



---

## Appeal Decision

Site visit made on 13 November 2025

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 December 2025

---

**Appeal Ref: APP/R0660/W/25/3369965**

**Land under construction by Oakwood Homes, Land East of The Dingle & South of Clay Lane, Haslington CW1 5SE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
  - The appeal is made by Oakwood Construction (Northern) Ltd against the decision of Cheshire East Council.
  - The application Ref 25/0709/DSC sought approval of details pursuant to conditions Nos 2, 9 and 10 of a planning permission, Ref 23/2108N, granted on 28 October 2024.
  - The application was refused by notice dated 31 March 2025.
  - The development proposed is variation of conditions 2, 3 4 & 25 on approved application 14/0009N - The erection of 34 dwelling houses (between 30% and 35% affordable units), with associated access, internal highways, parking amenity space and landscaping.
  - The details for which approval is sought are: Condition 2 (Materials).
  - This condition states: *Notwithstanding the approved plans, no development involving the use of any facing or roofing materials shall take place until details of all such materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless any variation is agreed in writing by the Local Planning Authority.*
  - The reason given for this condition is: To ensure that the external appearance of the building/structure is acceptable.
- 

### Decision

1. The appeal is dismissed.

### Applications for costs

2. An application for costs is made by Oakwood Construction (Northern) Ltd against the Council. This matter is subject to a separate decision.

### Preliminary Matters

3. The evidence indicates that the development has commenced. During my site visit, it was noted that works were underway, with several properties of the wider development constructed. I have considered the appeal on this basis.

### Background and Main Issue

4. The appeal site is currently under construction by Oakwood Homes following their purchase of the site after it received planning permission, which was obtained by a previous developer in 2015. Crucially, an application to vary the conditions associated with this previous consent was made, and allowed, in 2024. The evidence before me suggests that this was undertaken to make changes to the layout of the site, and to substitute the approved dwellings with Oakwood Homes house types.

5. The decision notice for this consent has been provided. From my assessment of its accompanying conditions, it is apparent that several conditions on this decision notice required the submission of further information prior to the development of certain aspects of the proposals. These details included the submission of material details (Condition 2), surface water drainage details (Condition 9) and matters which relate to the risk of flooding from surface water drainage (Condition 10). An application was made to discharge these conditions. This application was refused in 2025 and is the subject of this appeal.
6. Critically, in my analysis of the evidence before me, the appellant has stressed that this appeal relates only to the refusal of Condition 2 (Materials). The Council has specified that its specific issue is the use of the split-faced block within the development. In following these claims made by the parties, I have made this matter the focus of the main issue of this appeal. For the avoidance of doubt, conditions 9 and 10 have not been included in my assessment.
7. At this stage, it is important to acknowledge the appellant's points regarding the conditions imposed when permission was granted in 2024, as they provide useful context to the background of the case. Condition 1 of this approval required that the development be carried out in total accordance with the approved plans. The appellant contends that the Council were provided with all of the details to be used in the external finishes of the buildings. Yet, Condition 2, which is the main focus of the appeal, requires the submission of the details of the materials to be used on the external faces of the development. The appellant subsequently questions the imposition of this condition in light of the above which is further scrutinised through submitted legal advice. However, the crucial word in Condition 2 is 'notwithstanding', thus requiring these details to be submitted notwithstanding the detail contained on the approved plans. I have assessed the appeal on this basis.
8. To focus on the main issue before me, it should be noted that this appeal does not concern the imposition of those conditions. Rather, it relates specifically to the refusal of approval of details pursuant to Condition 2. The matter of whether any of the conditions from the previous approval were unlawfully imposed, as contended, is not a matter which is covered by the remit of this appeal.
9. It therefore follows that the main issue is the effect of the proposed materials upon the character and appearance of the area.

## **Reasons**

10. The appeal site comprises a residential development situated on the outskirts of Haslington. Within the scheme, split-face block, the material at the centre of this appeal, has been employed to front projecting gables to provide a contrast against the principal external finishes of certain plots, which are otherwise constructed in brick or render. For all practical purposes, split-face block is regarded as a stone material.
11. The Cheshire East Borough Design Guide Supplementary Planning Document 2017 (SPD) notes that Haslington, the closest settlement to which this housing development relates, is within a Salt and Engineering Town character area. The SPD notes the typical traditional materials which are found in such locations. It notes that the materials used in Salt and Engineering Towns include a mix of brick, slate, clay roof tile and most importantly in the context of this appeal decision, stone. It further adds that render or pebbledash over a brick plinth or lower half is

common amongst late Victorian and Edwardian properties. But, this analysis covers several Salt and Engineering Towns, not just Haslington.

12. A specific analysis of Haslington itself is provided within the SPD. It notes that the key settlement design cues within Haslington include a domination of brick and slate, with some half-timbered properties. During my site visit, I noted that within Haslington, the assessment found within the SPD is accurate. Where stone is used, it is limited to small instances, or boundary walling, as is reflected within the SPD. I therefore conclude that stone is not a predominant material which has traditionally been found within Haslington.
13. The appellant has submitted an assessment of materials used across Haslington, supported by images taken along The Dingle, Crewe Road, Wells Avenue, Repton Drive, and Primrose Avenue, areas largely associated with the 1970s and 1980s expansion of the settlement. This assessment broadly aligns with my findings above. Most buildings depicted demonstrate a predominance of red brick, with partial render also being a common feature, as noted in the SPD. Stone is present in some examples. However, its use is extremely limited, confined to a single instance on Repton Drive where it is restricted to the ground floor, or to chimney details that are not visually prominent due to their minor application along Primrose Avenue.
14. In addition to this analysis, the appellant also refers to and provides images of a Morris Homes development which they contend is in Haslington. The images of this development were taken from the SPD. The Council note that this development is in Peterborough, a significantly long distance from Cheshire East. As such, for reasons which should be clear, I have not visited this example and have discounted it from my consideration of this appeal.
15. The use of the split-block material in the Oakwood Homes development is used on the front gable features to various plots within the estate. From my assessment of the buildings which host this material during my site visit and from the evidence before me, this material is used on both the ground and first floor of the plots within the development. As such, this creates a dominant appearance of split-face block.
16. It is contended that only two plots which utilise the material in question can be seen from public vantage points along The Dingle. However, during my site visit, it was possible to view properties within the estate with the split-block material employed from Clay Lane. Furthermore, even if I was to adopt the view of the appellant, as a housing estate, public access would be permitted and therefore, these buildings would be visible by those passing through the estate. Visibility would not therefore just be limited to public vantage points along The Dingle.
17. By reason of its location to front projecting gables, in combination with the use of an alien material, its strong visibility and dominance across the ground and first floor of the buildings which utilise this material, the use of a split-face block throughout the development does fail to reflect the local vernacular of Haslington.
18. Reference is made to a selection of images taken from the scheme approved on the appeal site in 2015, which was obtained by a previous developer. These images show projecting gables which would have utilised larch timber cladding. Critically, the Council note that this permission has now expired, and there is no convincing evidence before me to suggest that this is not the case. Furthermore,

this is a completely different material type to the split-face block material under consideration in this appeal.

19. The appellant has repeatedly emphasised that the use of split-face block is valued by purchasers who wish for its retention, and that its inclusion reflects consumer choice. They further contend that customers have responded positively to the 'unique materiality and design features'. However, this assertion of uniqueness undermines the argument that this material is indeed a characteristic of Haslington. In addition, reference has been made to its favourable reception within a development in Northwich. Northwich, however, lies within the jurisdiction of Cheshire West and Chester Council and is therefore subject to a separate set of development plan policies. As such, its relevance to this appeal is limited.
20. To conclude, the use of split-block material conflicts with Policies SE1, SD1 and SD2 of the Cheshire East Local Plan Strategy 2017, Policy GEN1 of the Site Allocations and Development Policies Document 2022, the NPPF and the guidance found within the SPD. Collectively, these policies and guidance seek for development to respond positively to its location, thus achieving a sense of place which reflects the local character of the area. Specifically, amongst other things, these policies note that the choice of materials is one way in which a development will be expected to contribute positively to the character of an area.

### **Conclusion**

21. The use of the material which is the subject of this appeal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal should be dismissed.

*J Smith*

INSPECTOR