



Appeal Decision

Site visit made on 20 December 2021

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2022

Appeal Ref: APP/R0660/W/21/3279596

Land at Wrexham Road, Faddiley

Grid Reference: Easting 358676, Northing 352940

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr M Johnson, c/o Bower Edleston Architects against the decision of Cheshire East Council.
 - The application Ref 20/4523N, dated 17 September 2020, was refused by notice dated 13 May 2021.
 - The development proposed is described on the application form as 'Erection of two detached dwellings with detached garages'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was made in outline with layout, scale, appearance and landscaping reserved. As such, I have regarded all elements of the drawings submitted as indicative apart from the access details.
3. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have had the opportunity to comment on the relevance of this to the appeal. I have had regard to any comments received and the revised Framework in my decision.

Main Issue

4. The main issue is whether the site would be a suitable location for new residential development, having regard to local and national policies.

Reasons

5. The appeal site is an irregularly shaped parcel of land on the south side of Wrexham Road between Sidney Cottage to the west and Dragon Cottage to the east. The appellant describes the site as a former garden or orchard to Dragon Cottage. It is currently of overgrown appearance and contains a number of mature trees together with a substantial frontage hedgerow. The gap between the two existing properties is relatively large with a long frontage along Wrexham Road. There is also a bridleway between the site and Dragon Cottage.
6. The appeal proposal relates to the erection of two detached dwellings with detached garages. The indicative layout suggests that the site would be divided almost equally in two to provide similar length frontages with a proposed wildlife corridor to the rear part of the site.

7. The site lies outside of a defined settlement boundary and is therefore within the open countryside for the purposes of the Cheshire East Local Plan Strategy 2010-2030 (2017) (CELPS). Policy PG6 of the CELPS seeks to restrict development beyond the defined settlement boundaries to that primarily required in conjunction with rural land uses. The justification of the policy includes the protection of the scenic and aesthetic qualities of the countryside, noting that Framework paragraph 174 sets out how planning decisions should enhance the natural and local environment, including via recognising the intrinsic character and beauty of the countryside. The policy does however list some exceptions that may be made including limited infilling in villages or the infill of a 'small gap' with 'one or two dwellings' in an otherwise built up frontage elsewhere. This reflects the provisions of saved Policy RES.5 of the Borough of Crewe and Nantwich Replacement Local Plan (2005) (CNLP).
8. Due to the location of the appeal site adjacent to the neighbouring dwellings along Wrexham Road, I consider that it cannot be described as being 'isolated'. However, it is located in the dispersed south-western part of the village and is clearly separated from the main cluster of dwellings located some distance to the north east. Although there are dwellings on either side of the site and others further along Wrexham Road, the area surrounding the site has a rural character with fields on the other side of the road to the north and directly to the south.
9. There is no strong coherence to the pattern of development in the immediate vicinity of the appeal site in my view, albeit that I accept a more regular linear pattern of development arises along the A534 beyond the Thatch Inn north-eastwards. In my view, notwithstanding that the site is not within the Green Belt, nevertheless there is a characteristic openness here to which the site in its present natural state contributes.
10. According to the Council the site measures about 54 metres in width, while the gap between the two existing cottages astride it extends to around 86 metres if their gardens are incorporated. Although existing neighbouring properties are located on relatively large plots, the indicative plans show that the proposed dwellings would occupy substantially larger plots than these and many other properties in the locality. Policy PG6 of the CELPS envisages infilling related to one or two dwellings being acceptable, whereas in this instance with reference to the prevailing spaciousness of the area the site would appear capable of accommodating substantially more development.
11. Given the size of the site and the small number of dwellings along this part of Wrexham Road, the site does not represent a 'small gap'. The spaces between properties along this stretch of Wrexham Road cause the buildings to present as intermittent roadside development. Therefore, taking account of the dispersed pattern of development in this part of Faddiley and the rural character of the site and its surroundings, the proposal cannot be characterised as limited infilling in a village or infill of a small gap between existing dwellings in an otherwise built up frontage within the terms of the development plan.
12. Aside from a public house, which is currently closed, and a village hall there is a very limited range of services and facilities in the village. There are a number of bus stops along Wrexham Road on a route which services Nantwich, the nearest settlement with a full range of services. However the service appears to be relatively infrequent. Nantwich is over four miles away from the site such that the length of journeys by private vehicle are likely to be significant. With these

factors in mind, the development proposed would be in a location with poor accessibility to services and facilities.

13. The proposed location would require future residents to substantially rely on private vehicles for access to the majority of the services and facilities needed to support day to day living. The appellant claims that the development would contribute towards meeting the growing demand from home-workers to relocate to a rural setting. However, there is little indication before me to suggest that future occupiers of the development would necessarily work from home (and vehicular movements associated with properties occur for other reasons, such as leisure and deliveries etc.). The proposal would therefore be likely to result in an increase in residential travel from this location.
14. The appellant has referred to a number of examples of other residential developments which have been approved elsewhere in the Borough, some of which I was able to see during my site visit. Although I have no substantive details before me, I do not consider that the appeal scheme would be comparable to the other schemes cited because they have a different context.
15. In the case of the schemes at land at Sandbach Road, Church Lawton¹, and land adjacent to The Oaks² and Faddiley House³, both on Wrexham Road, Faddiley, these developments were found to constitute limited infilling of developed frontages, which I have found would not be the case with the appeal scheme. Whilst the latter two developments are within proximity of the appeal site, these related to what appear to be smaller gaps between existing properties in more obvious built up frontages. The single dwelling approved at land adjacent to Cherry Tree Cottage, Alpraham⁴ was considered to be a rounding off of development. The scheme at Fairview, Mill Lane, Audlem⁵ was allowed on appeal prior to the adoption of the CELPS and is therefore of limited relevance. Accordingly, I find that the examples referred to do not provide compelling justification for allowing the appeal scheme. In any case, I have determined the appeal on its own merits in accordance with the requirements of the current development plan.
16. I therefore conclude that the appeal site is not in a suitable location for new residential development and the proposal would therefore conflict with Policies SD1, SD2 and PG6 of the CELPS and saved Policy RES.5 of the CNLP. Amongst other things, these seek to direct development to accessible and sustainable locations and avoid new housing in the countryside unless specific exceptions apply. It would also be contrary to the policies of the Framework that relate to rural housing and sustainable forms of transport.

Other Matters

17. The development would offer potential benefits in terms of providing two new dwellings to the Council's housing stock. It would also have economic benefits through employment opportunities during the construction phase of the development, Council tax revenue and spending in the local area by future occupants. I have attached some weight to these factors. However, given the modest scale of the development, the weight attributable to these matters is

¹ Council ref 17/1163C

² Council ref 18/2088N

³ Council ref 19/2380N

⁴ Council ref 19/0152N

⁵ Appeal ref APP/R0660/W/16/3149914

limited and is not sufficient to outweigh the significant harm that I have identified and the conflict with the policies I have referred to.

Conclusion

18. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR