



Appeal Decision

Site visit made on 26 November 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

Appeal Ref: APP/R0660/W/25/3374396

Croft Heath, Wettenhall Road, Poole, Nantwich, Cheshire CW5 6AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission in principle.
- The appeal is made by Mr Michael Bird against the decision of Cheshire East Council.
- The application Ref is 25/2520/PIP.
- The development proposed is described as 'residential development for up to two dwellings'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. My site visit was scheduled as an access required site visit, although I was not able to proceed on that basis. However, I was able to consider the main issues based on seeing the site and its surrounding context from public areas and hence my visit was carried out unaccompanied.
3. The proposal is for permission in principle (PiP). Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (PiP) establishes whether a site is suitable in-principle, and the second, technical details consent (TDC) stage, is when the detailed development proposals are assessed. It is the granting of TDC that has the effect of granting planning permission for the development. This appeal relates to the first of these 2 stages.
4. The scope of the considerations for PiP is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if PiP is granted. I have determined the appeal accordingly.

Main Issues

5. The main issues are:
 - Whether the site is in a suitable location for housing, with respect to local and national policies and accessibility to services and facilities; and
 - the effect of the development on the character and appearance of the area having regard to its location.

Reasons

Location – access to services and facilities

6. The appeal site comprises a parcel of land situated on the eastern side of Wettenhall Road. It is bounded by residential properties on three sides, with additional dwellings and a chapel located on the opposite side of the road. Agricultural land lies to the rear of the site. For the purposes of planning policy, the appeal site and its surroundings are within the open countryside.
7. Policy PG 6 of the Cheshire East Local Plan Strategy 2010 – 2030 adopted 2017 (LP) states that within the open countryside only certain developments will be permitted. Policy PG 10 of the Cheshire East Local Plan Site Allocations and Development Policies Document adopted 2022 (SADPD) refers to infill villages and restricts limiting infilling to certain settlements and subject to certain criteria. Both the Council and the appellant agree that the proposal does not fall within any of the exceptions of these policies. Therefore, the site location does not accord with the Council's strategy for the location of housing.
8. However, the matter of dispute between the main parties relates to the site's access to services and facilities. Policy SD 1 of the LP concerns sustainable development in Cheshire East and supports developments that, amongst other things, are accessible by public transport, walking and cycling, and prioritise the most accessible and sustainable locations. Policy SD 2 of the LP outlines the principles of sustainable development and states that developments will be expected to provide access to a range of forms of public transport, open space and key services and amenities, and incorporate measures to encourage travel by sustainable modes of transport such as walking, cycling and public transport. LP Policy CO 1, although not cited in the Council's reason for refusal, is referenced in the Planning Officer's report. It has similar aims to LP Policies SD 1 and SD 2.
9. The aims of LP Policies SD 1, SD 2, and CO 1 are consistent with the National Planning Policy Framework (the Framework), which expects development to promote walking, cycling, and the use of public transport, while recognising that sustainable transport solutions will vary between urban and rural areas.
10. The site is part of a cluster of residential development. The closest facility to the site is a chapel, which the appellant indicates is used regularly as a village hall. The site bounds Wettenhall Road, which is an unlit countryside road with a speed limit of 60 miles per hour, and uneven grass verges. There are several services and facilities within a range of approximately 2 kilometres, as outlined by the appellant, with several of them being in Nantwich. The Council indicates that the closest bus station is some distance away, along the A51 road.
11. The appellant asserts that the range of residents within the rural community supports the suitability of the site for housing. However, due to the nature of the road, vehicles speed limit, and lack of street lighting and footpaths, future occupants of the proposed development would be less likely to reach the essential services and facilities by walking or by public transport. It has not been demonstrated that the referenced public rights of way, Poole FP1 and Poole FP8, would provide better alternatives in terms of accessibility for pedestrians. Additionally, despite the range of services and facilities available in Nantwich, there are no dedicated cycleways between the site and Nantwich. Given the speed limit for vehicles and the lack of streetlights, this would not be a particularly desirable or safe cycling route, particularly during the winter months.

12. Therefore, I find that the site location would not offer genuinely sustainable travel choices. As a result, there is likely to be a reliance on private vehicles for accessing most day-to-day facilities and services.
13. Permitting the proposal would be harmful as the site is not in a location where the need to travel, particularly by car, is minimised. Furthermore, I have found that the site location would have limited potential to promote sustainable transport use. Given that the proposal would be inconsistent with an important element of the Council's approach to development I have judged the magnitude of harm to be significant.
14. Consequently, it has not been demonstrated that the site is in a suitable location for housing with respect to local and national policies and accessibility to services and facilities. Accordingly, the proposal is contrary to the aims of Policies PG 6, SD 1, SD 2, CO 1 of the LP and Policy PG 10 of the SADPD, as set out above. The proposal would also be contrary to the aims of the Framework, which at paragraph 83 states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.

Location – character and appearance

15. The appeal site comprises a parcel of land adjacent to Wettenhall Road. As noted above, it is predominantly surrounded by residential properties, with agricultural land to the rear. The site is partly visible from Wettenhall Road, with the remainder extending to the rear of the Croft Heath property. Its openness and greenery reflect the rural setting and make a positive contribution to the character and appearance of the area.
16. The erection of up to two dwellings within this context would have an urbanising effect. The associated domestic activities and paraphernalia would lead to an intensification in the use of the land, to the detriment of the character and appearance of the surrounding area. Given the site's position among existing housing, combined with its small scale and the surrounding built form, the resulting harm to the character and appearance of the area would, however, be moderate.
17. In conclusion, the proposal would be harmful to the character and appearance of the area. Therefore, it conflicts with the aims of LP Policies PG 6, SD 1, SD 2, SE 1, and SADPD Policy GEN 1, which collectively aim to protect the countryside and to respond positively to the character and appearance of the area by directing development towards the most accessible and sustainable locations. I give moderate negative weight to this conflict.

Other Matters

18. My attention has been drawn to a planning committee report¹ concerning a countryside development. The appellant referred to the degree of harm caused by that scheme and compared it to the appeal proposal in terms of character and appearance. I do not have full details of that case or its outcome. However, based on the evidence before me, the two developments are not directly comparable, particularly given differences in scale and associated benefits. In any event, I have reached my conclusions based on the proposal's own merits and site-specific

¹ LPA ref: 25/1403OUT

circumstances. Moreover, any recent residential development in Poole, details of which have not been provided, does not justify the appeal scheme.

19. I understand that it is the appellant's intention to deliver the proposal in full within 5 years and I have also had regard to the Written Ministerial Statement which describes the Government's commitment to deliver 1.5 million homes. In this regard, I have considered the benefits of the additional two houses against the identified harm in the section below.

Planning Balance

20. I acknowledge that future occupants could contribute to the rural community. However, given the small scale of the proposed development, its social and economic benefits would be limited. While two additional houses would make a modest but positive contribution to housing supply, the associated construction and subsequent occupancy would only provide minimal support to local employment and the economy. The appellant has also referred to the benefit of a delivery of 10% biodiversity net gain. However, such evidence is not part of this stage's considerations.
21. The Council has confirmed that it cannot currently demonstrate a five-year supply of deliverable housing sites. In these circumstances, footnote 8 of the Framework establishes that paragraph 11 d) is engaged. There is nothing before me to suggest that the policies identified in footnote 7 of the Framework provide a strong reason for refusing the development proposed under paragraph 11 d) i). Hence, the balance in paragraph 11 d) ii) applies.
22. Paragraph 11 d) ii) states that planning permission should be granted unless 'any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations.'
23. The Framework seeks to significantly boost the supply of homes. The main parties agree that the Council has a supply of 3.8 years, which is a considerable shortfall. Whilst the Framework recognises the contribution that small sites can make to meeting the housing requirement for an area, two dwellings would make a minimal contribution to the overall supply of housing and as described above, the associated benefits would be limited. Consequently, I attach limited weight to these benefits.
24. Accordingly, the lack of safe and convenient access to services and facilities via walking, cycling, and public transport, coupled with the harm to the character and appearance of the area, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

25. For the reasons given above, the proposal conflicts with the development plan as a whole and there are no material considerations, including the Framework, that indicate that a decision should be made other than in accordance with it. I therefore conclude that the appeal should be dismissed.

Andreea Spataru INSPECTOR