
Appeal Decision

Site visit made on 22 July 2025

by **H Porter BA(Hons), PGDip, MSc, IHBC**

an Inspector appointed by the Secretary of State

Decision date: 11th August 2025

Appeal Ref: APP/R0660/W/24/3353725

Land adjacent to Broomlands Lodge, Bridgemere Lane, Hatherton, Nantwich, CW5 7PL

- 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 Tom Exley against the decision of Cheshire East Council.
 - The application Ref is 24/2407N.
 - The development proposed is 'erection of one self-build dwelling and associated works'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - whether the appeal site offers an appropriate location for the proposed development, having regard to whether future occupiers would be heavily reliant on private transport to access basic services and facilities; and,
 - the effect of the proposed development on the character and appearance of the site and its surroundings, including whether the proposed dwelling would be of exceptional design quality.

Reasons

The location

3. The appeal site comprises a green parcel of land situated on the south side of Bridgemere Lane, an unmarked country road that runs towards the village of Hankelow from Bridgemere. It is not in dispute that appeal site does not fall within a defined settlement boundary set out under Table 8.3 of Policy PG 6 of the Cheshire East Local Plan Strategy 2010-2030, adopted July 2017 (the LP), and is therefore within the Open Countryside.
4. Amongst other things, LP Policy SD 1 seeks to focus development where it provides access to local jobs, services and facilities and that it is accessible by public transport, walking and cycling. LP Policy SD 2 expects residential development (criteria 2. ii. & iii) will provide access to a range of forms of public transport, open space and key services and amenities. A 'range' being (footnote 37) within the maximum recommended distance of a bus stop, open space, and convenience store, in addition to four more other services or amenities, dependant

on location. Under Policy SD 2, Table 9.1 the 'recommended distances' to a bus stop, open space, and convenience store are 500m.

5. The appeal site is some 1.5km from Hankelow. Even if the Appellant considers the walking distance to be acceptable, what services and amenities are in Hankelow fall outside the maximum recommended distances within LP Policy SD 2. Furthermore, with no convenience store in Hankelow, and the 'range' of key services and amenities also falls short. Although there is a public house, church, bus stop and public right of way inevitably, future occupiers would have to travel beyond in Hankelow in order to access a broader range of services or amenities.
6. Accessing the limited services or bus stop in Hankelow on foot or by bicycle would involve travelling Bridgemere Lane and the A529. During my site visit, carried out mid-afternoon on a dry day in July, I walked a short section of this route. The absence of footway or grass verges along Bridgemere Lane, in combination with the regular passing of vehicles along the relatively straight route, did not make for a comfortable walking experience. Although a footway exists along the A525, the nature of the route, in my view, would disincentivise future occupiers of the proposed development undertaking regular journeys there on foot or by bicycle. Bearing in mind the lack of lighting, such journeys would be even less likely in darker winter months, if accompanied by young children, or carrying heavy shopping.
7. I note that an on-demand bus service operates close to the appeal site. However, I have nothing substantive to assess the frequency of that service, such as an up-to-date timetable, nor any idea of where it stops. This limits the weight I attribute to the on-demand bus as a viable mode of travel for future occupiers. Rather, based on the facts and circumstances before me, future occupiers would have to travel further afield than Hankelow to satisfy day-to-day needs and with limited choice to do so other than by car.
8. I therefore consider that the appeal site does not offer an appropriate location for the proposed development as future occupiers would be heavily reliant on private transport to access basic services and facilities and is not located where it would enhance the vitality of the rural community. Conflict arises with Policies PG 6, SD 1 and SD 2 of the LP, and Policy PG 9 of the Site Allocations and development Policies Document, adopted December 2022 (DPD) insofar as they seek to ensure development is directed towards the most suitable and sustainable directions; accessible by public transport, walking and cycling and provide or contribute towards identified infrastructure, services or facilities. The proposed development would also fail to accord with the National Planning Policy Framework, revised December 2024 (the Framework) insofar as it seeks to achieve sustainable places including identifying and pursuing opportunities to promote walking, cycling and public transport use and locate housing where it will enhance or maintain the vitality of rural communities.

Character and Appearance

9. LP Policy PG 6 makes certain exceptions for new dwellings within the Open Countryside, including, (criterion 3i) where the dwelling is exceptional in design and sustainable development terms; and, (criterion 5) subject to compliance with other LP policies, with particular regard paid to the design and landscape character and distinctiveness of the Cheshire East countryside being preserved and enhanced. Paragraph 84e) of the Framework similarly makes exceptions for

the development of isolated homes in the countryside where: the design is of exceptional quality, in that it: i) is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and ii). would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

10. Built form along Bridgemere Lane is punctuated by green fields, with dwellings and associated ancillary outbuildings occupying relatively large plots. The loose-knit layout and degree of spaciousness between housing along Bridgemere Lane, coupled with the mature hedgerows, trees and views across a verdant rolling landscape, contribute to the area's distinctly rural character. Local agricultural outbuildings I saw are secondary to a farmstead or principal dwelling, appear functional, of rudimentary form and materials, and entirely fitting to their rural surroundings.
11. The appeal site comprises a green, sloping parcel of land bound by mature trees and post and wire fencing, with a gated access off Bridgemere Lane. The appeal site is adjacent to a dwelling and outbuildings at Broomlands Lodge. Despite the proximity of these structures, the local topography means these are tucked below the rising ground and treeline. Irrespective of any remnants of a historic use, the appeal site is read as a verdant, if somewhat overgrown, undeveloped parcel of land, the soft, green and open qualities of which blend with the surrounding countryside and wider rural landscape.
12. The proposed development would introduce a detached four-bedroomed dwelling, cut into the land, with two storeys above under-croft parking. A semi-permeable driveway would extend off Bridgemere Lane, with a stone gabion wall retaining the cut land. The dwelling would feature a barrel curved roof, black metal corrugated sheeting, and double height timber windows on each gable end. An external stair with glass and timber balustrade would provide access to the ground floor bedroom level and an internal stair would run through the centre of the building connecting the under-croft through to first floor living spaces.
13. The design of the proposed dwelling is intended to be a contemporary interpretation of a traditional agricultural building. While Dutch barns may well be a feature of some rural contexts, they are not obviously so in the locality. Roofs that I saw, especially on agricultural structures, tend to be pitched. However, the proposal would introduce a curved barrel roof form that would be a significant departure from the prevailing pattern of development. I did see some corrugated sheet-clad buildings locally, but this was fitting to an authentically rudimentary, functional form. By contrast, the proposal would feature large expanses of glazing to the gable ends, an external glazed stair and internalised parking area. These design features would clearly announce a domestic use and undermine the integrity of the agricultural design influence.
14. I take no issue with the principle of a contemporary design response or material treatment per se. However, the appeal proposals would fail to offer an appropriate innovative and creative design solution appropriate to the local context. Rather, the 'Dutch barn aesthetic' would cause the proposed dwelling to stand out as starkly out of place and entirely at odds with the prevailing local character, domestic or agricultural.

15. The proposed dwelling would be sited towards the upper portion of the appeal site, ostensibly corresponding to the remnants of a concrete pad in this location. However, even with the under-croft cut into the ground and a curved rather than pitched roof, the proposed dwelling would stand a full two storeys on a part of the site where the landform rises. Together with its orientation and massing, the proposed dwelling would cause it to loom above its surroundings and appear uncomfortably conspicuous. Furthermore, while not reaching beyond the adjacent building line at, the proposed dwelling would be tight against the site's rear boundary. This would create an awkward and cramped layout at odds with the more generous and looser knit pattern of development that characterises the locality.
16. The proposals include landscaping including supplementary native hedgerow planting, and the retention and protection of existing Oak trees. Yet, the proposal also includes a large expanse of semi-permeable driveway and length of stone gabion retaining wall. Relative to the size of the site, the hard landscaped or engineered elements would dominate any residual soft, green or undeveloped qualities. Even if the proposals would realise the removal of the caravan and weeds, there would be a perceptible shift away from its informal, semi-natural characteristics to something distinctly domestic and urban. In time, the supplementary planting may offer ecological enhancements and, together with the retention of existing trees, some degree of screening. But the proposal would still be obvious from the site's access and when trees are not in full leaf or still maturing. Overall, the proposed landscaping would fail to offer a successful counterbalance to the proposal's urbanising impact, nor a significant enhancement of the proposed dwelling's immediate setting.
17. Drawing all of this together, I do not find the design of the proposed dwelling would be of exceptional quality, be truly outstanding, nor reflect the highest standards in architecture or raise standards of design more generally in rural areas. Neither would it significantly enhance its immediate setting nor be sensitive to the defining characteristics of the local area. Consequently, the proposed development would not qualify as an exception to the development of isolated homes in the countryside under Paragraph 84 of the Framework or LP Policy PG 6.
18. It follows that the proposed development would fail to demonstrate good design quality, fail to make a positive contribution to the area's character and identity, fail to create or reinforce local distinctiveness in terms of height, scale, form or grouping, external design features, and the relationship to neighbouring properties, and fail to respect, enhance or conserve the landscape character and quality of the area. It would also fail to provide a locally distinct, high quality, sustainable well designed and durable environment. Conflict therefore arises with LP Policies SE 1, SD 1, SD 2 and SE 4; Policy H1 and H4 of the Wybunbury Combined Parishes Neighbourhood Plan 2010 – 2030, made February 2020; and with Policy GEN 1 of the LP Site Allocations and Development Policies Document. Conflict also arises with the Framework policies that seek to achieve well-designed places, including developments that are visually attractive as a result of good architecture, layout and effective landscaping; and sympathetic to local character, including the surrounding built environment and landscape setting.

Other Considerations and Planning Balance

19. A revised position statement indicates that, since the appeal was lodged, the Council can no longer demonstrate a five-year housing land supply, triggering paragraph 11 d) of the Framework. There are no areas or assets of particular importance that provide a strong reason for refusing the development proposed. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land and securing well-designed places.
20. The Framework encourages the effective use of land and defines previously developed land (PDL) as including land that was occupied by a permanent structure and includes land comprising large areas of hardstanding which have been lawfully developed. But excludes, amongst other things, land that was last occupied by agricultural or forestry buildings; and, land that was previously developed where the remains of the permanent structure of fixed surface structure have blended into the landscape.
21. Two countersigned Statutory Declarations attest to the existence of a caravan and base of a building and its foundations on the appeal site for over 20 years. The various images of the appeal site provided show no evidence of a structure existing for at least two decades. The Appellant has also provided an undated aerial photograph showing the site with the vegetation relatively well cut back, as well as closer view of hardstanding and a few courses of low brick walling.
22. When I visited, I saw the disused caravan positioned on the rising landform towards the site's southern boundary standing in a dense vegetal overgrowth. Any surviving walling was negligible. While I was able to see a very small remnant of hardstanding through the vegetation close to the southern boundary. Overall, the site reads as a verdant, mature small field and what remains of any permanent structures or fixed surfaces on the appeal site have blended into the landscape. Based on the facts and circumstances in this case, the appeal site does not fall within the Framework definition of PDL.
23. The Council's Officer Report indicates the number of permissions for self-build plots exceeded the number of registrations, but there is no mechanism before me that would ensure that the proposals are constructed in that manner. Nevertheless, a self-build dwelling would help to diversify the housing market and increase consumer choice. That dwelling would also make a small, yet meaningful, contribution to the supply of housing in the context of a demonstrable undersupply. There would be associated economic benefits relative to the construction phase, and as future occupiers feed into the local economy. Collectively, the benefits associated with the proposed development carry moderate positive weight in its favour.
24. That public vantages to the appeal site may be limited, and the immediate neighbours have not objected, that weed overgrowth could be better managed, as or the site is too small for agricultural use, does not negate the harm identified. Nor would the incorporation of some sustainable technologies and construction methods, or an absence of harm in relation to living conditions, or highway safety. The various appeal decisions relating to other sites in other parts of the local

authority area have had very little bearing on my decision, which has been made in light of the site-specific and locational circumstances. Whilst recognising the proposed development might enable the Appellant to reside where they have local connections, their personal circumstances might change whereas the harm identified would be permanent.

25. On the other hand and having particular regard to key policies for directing development to sustainable locations, making effective use of land and securing well-designed places, and assessed against the policies in the Framework taken as a whole, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. The proposal does not therefore benefit from the presumption in favour of sustainable development and the material considerations do not indicate that a decision should be taken other than in accordance with the development plan.

Conclusion

26. For the reasons given above the appeal should be dismissed.

H Porter

INSPECTOR