



Appeal Decision

Site visit made on 23 December 2025

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th January 2026

Appeal Ref: APP/G4240/W/25/3374914

Land to the rear of 3 Walkers Fold, Mossley OL5 0JA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr and Mrs G Cooke against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 25/00643/PIP1.
 - The development proposed is residential development for up to 3no dwellings.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs has been made by Mr and Mrs G Cooke against the Council. This matter is subject to a separate decision.

Preliminary Matters

3. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. These considerations, whilst appearing as limited, can encompass various issues which relate to these matters. The Council's decision notice notes that permission in principle was refused due to its effect upon the character and appearance of the area. I have determined the appeal accordingly, in having regard to its location, proposed land use and development amount.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

Location

6. The appeal site is in a predominantly residential area of Mossley. The Council explore the location of the site and its distance from Mossley Town Centre,

Mossley Train Station and to the nearest bus stop, which is located at the junction of Barkwell Lane and Stamford Street. The appeal site is close to these destinations. It would therefore be located an appropriate distance from local amenities and transport connections and therefore, the appeal site would be in an appropriate location.

7. To conclude on this issue, the proposal would not conflict with Policies JP-S1 and JP-P1 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024. These policies require development proposals to be well-connected to other places, particularly by public transport.

Land use

8. The proposed development would utilise the appeal site for residential development. In the immediate locality, residential uses are commonly found. This is particularly evident to the land which surrounds the appeal site, as residential properties can be found along Barkwell Lane, The Birches, The Elms and Cherry Tree Walk. Crucially, the Council note that the proposed use would be compatible with these adjoining uses and therefore, the principle of the proposed development in this regard would be acceptable.
9. Therefore, to conclude on this issue, the proposed development would comply with Policy H2 of the Tameside Unitary Development Plan 2004. This policy is concerned with unallocated sites, such as the appeal site. It notes that the Council will permit the redevelopment of such land for residential use.

Amount

10. The appeal site comprises an existing two-storey, end-terraced property, accompanied by a substantial area of open land to the rear. The site is characterised by a pronounced slope, with a significant reduction in levels from its boundary with Barkwell Lane, descending from the centre of the site towards Cherry Tree Walk. Within the wider locality, the built form predominantly consists of two-storey terraced, semi-detached, and detached dwellings.
11. The Council observes that the undeveloped rear portion of the site contributes to an open and green character, with the absence of built form reinforcing what is described as a sporadic pattern of development in this location. It is contended that introducing built form here would appear incongruous within the established context.
12. I do not share this opinion. An alternative view is that the appeal site comprises an area of garden land, enclosed by existing built form along Barkwell Lane, Cherry Tree Walk, and the nearby properties on The Birches. It does not provide a clear and defined area of open space within Mossley, such as that provided by the public grounds of Mossley Parish Church of Saint George, which does provide a defined contribution to the character and appearance of the area, in my view.
13. Furthermore, while the development along Barkwell Lane may be regarded as sporadic, it nonetheless frames the appeal site with built form. In contrast, the properties along The Birches and Cherry Tree Walk are clearly arranged as semi-detached dwellings in similar sized plots. They therefore cannot reasonably be described as sporadic. Accordingly, the introduction of a built form within the

appeal site would not appear out of place, but rather consistent with the prevailing pattern of development in the immediate locality.

14. Nevertheless, the key consideration is whether the amount of development proposed can be appropriately accommodated within the appeal site. During my site visit, I observed the established built character and layout of the surrounding residential environment, together with the limited size and sloping gradient of the appeal site. Following this analysis, I am not persuaded that up to three dwellings, each with their own defined boundaries and garden areas, could be accommodated in a manner that would respect the distinct settlement pattern and character of the area.
15. Whilst I am mindful that the appeal relates to a Permission in Principle application, the submitted plans provide little assistance in demonstrating how the proposed development could be appropriately laid out and how up to three dwellings might be accommodated within the appeal site. Consequently, I cannot rely on the evidence before me to substantiate that such a quantum of development, with adequate amenity space, could be achieved. In the absence of clear and convincing evidence to the contrary, I conclude that the introduction of three dwellings would appear constrained within the site and would fail to respect the established character and settlement pattern of the surrounding area.
16. For these reasons, the amount of development proposed would not be appropriately accommodated by the appeal site, leading to an unacceptable effect upon the character and appearance of the area. For this reason, the proposed development would conflict with Policies C1 and H10 of the Tameside Unitary Development Plan 2004 or Policy JP-P1 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024. Collectively, these policies seek for development to understand the settlement pattern, to complement the surrounding area and to respect and acknowledge the character of the locality.

Other Matters

17. The appellant has referred to a pre-application enquiry throughout the evidence before me, noting that this returned a positive response to the principle of a residential development of the appeal site. However, pre-application responses are not binding. Decision makers are permitted to arrive at a different conclusion based on the evidence before them.

Planning Balance and Conclusion

18. The evidence indicates that the Council can demonstrate a five-year housing land supply. Nevertheless, there is no ceiling to the supply of homes. The Framework aims to significantly boost the supply of housing. In an era of national housing shortfalls, the provision of up to three dwellings would make a small, but positive contribution to that supply.
19. The proposed development would also be within a location which is close to shops, services and public transport connections. The future occupants of the development would support the local economy through their use of shops and services. During the construction of the scheme, the proposed development would provide benefits to the local construction industry through the procurement of

materials and labour. These benefits attract positive, but overall limited weight in favour of the proposal.

20. It is acknowledged that the appeal scheme presents certain benefits to the wider locality. These must be weighed against the identified conflict with the development plan. It has not been sufficiently demonstrated that the amount of development proposed could be accommodated within the appeal site in a manner which could be appropriate to its surrounds. I therefore conclude that it would have an unacceptable effect upon the character and appearance of the area. This attracts significant weight in my assessment of this scheme.
21. The appeal scheme conflicts with the development plan when considered as a whole and material considerations do not indicate that a decision should be taken otherwise. For the reasons set out above, I conclude that the appeal should be dismissed.

J Smith

INSPECTOR