



Appeal Decision

Site visit made on 4 February 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2020

Appeal Ref: APP/A0665/W/19/3237286

Foxcovert Farm, Fox Covert Lane, Nether Peover, Northwich WA16 9QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Gerrard Dexter against the decision of Cheshire West & Chester Council.
 - The application Ref 18/03769/FUL, dated 26 September 2018, was refused by notice dated 24 June 2019.
 - The development proposed is described as "construction of a single dorma bungalow".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would be in a suitable location with particular regard to access to services or facilities.

Reasons

3. The appeal site is garden land that has not been used for agricultural purposes and sits in a countryside location not far from the settlement of Swan Green. The route from the site to the settlement is not a desirable walking or cycling route. The route is a narrow road with limited footpaths and restricted street lighting. Future occupiers of the proposal would be less likely to walk or cycle to the facilities in Swan Green and be more reliant on the use of private motor vehicles.
4. Swan Green does have some services including a shop and a public house, however it is lacking in other essential services including employment and leisure opportunities. These opportunities would be available in settlements further away. It is also noted that Swan Green is not well supported by public transport. It is therefore likely that future occupiers of the proposed property would access employment and leisure opportunities, as well as other essential services, by the use of private motor vehicles.
5. The appellant works on the Foxcovert Farm four days a week to help out with his elderly parents that are not in good health. It is indicated that there is a need for the proposal so the appellant and his nurse wife can live near the farm and help with health care for his parents. Insufficient evidence has been submitted, including whether there is a functional and financial need, to convince me that there is a specific need for a new property in this location.

6. The proposal would not be suitably located with regards to services or facilities and therefore fails to comply with Policies STRAT1, STRAT2, STRAT8 and STRAT9 of the Cheshire West & Chester Council Local Plan Part 1: Strategic Policies, Policy GS5 of the Vale Royal Borough Local Plan, Policy DM19 of the emerging Cheshire West & Chester Council Local Plan (Part Two) Land Allocation and Detailed Policies, and the National Planning Policy Framework seeks proposals to minimise the need to travel and to encourage journeys by walking, cycling and public transport.
7. I have had regard to the appellants statement of case including reference to 30 houses¹ being built 500 metres away from the appeal site on agricultural land; a workers dwelling² being built on agricultural land at a farm in Swan Green; and three workers homes³ at a garden nursery at postcode WA16 9NP. However, I do not have full details of these cases and so cannot be sure that they represent a direct parallel to the appeal proposal, particularly with regards to location and need. In any case, I have determined the appeal on its own merits.

Conclusion

8. I conclude that for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR

¹ Ref: 19/02007/ful

² Refs: 4/16048; 4/32876; 12/00533/ful and 16/02770/out

³ Ref: 4/29860