



Appeal Decision

Site visit made on 29 September 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2020

Appeal Ref: APP/R0660/W/20/3256401

Field and land to north of Eardswick Lane and east of Bradfield Green Farm, Crewe

- 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 P K Stubbs against the decision of Cheshire East Council.
 - The application Ref 19/5627N, dated 4 December 2019, was refused by notice dated 7 February 2020.
 - The development proposed is a change of use from disused agricultural site to landscaping / bulk supplies, to include materials bunkers, office building, trade / retail counter and workshop / stores, access road, car parking and off road lorry parking for up to four articulated vehicles with secluded hardstanding and turning areas.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the site is a suitable location for the development having regard to the development plan strategy for development in the countryside; and,
 - its effect on the character and appearance of the open countryside.

Reasons

Locations for development

3. Strategic policies SD1 and SD2 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) (LPS) seek to prioritise investment and growth within the Principal Town and Key Service Centres where accessibility is greatest. The site lies some distance from the nearest large settlement area within an Open Countryside as defined in the LPS.
4. Policy PG6 of the LPS relates to the Open Countryside and restricts development in those locations to that essential for the purposes of agriculture, forestry, outdoor recreation, infrastructure and other uses appropriate to a rural location. It states that exceptions may be made for, amongst other things, development that is essential for the expansion or redevelopment of an existing business.
5. The site is currently to pasture and described as redundant agricultural land by the appellant. It does not therefore accommodate an existing business which contributes to the rural economy. Furthermore, the proposed change of use is not one dependent on a rural location or appropriate on account that the majority of goods would be produced on the site. Although the appellant refers to an existing storage use on nearby land in the same ownership, there is little evidence to

- confirm its planning status or that this has any link, either physical or otherwise, to the business seeking to relocate.
6. Notwithstanding the general support for economic development within the LPS, the exception stated in Policy PG6, a policy for constraint to development in open countryside areas, cannot encompass the accommodation of those businesses seeking to expand beyond the scope of their currently occupied sites regardless of their location or nature.
 7. Although an increased amount of open space, close proximity to the strategic road network and use of a site within the appellant's ownership would clearly facilitate a business offering bulk supplies, my reading of the policy is that there is no intention for it to be an open policy devoid of links to existing rural businesses or one necessarily located in a rural location. Taking any such approach to its natural conclusion would inevitably result in a proliferation of businesses in countryside locations to where land values are lower but more remote from their markets. This would fail to promote the most sustainable locations for development, the reduction of carbon emissions or the negative effects of climate change. Accordingly, I find that the proposal would not amount to any of the exceptions listed in Policy PG6 of the LPS.
 8. In support of the development the appellant advises that the existing business is at risk from a tenancy subject to short notice to quit and that the business is currently at capacity within a constrained site. This results in operational inefficiencies and little scope for expansion. A market search for alternative sites to address the shortfalls of the existing site and allow for expansion has been undertaken without success.
 9. However, the degree of evidence within the appellant's site search exercise is limited. Although the wish list of desirable site attributes is not unreasonable for the proposed use and would discount many sites central to the Crewe, or other main settlement area, there is an unqualified minimum site area requirement that would immediately rule out potential sites within or closer to those areas. There is little substantive evidence to quantify or demonstrate the need for a new site to be of a significantly increased size. The availability of alternative settlement-based sites preferred under the Council's strategic spatial policies is therefore unclear and, in the absence of objective justification, a matter to which I attribute limited weight.
 10. I acknowledge that the proposal would divert HGV movements away from a busy central location and could provide suitable access by bus, with accessibility potentially enhanced by construction of a pavement along Eardswick Lane. However, the site is at greater distance from higher density public transport services and wider transport options. Any benefit in this respect is therefore limited.
 11. I am also directed to a recent appeal decision allowing office development in a rural area elsewhere. However, in the absence of full details of that case I am unable to draw comparisons or similarities. However, I note that some of the development plan policies were considered out of date in that instance and therefore contrasts to the circumstances of the case before me, a case I have considered on its own merits.
 12. For those reasons, I find that the proposed use of the site would fall outside the defined exceptions to development in the Open Countryside. It would therefore conflict with Policies SD1, SD2 and PG6 of the LPS as they seek to prioritise the

main settlements for new development as the most accessible and sustainable locations and limit development in the open countryside.

Character and appearance

13. The site is in an area of low rolling countryside with regular field patterns often bordered by hedging and trees. The rural area is predominantly dairy grazing land with isolated farmsteads and small hamlets. The hamlet of Bradfield Green lies close by, consisting of houses, a pub and some small-scale commercial operations. A garden centre lies nearby on Eardswick Lane.
14. Aside from a gravelled tack the site is covered with grass and bordered by hedging, trees and rural fencing. The formation of tracks and introduction of large areas of hardstanding, significant areas of outside storage of up to 3m, alongside single and two-storey buildings across the majority of the site would contrast sharply with the site's existing undeveloped nature. Whilst the buildings could be finished in a manner to reflect modern agricultural counterparts and landscaping enhancements could assimilate some of the development, the combined effect of the introduced development including parked vehicles would have a significant detrimental impact on the open and verdant character of the site.
15. Whilst the characteristic hedgerows and trees to the peripheries of the site could be substantially retained and enhanced to limit inward views, the site would be visible at the wide entrance from the busy Eardswick Lane and the properties along the nearest parts of Middlewich Road, including the backdrop to an open vehicle compound. This effect would be exacerbated by the large area of the site.
16. For the above reasons, I find the development would cause significant harm to the character and appearance of the open countryside. It would conflict with Policies SD1, SD2 and PG6 of the LPS as they seek to preserve and enhance the appearance and distinctiveness of the landscape, the Cheshire East countryside and the natural environment.

Other Matters

17. I acknowledge that the relocation of the business would give rise to only a limited increase in vehicle trip generation and to a location where other commercial landscape development exists. It is also near a previously developed site that has been redeveloped for housing. However, these are not directly related to the matters of the proposal before me and are of neutral weight.
18. The lack of objection from statutory consultees and compliance with other requirements of the development plan, including matters of highway and site safety, biodiversity enhancement, nearby living conditions, environmentally friendly design and flood risk are not benefits in favour of the development.

Conclusion

19. For the above reasons, the appeal should be dismissed.

R Hitchcock

INSPECTOR