



Appeal Decision

Site visit made on 9 December 2025

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2025

Appeal Ref: APP/R0660/W/25/3372030

Rowlinson Group, Green Lane, Wardle, Cheshire, CW5 6BN

- 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 Rowlinson Group against the decision of Cheshire East Council.
 - The application Ref is 24/3086N.
 - The development proposed is extension of warehouse and construction of new solar photovoltaic covered car park.
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Decision

1. The appeal is allowed and planning permission is granted for extension of warehouse and construction of new solar photovoltaic covered car park at Rowlinson Group, Green Lane, Wardle, Cheshire CW5 6BN in accordance with the terms of the application Ref 24/3086N, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council has no objection to the proposed warehouse extension, and I agree that this element of the scheme, which is entirely within the existing built-up footprint of the Rowlinson site, would be acceptable. The main issues in this appeal therefore relate to the proposed solar photovoltaic (SPV) covered car park.
3. As part of the appeal submission, the appellant has provided a Nesting Bird and Potential Bat Roosting Features Report (Leigh Ecology, 28/7/25). The Council has confirmed that this information satisfactorily addresses its fourth reason for refusal, concerning the lack of a bat survey. I am satisfied that, subject to the proposed mitigation measures contained in the above document and the Preliminary Ecological Appraisal (PEA, Revised 28 Nov 2024), the proposal would not cause harm to bats.

Main Issues

4. The main issues are:
 - whether the proposal would comply with planning policy for new development in the countryside, having regard to the effect on the character and appearance of the area;
 - whether sufficient information has been provided to assess the effect of the proposal on trees, and
 - whether the proposed development would make adequate provision for biodiversity net gain (BNG).

Reasons

Policy position

5. The appellant's business is concerned with the manufacture, importation and sale of timber packaging and garden products. The two arms of the Rowlinson business together occupy a large site in a rural area, close to the strategic employment site at Wardle.
6. The proposed warehouse extension would support the expansion of the Rowlinson business. By combining timber cutting operations into a single building the proposal would result in efficiency improvements for both parts of the business. Extending the warehouse as proposed would result in the loss of space currently used for staff parking, so the appeal proposal includes replacement provision.
7. The site of the proposed car park is outside of the existing employment area, so is treated as open countryside for the purposes of the Cheshire East Local Plan Strategy 2017 (Local Plan). To protect the countryside and its special qualities, Local Plan Policy PG6 restricts new development to that which is essential to a rural area. A list of exceptions in the policy includes part 3.v, which allows for development that is essential for the expansion or redevelopment of an existing business.
8. The Rowlinson site is not easily accessible by other transport modes, and the need for replacement parking is not disputed. However, there are questions as to whether the proposed car park is essential in the countryside location proposed, or whether alternative options exist, including within the existing complex.
9. When I visited, it was apparent that space within the Rowlinson site is well utilised, with little evidence of underused land or buildings. Recent and proposed developments, including a newly constructed warehouse in the south-western corner, indicate that the business is growing and that the site is becoming more intensively used.
10. During my visit I saw little opportunity to provide additional surface or decked parking within the site. Significant space is given over to outdoor storage for stock, but it was evident from the site layout and regular forklift truck movements that these areas are in active use. I note the appellant's comment that outdoor storage forms a fundamental part of the operation of the site, with materials being moved between different areas for processing and other operations. Furthermore, storage space will continue to be required following the warehouse expansion now proposed, with increased production requiring additional buffer stock. I have no reason to dispute this.
11. Even if it were possible to use outdoor storage areas more intensively to accommodate additional parking, (which seems unlikely) the operational demands of the business would make this difficult to achieve. For safety reasons and to avoid disruption to business operations, it would still be necessary to separate car parks and their accesses from the main operational areas and routes (marked in blue on the High Traffic Route Areas and Site Logistics Plan). The existing configuration of the buildings and associated storage areas means there is no obvious way to achieve this, without encroaching onto areas in operational use. Incorporation of pedestrian routes within such areas would have health and safety implications and would reduce the area available for vehicle movements.

12. The appellant owns agricultural land to the south of the operational site, which could be used for additional parking. However, accessing this area would require the creation of dedicated routes through the site for staff vehicles and pedestrians, separate from the operational areas. Again, it is difficult to see how this could be achieved without a significant reconfiguration of the site. The associated loss of operational space would be of detriment to the business.
13. I am satisfied that there are no other reasonable options for locating a new car park, either within the existing built-up area or on land to the south. To enable the business to expand in the manner proposed, with associated benefits for the local economy, the proposed use of land for car parking would be justified. In principle, the proposal would therefore meet the requirements of part 3.v. of Local Plan Policy PG6. However, the policy also requires that development must comply with other relevant policies in the plan, with particular attention given to design and landscape character. I consider this below.

Character and appearance

14. The section of Green Lane closest to the A51 junction is predominately rural in character. The lane is bounded by fields on either side, with boundary trees and hedges breaking up the otherwise flat landscape. However, the character of the area is also strongly influenced by the nearby commercial and industrial uses which form part of the strategic employment site at Wardle, which has expanded in recent years. From Green Lane, large scale buildings are visible in the distance and through gaps in the hedgerows. The lane itself is subject to regular HGV movements, reflecting its function as a primary access for the Rowlinson site and other commercial development.
15. The site of the proposed car park is a grassed field surrounded by hedgerows, with a line of tall poplar trees forming the south-western boundary. Whether or not it is in active agricultural use, the site continues to act as an open buffer between the bungalows to the east and commercial uses to the west. In this respect, the conclusions of the previous Inspector about the character of this section of Green Lane remain valid¹.
16. The new car park, which would be positioned towards the south side of the field, would provide 96 spaces, and would be covered by four rows of raised SPV panels, with a maximum height of around 4.1m. The introduction of the proposed car park would permanently change the character of this undeveloped, open site. However, the scale and form of development proposed, and the presence of existing trees and hedgerows, means that views would be largely limited to the immediately surrounding area.
17. The section of Green Lane which borders onto the appeal site is not particularly wide, with a mature boundary hedgerow directly abutting the road edge. The proposed car park would be set well back from the lane, and whilst the solar panels would be visible above it, the existing boundary hedgerow would provide a reasonable amount of screening.
18. From the two bungalows which face onto the field, the Rowlinson site will be visible beyond the tree belt, but the proposal would bring commercial development closer to these properties. Owing to their height, the solar panels would be visible

¹ Appeal ref APP/K0615/A/08/2069040

from their rear gardens and windows, but existing outbuildings and boundary hedgerows would provide significant screening so that the development would not appear overly dominant or intrusive, and the visual impact would be further reduced by proposed mitigation measures.

19. Whilst not a typical feature within this flat landscape, the proposed landscaped bunds would augment existing hedgerow screening, all year round. As they would sit behind the boundary hedgerows, the bunds would not be particularly noticeable from outside the site. Rather, the bunds and associated tree planting would help to retain the impression of a green buffer between the road, the adjacent bungalows and the industrial development beyond.
20. The line of poplar trees along the south-western boundary of the site form a distinctive feature. The trees make a positive contribution to the character of the area, and when travelling in a westerly direction along Green Lane, they help to screen the commercial development beyond. From further afield, including from the A51, the presence of intervening trees and buildings means that the poplars are less visible and their linear form less obvious.
21. To create the new access to the car park, it would be necessary to remove ten of the poplar trees, creating a gap in the tree belt. This would detract from the rural character of the area to some extent, but beyond Green Lane the visual impact would be modest. The loss of trees would be noticeable from close by, but the trees to be removed are generally smaller than others in the group, and three are in poor condition so may need to be removed in future anyway. The effect of the loss of the poplar trees would become less pronounced over time, as proposed compensatory tree planting became established.
22. A further 3 trees and a small section of hedgerow would be removed to provide pedestrian access and visibility splays. Those trees are not large specimens, and do not contribute significantly to the rural character of the area. Any visual harm caused by their removal would be minor, and replacement planting would help to mitigate the loss of greenery.
23. A detailed landscaping plan has not been provided, but the submitted Biodiversity Net Gain plan shows tree and shrub planting around the proposed car park. This would take some time to become established, but could provide significant screening of the development, from both Green Lane and from the adjacent bungalows. As well as filtering views of the Rowlinson complex, compensatory planting would make a positive contribution to the rural character of the area, with the long-term result being significantly increased tree cover on the site.
24. The proposal would have a very different, and much lesser, visual impact than the two-storey office development previously proposed and dismissed on appeal. Whilst the proposal would change the character of the site itself, the visual impact would be limited in extent, in an area in which commercial forms of development are not unexpected. The effect on the wider landscape would be minimal, and from close by, mitigation measures including compensatory planting would enable the site to retain its function in providing a green buffer. The site would continue to provide visual separation between Green Lane, the bungalows and the commercial and industrial uses beyond.

25. Taking all of the above matters into account, I conclude that the proposal would comply with planning policy for new development in the countryside, having particular regard to the effect on the character and appearance of the area.
26. The proposed development would be essential to enable the business to expand, consistent with Local Plan Policy PG6. Whilst it would inevitably have some visual impact, proposed mitigation would enable the scheme to respect and conserve the landscape character of the area and maintain a sense of place. I find the proposal to be consistent with the requirements for rural employment development contained in Local Plan Policy EG2, and with the general requirements for development in Policy GEN1 of the Site Allocations and Development Policies Document 2022 (SADPD).
27. The proposal would also reflect the sustainable development principles in Policy SD2, and with the mitigation proposed, the requirements to conserve landscape character in Policy SE4. It would comply with a number of the considerations for sustainable development contained in Local Plan policy SD1, including contributing to a responsive and competitive, low carbon economy; providing access to local jobs and providing safe access and sufficient car parking. I find no conflict with that policy.

Trees

28. The Appeal Biodiversity Net Gain Plan, dated 3 July 2025 (Leigh Ecology) and the Arboricultural Implications Assessment (AIA) and Arboricultural Method Statement (AMS) revision H, dated 29 August 2025 (Mulberry Tree Management) identify the need to remove ten poplar trees. In this respect the documents are consistent and there is no need for further clarification on this matter.
29. To meet highways requirements, the existing private access road would need to be widened to 4.8m. The appellant has confirmed that widening would take place on the western side of the road, away from the trees, as shown on the Altered Road Junction plan (drawing no 1608-208 B). Revision H of the AMS describes measures to be adhered to during access works to ensure the long term health of the retained trees, including the need for excavation using hand tools to avoid damage to roots.
30. Following comments by the highways officer, the visibility splay shown on drawing no. SCP/240942/SK01 has been amended slightly. The revised drawing (no. 1608-209) shows that the increased visibility splays would have minimal impact on trees and hedgerows. Drawing no. GLW/MS/01 rev 1 shows that the proposed drainage attenuation basin could be accommodated without incursion into the identified root protection areas.
31. Overall, I am satisfied that the information provided is sufficient to assess the impact of the proposal on trees, with mitigation measures set out to safeguard the health of retained trees. The scheme is supported by an appropriate AIA and AMS. Further detail, including detailed landscaping plans and tree protection measures, can be secured by a condition. The requirements of SADPD Policy ENV6 are therefore capable of being met.
32. Local Plan Policy SE5 seeks to protect trees from loss or damage, but in this case clear overriding reasons exist to allow the development, and there are no suitable alternatives. As such, the proposal does not conflict with the policy.

Biodiversity net gain

33. The appeal scheme is subject to the requirements of section 7A of the Town and Country Planning Act 1990 in relation to the provision of biodiversity net gain (BNG).
34. In refusing the application, the Council identified deficiencies in the BNG information provided at application stage. Additional information was provided as part of the appeal submissions which aimed to address these concerns, and the Council has had the opportunity to consider and respond.
35. The updated BNG plan has resolved earlier discrepancies with other documents regarding the number of trees to be removed, and now covers the whole of the red line area. In accordance with the advice of the Council's ecologist, the proposed area for tree planting has been separated from the area for mixed scrub.
36. I note the Council's comment that a revised version of the BNG metric calculation had not been provided with the updated BNG plan, but that was provided with the appeal documents, and the appellant has provided a copy of an email which appears to show that it had been sent to the Council within the appropriate timescales. A further revision, correcting a discrepancy in the text, has been provided as part of the appellant's final comments.
37. On the basis of the information which has been provided, I am satisfied that the statutory BNG condition is capable of being discharged, and the scheme is capable of providing 10% biodiversity net gain on site. As this is a matter for post permission, it is not necessary to consider this further at this stage.

Other Matters

38. As part of the proposal, a Surface Water Drainage Assessment has been provided, (Weetwood, dated 24 Jan 2025) which sets out a scheme for the management of surface water runoff from the proposed development. The proposed drainage scheme is acceptable to the Lead Local Flood Authority, and I am satisfied that, the scheme could be implemented without increasing the risk of flooding for neighbouring occupiers.
39. The proposed development would bring activity into what is currently an open field. However, once operational the proposed car park would be unlikely to generate significant noise or disturbance to nearby residents, and would be far enough away to avoid loss of light to homes and gardens. The proposed landscape bund would help provide screening, and such a solid barrier would avoid disturbance from car headlights. External lighting could be controlled by a condition to avoid any light spill affecting residents.
40. I note comments from occupiers of the bungalows that proposed planting and the landscape bunds could restrict access to their septic tanks. Information showing the area/s involved has not been provided, but there is no suggestion that this matter would render the scheme incapable of being implemented. If necessary, this matter could be addressed as part of the detailed landscaping scheme for the site, which can be secured by a condition.
41. I note issues raised about consultation failings at application stage, but that is a matter for the Council. Residents have been notified of the appeal and I have taken their comments into account.

Conditions

42. The Council has provided a list of suggested conditions, which I have reviewed in light of the tests set out in paragraph 57 of the National Planning Policy Framework (the Framework).
43. In addition to the standard implementation and plans conditions, a condition requiring matching materials to be used in the warehouse extension is needed to ensure a satisfactory appearance.
44. The biodiversity gain condition is deemed to apply to this grant of planning permission under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The statutory status for the biodiversity gain condition differs from that of other planning conditions, and because of this the Planning Practice Guidance strongly encourages decision makers not to include the biodiversity gain condition in the list of conditions. Accordingly, I have not done so.
45. To ensure that the approved biodiversity gain plan is achieved, it is necessary to impose a condition which requires the submission and approval of a habitat creation method statement and 30 year habitat management and monitoring plan (HMMP). I have altered the Council's suggested wording in the interests of precision.
46. To safeguard biodiversity, a condition is needed which precludes the removal of vegetation in the bird nesting season until a detailed check has been carried out. The proposal does not include the demolition or conversion of buildings, so I have removed references to such.
47. To protect nocturnal creatures and safeguard the living conditions of nearby residents, a condition requiring approval of any external lighting scheme for the car park is necessary. I have added extra wording to the Council's suggested condition to require that any external lighting scheme is retained in the approved form,
48. Conditions requiring the provision of visibility splays and the access track are required in the interests of highway safety. The Council's suggested condition refers to drawing no. SCP/240942/SK01, but a revised drawing showing visibility splays has since been provided, as described above. I have referred to the updated drawing in the condition.
49. To safeguard the quality of the water environment and protect against flooding, the development must be carried out in accordance with the submitted drainage details. I have imposed a suitable condition, with an amendment to the Council's suggested wording to improve clarity.
50. In their consultation response, the Council's tree officer requested the submission of a Tree Protection Plan (TPP), which was missing from the submitted Arboricultural Method Statement. I agree that this information is needed to safeguard the long term health of trees, along with details of construction for the access widening, and have imposed a condition accordingly.
51. Finally, conditions requiring submission, approval and implementation of a landscaping scheme are needed to ensure a satisfactory appearance and preserve the rural character of the area.

Conclusion

52. The proposed development would provide for the expansion of the existing business, with associated benefits for the local economy. The proposed car park is necessary to facilitate this growth, and the solar panels would provide renewable energy for the business, supporting the transition to a low carbon economy.
53. No reasonable alternatives exist for the provision of replacement car parking, and I am satisfied that, with appropriate mitigation in place, the development would preserve the landscape character of the area. Sufficient information has been provided in relation to protected species, trees and BNG.
54. The proposal complies with relevant policies in the development plan and the provisions of the Framework. The appeal is therefore allowed, subject to the conditions.

R Morgan

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with documents and drawings:
 - 1608-L01A - Location plan
 - 1608-200 - Proposed site plan sheet 1
 - 1608-201A - Proposed site plan sheet 2
 - 1608-202A – Proposed plan – warehouse
 - 1608-203A – Proposed elevations – warehouse
 - 1608-204A – Proposed plan – parking
 - 1608-205A – Proposed elevations – parking
 - 1608-206 – Proposed roof plan – warehouse
 - 1608-207B – Proposed roof plan - parking
 - 1608-208B – Altered road junction
 - 1608-209 – Junction visibility splay
 - TRE/GLW/Rev H - Arboricultural Implications Assessment and Arboricultural Method Statement (Mulberry, 29 August 2025)
 - Surface Water Drainage Assessment v1.1 (Weetwood, Jan 2025)
 - Access Strategy, including drawing no SCP/240942/SK01 (SCP, 4 Nov 2024)
 - Revised Preliminary Ecological Appraisal (Leigh Ecology, 28 Nov 2024)
 - Nesting Bird and Potential Bat Roosting Features Report (Leigh Ecology, 28 July 2025)
- 3) Prior to the commencement of the proposed car park, a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by, the local planning authority. The HMMP shall include:
 - a non-technical summary;
 - the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.
 - a mechanism to secure the agreement and implementation of contingency measures in the event that monitoring reveals that habitats on site are failing to achieve their target distinctiveness and/or condition.

Notice in writing shall be given to the Council when the HMMP works have started. No development shall take place until:

- the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

- 4) Prior to the commencement of the proposed car park and associated preparatory work (including any tree felling, tree pruning, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery), a detailed Tree Protection Plan (TPP) accordance with the requirements of BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include full details of the following:
- implementation, supervision and monitoring of the approved Tree Protection Scheme,
 - implementation, supervision and monitoring of the approved Tree Work Specification,
 - implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme,
 - timing and phasing of arboricultural works in relation to the approved development, and
 - details of an engineer designed no dig hard surface construction for the access widening. These details shall also include the manufacturers guarantee for the designed no dig hard surface and proposed details of the materials for the final wearing surface.

No development or other operations shall take place except in complete accordance with the approved details.

- 5) Prior to the commencement of the proposed car park, a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes, the proposed numbers and densities and an implementation programme.
- 6) The approved landscaping plan shall be completed in accordance with the following:-
- a) All hard and soft landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority.
 - b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428(1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

- c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of British Standard BS5837: 2005 Trees in Relation to Construction: Recommendations.
 - d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
- 7) The development shall be constructed in accordance with the following details:
- Surface Water Drainage Assessment - 2025-01-24 6112 DA Final v1.1
 - Drawing 6112 SK01 Rev P1 – Preliminary Surface Water Drainage, Proposed Warehouse
 - Drawing 6112 100 Rev P1 – Preliminary Surface Water Drainage Layout
- 8) No removal of any vegetation shall take place between 1 March and 31 August in any year, unless a detailed survey has been carried out to check for nesting birds. Where nests are found in any hedgerow, tree or other habitat to be removed, a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.
- 9) Prior to the installation of any external lighting on the site of the proposed car park, details of the lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall reflect the Bat Conservation Trust Guidance Note 08/18 (Bats and Artificial Lighting in the UK) and shall consider both illuminance (lux) and luminance (candelas/m²). It shall include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features. The scheme shall also include a modelled lux plan, and details of:
- Proposed lighting regime;
 - Number and location of proposed luminaires;
 - Luminaire light distribution type;
 - Lamp type, lamp wattage and spectral distribution;
 - Mounting height, orientation direction and beam angle;
 - Type of control gear.
- The development shall be implemented in full accordance with the approved lighting details, and maintained as such thereafter.
- 10) The approved access shall not be brought into use until visibility splays have been provided at each side of the point of access in accordance with drawing no. 1608-209. The splays shall be kept clear of any object, vegetation or other obstruction of a height exceeding 1.0m above the level of the adjacent carriageway at all times.
- 11) Prior to the car park hereby approved being brought into use the access track improvements, including vegetation removal as shown on drawing no. SCP/240942/SK01, shall be constructed in full.
- 12) The materials to be use in the construction of all external surfaces of the warehouse extension hereby permitted shall match those of the existing building, unless otherwise first approved in writing by the Local Planning Authority.