



Appeal Decision

Site visit made on 9 September 2025

by **H Senior BA (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 November 2025

Appeal Ref: APP/R0660/D/25/3369049

The Paddocks, London Road, Adlington, Cheshire SK10 4NG

- 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 Anthony Mills against the decision of Cheshire East Council.
 - The application Ref is 25/1186/HOUS.
 - The development proposed is construction of a new auto-gated entrance to existing driveway with brickwork walling built within existing macadam-surfaced turning apron, plus extend / repair to match with an existing close-boarded fence set within the existing roadside-verge-frontage across the property to meet with the existing E-W boundary fence-line (thereby maintaining a secure property boundary).
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a new auto-gated entrance to existing driveway with brickwork walling built within existing macadam-surfaced turning apron, plus extend / repair to match with an existing close-boarded fence set within the existing roadside-verge-frontage across the property to meet with the existing E-W boundary fence-line (thereby maintaining a secure property boundary) at The Paddocks, London Road, Adlington, Cheshire SK10 4NG in accordance with the terms of the application, Ref 25/1186/HOUS, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 25.03.148/P.1 and 25.03.148/P.2.

Preliminary Matters

2. The appellants have indicated on the application form that the works started in March 2025. The Council assessed the development as part retrospective. During my site visit, I observed a development which differed from the submitted plans with regard to the position of the brick pillars. I have assessed the development on the basis of the submitted plans.

Main Issues

3. The main issues are:
 - whether the proposal is inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Whether Inappropriate Development

4. Paragraph 142 of the National Planning Policy Framework (the Framework) outlines the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The Framework, at paragraphs 154 and 155, sets out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions.
5. The appellant contends that the appeal site is previously developed land and the proposal should be considered having regard to paragraph 154g) of the Framework. This states that the limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt would not constitute inappropriate development in the Green Belt.
6. Previously developed land is defined in the Framework as land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It goes on to say that land in built up areas such as residential gardens is excluded.
7. In this case the appeal site is a hardstanding and is occupied by permanent structures and forms part of the access to the residential dwelling. The proposed walls would be constructed on the hardstanding. It therefore meets the definition of previously developed land. I note that the parties disagree on whether the proposal would be on highway land or the appellants property. This would be a matter between the parties and does not alter my conclusion that the land is previously developed.
8. Whilst there would be some loss of openness resulting from the proposal, it would be of a modest scale and localised in nature. It follows that the effect on the openness of the Green Belt would not reach the threshold of substantial harm under criterion 154g) and the proposal would therefore not be inappropriate development in the Green Belt. Consequently, the proposal would not conflict with the Green Belt objectives of the Framework
9. As the proposal would not be inappropriate development in the Green Belt there is no requirement to assess if there are other considerations that amount to very special circumstances needed to justify the development.

Character and appearance

10. The appeal site lies on a no through road which was originally the main road prior to the road realignment and construction of the Poynton Bypass. Notwithstanding the proximity of the main road there is a verdant and rural character to the surrounding area.
11. The brickwork pillars would be set back from the highway and would be in line with the timber fence. They would frame the existing entrance to the dwelling. The

existing and proposed planting would soften the appearance of the walling and assist in integrating it into the area. The proposal is limited in extent and would not appear as an alien and intrusive feature in the locality. Accordingly, it would preserve the open character of the area.

12. I conclude that the proposal would not harm the character and appearance of the area. It would conflict with Policies SD2 and SE1 of the CELPS and Policies GEN1 and HOU11 of the SADPD which together and amongst other matters, seek to ensure that development is in keeping with the character and appearance of the surroundings and contributes to the area's character.

Conditions

13. I have considered the conditions recommended by the Council, having regard to guidance found in the Planning Practice Guidance. To provide certainty I have recommended the standard time limit condition and specified that the development should be carried out in accordance with the approved plans.
14. The Council also suggested a condition regarding time constraints for the removal of vegetation or the demolition, extension or conversion of buildings to safeguard nesting birds. As the proposal does not relate to these matters this condition is not necessary.

Conclusion

15. For the reasons given above the appeal should be allowed.

H Senior

INSPECTOR