAC or undertake an Appropriate Assessment.
22. A lack of harm or policy compliance in respect of protected species, flood risk, heritage assets and private amenity space would have a neutral effect, which weigh neither for nor against the proposal.

Planning Balance

23. The Framework states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. I give significant weight to the conflicts with PSB Policies N1, N4 and T2, which are consistent with the Framework in ensuring that development is sympathetic to local character, incorporates green infrastructure, and has an acceptable impact

on highway safety. As a result, I find that there is conflict with the development plan as a whole.

24. There is no dispute that the Council currently does not have a 5-year supply of deliverable housing sites, and a figure of 3.37 years has been given by both parties. Consequently, paragraph 11 d) of the Framework is applicable. Paragraph 11 d) ii) identifies that planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to certain key policies including well-designed places and providing affordable homes.
25. The proposed development would make a positive contribution in the delivery of 19 new build dwellings and a further dwelling in the form of a conversion, that would represent the efficient use of land within Gnosall with access to services and facilities. On this basis, the provision of housing attracts considerable weight in favour of the appeal scheme.
26. There would also be associated social and economic benefits during the period of construction and once the dwellings are occupied, as well as the delivery of BNG. Given the scale of the proposed development, these benefits carry modest weight in support of the scheme
27. In the absence of a legal agreement to secure the delivery of affordable housing, as well as financial contributions towards education and open space provision, I afford this limited weight.
28. I have considered paragraph 73 of the Framework. Nevertheless, not all proposals within existing settlements will be acceptable.
29. On the other side of the balance, there would be significant harm to the character and appearance of the area, including upon green infrastructure, and an unacceptable effect on highway safety, which would be contrary to paragraphs 116 and 135 of the Framework. Given the long-lasting effects on the character and appearance of the area and highway safety, I attribute significant weight to this conflict.
30. Accordingly, having carefully considered the balance of factors, 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 such the presumption in favour of sustainable development set out in paragraph 11 d) of the Framework does not apply.

Conclusion

31. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR