



Appeal Decision

Site visit made on 10 June 2025

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2025

Appeal Ref: APP/A0665/W/25/3360144

Spring Bank Farm, Ainsworth Lane, Crowton, Northwich CW8 2RS

- 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 Mr & Mrs D Pickstock against the decision of Cheshire West and Chester Council.
 - The application Ref is 23/02391/FUL.
 - The development proposed is a vehicular access track.
-

Decision

1. The appeal is allowed and planning permission is granted for a vehicular access track at Spring Bank Farm, Ainsworth Lane, Crowton, Northwich CW8 2RS in accordance with the terms of the application, Ref 23/02391/FUL, and the plans submitted with it.

Preliminary Matter

2. The development has already been undertaken and I have made my assessment of the appeal on the basis that it is a retrospective proposal.

Main Issues

3. The main issues are:
 - (i) Whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies
 - (ii) The effect of the development on the character and appearance of the countryside

Reasons

Whether inappropriate development

4. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless one of the listed exceptions applies. This includes engineering operations at h)ii) and material changes of use of land at h)v), provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy STRAT 9 of the Local Plan (Part One) Strategic Policies (LPSP) refers back to the Framework in terms of development in the Green Belt.
5. The access track consists of a stone base which winds from Ainsworth Lane to Spring Bank Farm. Due to the topography of the surrounding area, the track is not visually apparent when viewed from many vantage points, including from along the

access track to Mount Pleasant farm. Views across the land are unimpeded and there would be unlikely to be a high frequency of vehicles passing along the track. The absence of any built form above ground other than the surface of the track, along with the topography, means that it has not resulted in harm to the visual or spatial openness of the Green Belt. The entrance that has been formed onto Ainsworth Lane includes two short lengths of post and rail fencing and a gate. These features also do not give rise to harm to openness.

6. The appeal site does not serve to check the unrestricted sprawl of large built-up areas, prevent neighbouring towns merging into one another or preserve the setting and special character of historic towns. The appeal development does not undermine the objective of assisting in urban regeneration, by encouraging the recycling of derelict and other urban land. In terms of encroachment, only the surface of the land has changed. There is no above ground built form aside from the stone base. The proposal does not therefore conflict with the purpose of assisting in safeguarding the countryside from encroachment.
7. For these reasons, I find that the development has preserved the openness of the Green Belt and not conflicted with the purposes of including land within it. It is therefore not inappropriate development in the Green Belt. Consequently, the development accords with Policy STRAT 9 of the LPSP and the Framework where they seek to protect the Green Belt.

Character and appearance of the countryside

8. For the same reasons relating to the absence of any substantial built form and the topography of the area, along with the presence of extensive screening around the perimeter of the field, the development does not have a significant visual impact on the countryside. Accesses such as this are not uncommon in countryside locations and even though close to the original shared access track, the two cumulatively do not cause harm to the character and appearance of the countryside or appear unusual in their surroundings.
9. Whilst the development is not listed as a type that will be permitted in the countryside under Policy STRAT 9 of the LPSP, in this specific instance there has been no harm to the countryside. Thus, whilst there is a technical breach of that policy, it does not undermine its overarching aim to protect the intrinsic character and appearance of the countryside. This outweighs the limited conflict with the development plan that arises in that respect.

Conditions

10. As the development has already been undertaken it is not necessary to impose any conditions. The Council suggests a condition regarding a replacement hedgerow planting scheme, However, the section removed was short in length and I am satisfied that it has been proportionately compensated for in ecological terms by the planting of the new trees along the access.

Conclusion

11. For the reasons given above, the appeal should be allowed.

Graham Wraight INSPECTOR