
Appeal Decision

Site visit made on 18 February 2025 by T Morris BA (Hons) MSc

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 23 May 2025

Appeal Ref: APP/R0660/W/24/3354359

Land South West of Dorfold Cottage, Wrexham Road, Acton, Nantwich CW5 8LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Dr Micheline Tremblay against the decision of Cheshire East Council.
 - The application Ref is 24/0520N.
 - The development proposed is a host residence and two lodges on site to be let to NHS Locum/Relief Staff.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - i) Whether the proposed development would be in a suitable location for housing, having regard to the accessibility of services and facilities and the effect of the proposal on the character and appearance of the area; and
 - ii) The effect of the proposed development on highway safety.

Reasons for the Recommendation

Location, character and appearance

4. The appeal site comprises a parcel of land near to Dorfold Cottage, which is within a rural area. The site is outside of a defined settlement boundary. Policy PG6 of the Cheshire East Local Plan Strategy (2017) (CELPS) defines such land as within the open countryside. The policy confirms that the only development which will be permitted in the open countryside is development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area. The proposal does not relate to those uses, nor would it meet any of the other exceptions which are set out in the policy.
5. Furthermore, although the nearby village of Acton would provide limited services and facilities, occupiers would more likely travel further afield to meet their day-to-day needs. The appellant refers to a ring and ride bus service on Monks Lane, but

no details of this have been provided. Whilst bus services would be available in Acton, given its distance from the site together with the route which does not have lighting and footpaths all the way, it is more likely that occupiers would travel by car.

6. Similarly, whilst occupiers could travel by bicycle or motorised scooter, this is unlikely to be a realistic or regular travel option for most, especially during inclement weather and during hours of darkness, given the distances to services that could reasonably be required on a daily basis. The availability of home shopping deliveries would also not provide sufficient mitigation for the poor level of accessibility to a wider range of services which are likely to be required by future occupants on a day-to-day basis.
7. Turning to the effect of the proposed development on the character and appearance of the area, the site is located within a rural area which is generally characterised by rustic buildings set within the open countryside. The nearest buildings are Dorfold Cottage and the Stables. Whilst these have some variances, they are predominantly two-storey with roof gables and simple materials, appearing appropriate to their traditional countryside context. The appeal site is opposite these buildings. It is grassed and has trees within the site and along its perimeter. These features combined with the surrounding fields, woodland and rustic style buildings generally reflect their pastoral surroundings and make a positive contribution to the rural character and appearance of the area.
8. Due to the modern style appearance of the proposed buildings, with their mix of hipped and half-hipped roofs, extensive glazing and mixed materials including render and cladding, they would unacceptably contrast with the more rustic aesthetic of Dorfold Cottage and the Stables. Whilst I accept that the proposal would not be highly visible from the public realm, limited public visibility does not eliminate the need to meet the high-quality design requirements of the council's development plan. The proposal would therefore encroach upon the open countryside through a development which would appear inappropriate in its rural context and would fail to respect the character and appearance of the surrounding area.
9. In summary, the proposed development would not be in a suitable location for housing, having regard to the accessibility of services and facilities, as well as the effect on the character and appearance of the area. It would conflict with Policies SE1, PG6, SD1 and SD2 of the CELPS and Policy GEN1 of the Site Allocations and Development Policies Document (2022) (SADPD). These policies seek to preserve the countryside, prioritise the most accessible and sustainable locations and ensure developments provide access to services, facilities and public transport connections and contribute positively to an area's character and identity.

Highway safety

10. The appeal site would be accessed from Swanley Lane, using the existing access and shared drive which serves Dorfold Cottage and the Stables. Whilst the access drive is narrow, the access off Swanley Lane is wider, with space for passing vehicles. This part of Swanley Lane is a short section of highway which connects Monks Lane and Ravens Lane. It is relatively straight, aside from a slight bend in between the access to the site and Monks Lane.

11. My own observations on my site visit indicated that visibility is restricted from the access onto Swanley Lane, particularly in the direction of Monks Lane. This is due to the hedgerow which abuts the highway, together with the slight bend in the road towards Monks Lane. With regards to vehicle speeds, I note the Appellant's submission regarding reported collisions and the speed of vehicles within Swanley Lane. However, although I acknowledge that my observations represent only a snapshot in time, on my site visit I saw several vehicles travelling at a considerable speed along Swanley Lane past the access to the appeal site.
12. I accept that the access to the site already serves Dorfold Cottage and the Stables. However, due to the restricted visibility towards Monks Lane, together with the open nature of the junction of Monks Road and Swanley Lane as well as the slight bend in the road, the proposal would have an unacceptable impact in terms of highway safety. Furthermore, the three proposed dwellings on the site would intensify the use of the access and this would increase the possibility of collisions when vehicles leave the site, particularly with other vehicles or cyclists travelling along Swanley Lane from the direction of Monks Lane.
13. The appellant indicates that the Council raised no highways safety concerns to a previous proposal for a single dwelling at the site. However, this is not directly comparable since this proposal is for three additional dwellings at the site, rather than just one. In addition, with regards to the possibility of trimming the hedgerow to provide better visibility at the access, this area is outside of the site boundary and there are limited details of how this could be secured in perpetuity. Overall, these matters do not overcome the highways safety concerns of the proposal.
14. In summary, the proposed development would have a harmful effect on highways safety. It would conflict with Policy SD1 of the CELPS and Policy INF3 of the SADPD, which require that developments provide safe access to and from the site for all highway users.

Other Matters

15. I have had regard to the benefits of the proposed development put forward by the appellant. I recognise that the proposal seeks to provide accommodation for doctors working in temporary or training posts within the NHS at Leighton Hospital. This is in a situation where there is an apparent shortage of accommodation alongside issues with the costs and tenancies of accommodation. However, the council indicate that there are two allocated sites which will provide a new sustainable neighbourhood to support Leighton Hospital. They state that these have secured outline planning permission, albeit the appellant has questioned the timescales for delivery of these.
16. Furthermore, whilst the Freedom of Information response from Mid Cheshire Hospital Trust states that no onsite accommodation is provided for substantive staff, it also confirms that onsite accommodation is provided for medical staff working late shifts, nights and on call shifts, and that in addition, NHS staff are advised to book accommodation at Booth Hall in Crewe. Additionally, although the Care Quality Commission report raised concerns regarding services at Leighton Hospital, the inspection period for this report was in November to December 2019. Therefore, given that this report was based on the situation at the hospital from over five years ago, I cannot be sure that this still reflects the current situation. Nor is it evident from the report that the concerns with the hospital at the time were

directly linked to a lack of accommodation for staff, which this proposal seeks to rectify.

17. Overall, whilst the proposal would provide some benefits in terms of housing for NHS Locum and Relief Staff, this would be limited given the modest provision of housing, alongside the absence of information of a mechanism to ensure that it would be occupied by NHS staff. I am also mindful that the appeal site is some distance away from Leighton Hospital and that there already appears to be a long-term plan in place to improve accommodation for workers at the hospital. Therefore, whilst I accept that certain policies of the development plan and the National Planning Policy Framework (the Framework) provides some support for housing for essential local workers and NHS staff, the benefits do not overcome the harm of the proposal, which taken together amounts to significant harm, including in terms of the location of the development, its effect on the character and appearance of the area, as well as its effect on highways safety.
18. I also acknowledge the third-party support for the proposal, including in terms of increased accommodation, as well as biodiversity, community benefits, and benefits to shops and charity organisations in the area. However, this does not justify the significant harm identified under the main issues.

Conclusion and Recommendation

19. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which would outweigh this finding. For these reasons, I recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR