



Appeal Decision

Site visit made on 7 November 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26th November 2025

Appeal Ref: APP/Q4245/W/25/3369329

Meadowgate Farm, Cob Kiln Lane, Urmston M41 9JT

- 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 and Mrs O'Sullivan against the decision of Trafford Council.
 - The application Ref is 105019/FUL/21.
 - The development proposed is erection of children's nursery with associated parking and play areas and wider site amendments, following demolition of existing buildings and stables and alterations to existing access along Cob Kiln Lane.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for a full award of costs was made by Mr and Mrs O'Sullivan against Trafford Council. This is the subject of a separate Decision.

Preliminary Matters

3. The appeal form description of development confirms an agreed change from that cited on the original application form. It now repeats the decision notice description. I have therefore used that description for this decision, but without its final reference to "revised application following withdrawal of 103260/FUL/21", as this is not a development type.
4. The Council is investigating alleged breaches of planning control at Meadowgate Farm, including whether it has been separated into different planning units. I am not party to specific details of this investigation, and it is not my role to conclude upon it. For the avoidance of doubt, I have assessed the proposal against the site as shown on the plans, and from my site visit observations.

Main Issues

5. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework ('the Framework') (2024) and any relevant development plan policies;
 - The effect of the proposed development on the character and appearance of the area; and
 - whether other considerations clearly outweigh the harm to the Green Belt and any other harm so as to amount to very special circumstances.

Reasons

Inappropriate Development in the Green Belt

6. The appeal site lies within the Green Belt. The Framework paragraph 142 identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
7. The Framework Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraphs 154 and 155 establish that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions. The Trafford Core Strategy (CS) Policy R4 refers back to the Framework guidance. The Places for Everyone Joint Development Plan Document 2022 to 2039 (PfE) Policy JP-G9 reiterates that the beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence, or ability to serve its five purposes.

Grey Belt - 155(a)

8. My first consideration is whether the proposal would utilise grey belt land under the first part of the Framework paragraph 155(a). The Framework Glossary defines grey belt as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of its purposes (a), (b), or (d) in paragraph 143.
9. Purpose (a) is to check the unrestricted sprawl of large built-up areas. The Planning Practice Guidance (PPG)¹ identifies illustrative features which would likely demonstrate a strong contribution to this purpose, including being free of existing development. Illustrative features demonstrating a moderate contribution would likely be adjacent or near to a large built up area, but having physical features in reasonable proximity that could restrict and contain development; being partially enclosed by existing development such that new development would not result in an incongruous pattern; containing existing development; and/or being subject to other urbanising influences. The site as a whole comprises previously developed land, with areas containing existing development. I therefore find that it does not strongly contribute to the Green Belt purpose 143(a).
10. Purpose (b) is to prevent neighbouring towns merging into one another. The PPG identifies that a strong contribution to this purpose would include an area forming a substantial part of a gap between towns, the development of which would be likely to result in the loss of visual separation of towns. Areas that contribute moderately are likely to form only a small part of the gap between towns, or be able to be developed without the loss of visual separation between towns. The site only forms a small part of the gap between Urmston and Sale, and development would not impact on the current sense of visual separation. Consequently, the land does not strongly contribute to Green Belt purpose 143(b).
11. It is common ground that the site does not form part of the setting and special character of a historic town under purpose (d), and I see no reason to conclude differently. In totality, I find that the appeal site does not contribute strongly to those

¹ Paragraph: 005 Reference ID: 64-005-20250225

purposes of the Green Belt (a), (b), or (d), and it therefore comprises grey belt land. The Council has now also reached this conclusion.

Purposes of the Remaining Green Belt - 155(a)

12. The second part of the Framework paragraph 155(a) is that the development would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the area of the plan. The PPG advises that this should consider whether, or the extent to which, the release or development of Green Belt land would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way.
13. For the same reasons as outlined above in relation to the purposes (a), (b) and (d), I find the proposal would have no effect on the ability of the remaining Green Belt from serving those purposes. Purpose (c) is to assist in safeguarding the countryside from encroachment, and purpose (e) is to assist in urban regeneration. As the proposed development would be sited on land already containing development, and due to its relative scale, I find these purposes would be unaffected. In combination therefore, the proposal would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the area of the plan, and so would comply with the Framework paragraph 155(a) overall. Again, the Council makes the same conclusion.

Demonstrable Unmet Need - 155(b)

14. Paragraph 155(b) requires a demonstrable unmet need for the type of development proposed. I accept that figures inevitably represent a snapshot in time, and that childcare vacancy information is extremely changeable. However, while both parties claim the other lacks detailed data to substantiate their respective positions, the test under 155(b) is whether such an unmet need is demonstrated. As the scheme's promoter, the appellant must provide sufficient evidence to demonstrate this need; the Council is not required to prove its absence to the same extent.
15. The national trend is a decreasing birth rate, repeated within Trafford. A Children and Young People's Scrutiny Committee report² identified 2022 as having the lowest live births in a decade. This was only expected to be partially offset by migration and new housing developments, with fewer primary school places needed in the future in some areas. I acknowledge this report was focused on school place planning, and not directly on the need for private nursery provision.
16. The appellant contends that ONS data shows no decreasing birth rate for the Urmston area. However, the Trafford ward boundaries changed in 2023, such that without wider comparative population evidence I cannot extrapolate a trend across this date. As such, the Urmston ward live birth increase of 9 from 2023 to 2024 does not indicate a sufficiently meaningful conclusion in the context of variances across the whole data set provided.
17. The Council has produced 'Locality Profiles' to support the emerging Local Plan, drawing on key evidence and identifying challenges and opportunities. The Trafford West Place Profile (April 2025) identifies a key issue for the area as being the need for a significantly increased capacity of community facilities including health and education, providing for the needs of the existing community and ensuring new developments such as New Carrington are able to provide enough education

² School Place Planning and Sufficiency Report, (23 January 2024).

provision. However, this is very broad, and does not indicate a specific or short term requirement for nursery places.

18. Private, voluntary, and independent (PVI) nurseries account for approximately two thirds of early education and childcare places for children aged 0 to 4, including around half of funded entitlement places. The appellant's bespoke assessment of local PVI provision³ relied primarily on Ofsted inspection reports, stated as being to ensure consistency and reliability. However, they note that 3 of the providers had no Ofsted assessment such that no comparable data was available, and that inspection dates ranged between 2019 and 2025. Consequently, this evidence does not provide a sufficiently conclusive or up-to-date picture. Furthermore, it is unclear why the appellant did not seek current figures directly from providers as an additional data source. I also note that more than one interested party has identified a recent planning permission at St Clements Church very close to the appeal site, for nursery places for 30 children.
19. The appellant's assessment identifies 802 registered places compared to 971 children on roll. However, this does not indicate that providers are operating over capacity, as registered places represent the maximum number of children that can attend at any one time. Each registered place could offer up to approximately 50 hours of care per week, but children could use fewer hours, allowing multiple children to share a single registered place. The Council quotes Department for Education national data showing that children receiving a funded early years entitlement average 26 hours per week. The appellant's information does not indicate the maximum additional numbers each provider could accommodate. This highlights the need for a more detailed evidence base to assess the sufficiency of early years provision across the local area. Notably, the Ofsted evidence shows that of the 13 providers inspected, four had more places available than children enrolled.
20. Although childminder provision is markedly different, I find school nursery classes to be broadly comparable in some respects to provision by a private nursery setting. There are 11 such classes in the Urmston, Davyhulme, and Flixton wards registered to deliver government funded early years places, and no detailed information has been presented to suggest a lack of capacity across these providers.
21. In September 2025, the funded childcare entitlement for eligible working parents of children aged nine months to two years increased from 15 to 30 hours per week. The policy intent is multi-faceted, including to support parental employment and reduce financial burden, and is expected to drive higher demand for nursery places. The appellant cites a Government estimate that Trafford will need a 4% increase in capacity to meet this projected September 2025 demand. However, this figure is not specific to Urmston or nearby areas, and there is also no evidence before me indicating how much of this additional capacity may already be provided elsewhere.
22. The Council also proposes that most Trafford families were already purchasing more than 15 hours from their early years provider, such that overall demand for places will not double, but rather that a greater proportion of existing hours will be publicly funded. Without robust local data, it remains too early to identify a demonstrable unmet need arising from this national policy change.

³ Statement of case Table 3: PVI Early Years Places and Capacity in the Urmston, Davyhulme, Flixton Area

23. Moreover, the appeal proposal does not identify how many places it would provide for this age group, in order to consider its contribution to meeting this specific and new demand.
24. The appellant also points to Trafford's declining take-up rate among eligible registered children as a potential sign of capacity issues in early years and childcare settings⁴. However, this is inconclusive, because the trend could also indicate or be influenced by a range of other factors.
25. The appellant further contends a local need resulting from new housing allocations, particularly the strategic site at New Carrington, with several Council documents highlighting an anticipated increase in educational capacity requirements in the area. The projected number of New Carrington primary school pupils would equate to the need for a 3 form entry school. Nonetheless, delivery of such a large housing development would be phased over several years. With no construction timeline details before me, there is no indication of a current or imminent unmet need for early years provision.
26. In conclusion, although the proposed nursery development would provide additional choice for parents and reduce demand for additional places within the Urmston area, this does not indicate a demonstrable unmet need.
27. As I have found that the proposal would not be required to meet a demonstrable unmet need, there is no need to assess in any detail the Framework paragraph 155(c) requirement for the development to be in a sustainable location. The Golden Rules specified in paragraph 155(d) are not relevant to this appeal.

Redevelopment of Previously Developed Land and Openness

28. The second exception which could apply is under the Framework paragraph 154(g), being the redevelopment of previously developed land (PDL), which would not have a greater impact on the openness of the Green Belt than the existing development. Openness has spatial and visual aspects, and is a matter of planning judgement. The Green Belt openness is clearly evident around and across the site and the wider area.
29. The children's nursery proposal would be enabled by removing the existing large barn, six stable blocks, a fence enclosed outdoor riding area, several steel shipping containers, and several small ancillary buildings/structures. This would result in an overall 25% reduction in footprint and an 18% reduction in volume. The main building would also be 6% lower in maximum height than the existing barn. Although the proposal would also include associated small scale structures, fencing, and parked cars, spatially there would be a beneficial increase in openness.
30. However, from the public right of way (PROW) running through the site, this reduction would not be visually apparent. The concentration of that volume into a single new building would result in a massing individually larger and bulkier than the existing largest building on the site, with a 35% increase in footprint, and 12% increase in volume. This would be relatively imposing overall. The other existing buildings are all unassuming in scale, with no particular prominence. The nursery's position closer towards the PROW would also increase its visual prominence, as would the formality of its car parking compared to that existing.

⁴ Figures presented from the Department for Education (DfE) statistics website.

31. Moreover, the existing buildings and associated paraphernalia have a generally expected character in this semi-rural area in terms of their type and function, form, and materials. This would not be the case for the nursery building. I make this assessment even discounting any additional vehicle movements compared to those existing. The new landscaping would not sufficiently mitigate the bulky visual impact of the additional built form. Altogether I find the more prominent massing and dominant form of the new building would have a considerably harmful visual impact on openness. Even with the site's overall spatial reduction, there would be a greater impact on the openness of the Green Belt than the existing development.

Inappropriate Development Conclusion

32. The proposal would not fall under any of the exceptions identified in the Framework, and would thus be inappropriate development in the Green Belt. It would result in significant harmful inappropriate development, with considerable harm to Green Belt openness. It would therefore conflict with the PfE Policy JP-G9, and the Framework Section 13.

Character and Appearance

33. The Greater Manchester Landscape Character and Sensitivity Assessment classifies the site within the 'Broad Urban Fringe Valley' Landscape Character Type, with the Mersey Valley characterised by large pasture fields and intensively farmed arable land, delineated with low hedgerows and post and wire fencing. Tree cover is relatively sparse, limited mainly to structural planting. A more naturalistic character emerges along the lower reaches of the Mersey, where the river follows its natural meanders.
34. The site is relatively visually contained from this wider Green Belt area by topography and tree cover, albeit less so during leaf drop periods. Nonetheless, a very well-used PROW passes through and connects to the broader recreational network beyond. Resultingly, any change would be very apparent along this section, as well as from occasional vantage points and nearby private dwellings.
35. Although the site's character distinctly differs from the broader Green Belt areas of grassland, woodland, and the Mersey Valley beyond, it still contributes to local landscape quality. Existing buildings are appropriate to the semi-rural setting and reflect the equestrian and rural commercial use of the site, and their specific function. This is reinforced by the relatively informal surfacing, parking areas, internal fencing, and the overall layout including the central ménage and paddock. The massing of the adjacent Urmston Tack and Feed Shop buildings are set further away from the PROW than the main barn on the appeal site, and their form, materials, and informal arrangement indicate the rural context and associated activities.
36. The proposed layout, parking areas, and road surfacing would introduce a level of formality in sharp contrast with the site's existing character, exacerbated by the increased proximity to the PROW viewpoints. The new building would present a box-like form, lacking visual interest in its design, detailing, and overall appearance. Although suggested to echo nearby traditional building forms such as the bungalow and hair salon by the entrance, these are not traditional forms but are utilitarian designs from the 1980s, and therefore do not provide appropriate design prompt for a new nursery in line with current guidance. Consequently, the building would appear over-dominant and incongruous within its setting.

37. The Cob Kiln Lane formalised surface and new footway segregation would further erode the existing character of a semi-rural driveway leading into the countryside. Overall, the proposal would introduce an urbanising visual impact harmful to this transitional countryside setting, evident from the PROW in both directions.
38. Although the proposed landscaping would provide some screening and soften the edge of the new building, as well as the Tack and Feed Shop, its regimented planting and formal layout of the public access areas would compound the harm to character. I find this contribution to harm to only be limited, because a revised landscaping scheme could be secured by condition to achieve a more naturalistic countryside setting if I were to allow the appeal. Nonetheless, the screening contribution from landscaping would not be to such an extent so as to mitigate the proposal's overall inherent and visual impact.
39. The PfE Policy JP-G1 requires new development to reflect and respond to the special qualities and sensitivities of the landscape characteristics of its location, including with regard to land use, and views and perceptual qualities. It further identifies that the interface of new development with the surrounding countryside/landscape is of particular importance, with these transitional areas requiring well-considered and sensitive treatment. The Trafford Supplementary Planning Document 7 (SPD 7) provides detailed guidance, including that developments should have a landscape-led approach, and reflect the site context and character of the local area. As identified above, the proposal would cause harm to the views and perception of this site as having a transitional role.
40. Taking the appellant's transport evidence at face value, as a 'best case scenario', the nursery would generate an additional 34 two-way vehicle movements per day compared to the existing/potential use, notwithstanding existing traffic associated with veterinary visits and stable deliveries. In this context, and considering ongoing movements for the Tack and Feed Shop, in isolation this would have no undue impact on the site's character.
41. Overall, the proposed development would be significantly harmful to the character and appearance of the area, and would conflict with the PfE Policy JP-G1 as outlined above, and Policy JP-P1 whereby development should be visually stimulating, and respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale, and materials.

Other Matters

42. I have paid regard to comments from other interested parties from both the planning application and the appeal stages. Where these relate to the main issues or other considerations, they have been considered within my reasoning. Other comments do not affect my conclusions on the main issues. Of note, I have accepted the appellant's trip generation figures as submitted, on the basis that my overall conclusion would remain unchanged even were the proposed nursery were to generate more trips than currently anticipated in comparison to that existing.

Other Considerations

43. The Framework paragraph 100 highlights the importance of ensuring sufficient choice of early years, school, and post-16 places to meet the needs of existing and new communities. It advises that Local Planning Authorities should give great weight to the need to create, expand or alter early years, schools, and post-16 facilities when preparing plans and determining applications. While I have found no

evidence of a demonstrable unmet need so as to apply such great weight, the scheme would nonetheless still deliver clear benefits in terms of additional capacity and choice of provision, in a purpose built setting in a sustainable urban area. I therefore attach considerable weight in favour. The nursery would also generate 20 FTE jobs, plus additional employment during construction and through the supply chain, which I give moderate weight in favour.

44. Policy JP-G9 of the PfE encourages the enhancement of the green infrastructure functions of the Green Belt, such as improved public access and habitat restoration. The proposal would provide a new community orchard and wildflower garden, which would provide additional public access and biodiversity benefits, albeit the scheme is not subject to statutory biodiversity net gain requirements. I give these elements minor weight in favour. From the south, the landscaping would also help screen the massed form of the adjacent Tack and Feed Shop, albeit this would be affected by seasonal leaf drop. Given the overall negative impact on the site's character, I attach only very limited weight to this benefit.
45. The proposal would introduce a separate footway along Cob Kiln Lane, and reduce the number of larger vehicles, which would be a highway safety improvement. However, as no recorded safety incidents have been brought to my attention, I accord this benefit limited weight.
46. The Sequential Test confirms that there are no suitable alternative sites outside the Green Belt or flood zones 2, 3a, and 3b within the Urmston, Davyhulme, and Flixton catchment area. However, this does not confirm the absence of sites within the Green Belt or zone 2 that might accommodate a nursery with less harm to Green Belt purposes and the character and appearance of the area. Accordingly, I give the site availability argument only limited weight.

Planning Balance and Conclusion

47. The proposal would reduce the openness of the Green Belt, and would therefore conflict with the development plan, and with the Framework. It would be inappropriate development in the Green Belt, which is harmful by definition, and to which I attach substantial weight as required by the Framework paragraph 153. The proposal would also cause significant harm to the character and appearance of the area, to which I give significant weight. I have given weight as outlined above to the range of other considerations and benefits advanced by the appellant in support.
48. 'Very special circumstances' will only exist where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Having weighed the totality of harm identified against the benefits of the proposal, I find overall that the benefits of the proposal would not individually or cumulatively clearly outweigh the harm to the Green Belt and any other harm. Consequently, the very special circumstances necessary to justify the development do not exist.
49. The proposed development would therefore conflict with the development plan and the Framework taken as a whole. With no other material considerations indicating otherwise, for the reasons given above I conclude that the appeal is dismissed.

L N Hughes

INSPECTOR