



Appeal Decision

Site visit made on 18 December 2025

by **C Evans MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 January 2026

Appeal Ref: APP/R0660/W/25/3374723

The Oaks, Mill Lane, Bulkeley, Cheshire East SY14 8BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Morgan against the decision of Cheshire East Council.
 - The application Ref is 25/2022/OUT.
 - The development proposed is a dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application is made in outline with details of access provided for consideration at this stage. All other matters are reserved for future approval. I have treated the submitted plans as illustrative.

Main Issue

3. The main issue is whether the site represents an appropriate location for housing having regard to local and national policy.

Reasons

4. The appeal site is a parcel of greenfield land on the edges of Bulkley. It lies on the outer edge of the small settlement, in an area with an open appearance. It is accessed from Mill Lane, utilising an existing access point. Adjoining the site, along Mill Lane is a residential development (Brassey Drive) on one side and a single dwelling, The Oaks, on the other. The wider surrounding area is rural in nature, reflecting the proposal site location in the open countryside.
5. The site is surrounded by development on two sides and so could be considered infill on this basis. However, Cheshire East Local Plan Strategy 2010-2030 Policy PG6 (Local Plan) provides specific details of the type of infill supported in the open countryside. It permits the infill of a small gap with one or two dwellings in an otherwise built-up frontage.
6. The dwellings adjoining the site on Brassey Drive are setback from Mill Lane. They are separated from the frontage by areas of amenity greenspace. Consequently, they have no direct frontage along Mill Lane. The Oaks on the opposite adjoining side of the proposal site is accessed from Mill Lane but is also setback from the road. On this basis, the proposal site would not infill an otherwise built-up frontage.

7. The appellant concedes that the proposed plot would have a similar width frontage to the adjoining dwelling of The Oaks. However, the proposal site is considerable in size and not in accordance with the type of infill development of small gaps that the Local Plan supports.
8. Bulkley is a small settlement with limited access to facilities, services and public transport. Both the Council and the appellant have drawn my attention to an appeal decision on adjoining land, which was allowed in 2017 (ref APP/R0660/W/17/3172117). The Inspector concluded that the location would not provide a suitable site for housing due to the reliance on private transport to access shops, facilities and services. The Council and the appellant are in agreement with this conclusion. Based on the information before me, I have no reason to conclude otherwise on this matter. Whilst the National Planning Policy Framework (the Framework) and local plan policies have been updated since this appeal decision, the aims for sustainable and appropriately located residential development remain.
9. For the reasons given above, I conclude that the site would not be an appropriate location for housing having regard to Local Plan policies PG6, SD1 and SD2, which collectively seek to deliver housing in accessible and sustainable locations.

Planning Balance

10. The proposal conflicts with the Local Plan policies referred to above and consequently should be refused unless material considerations indicate otherwise. Local Plan policies direct development to sustainable locations and are in-line with the aims of the Framework in this respect.
11. The Council concedes that it does not have a 5 year housing land supply. It advises that there is a 3.8 year supply and this has not been contested by the appellant. Paragraph 11(d) of the Framework therefore applies. There is a presumption in favour of sustainable development unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole, having particular regard to directing development to sustainable locations.
12. The development would contribute towards the supply of housing, however given the small-scale nature of the development this attracts limited weight notwithstanding the current lack of supply in the district.
13. The previous appeal referred to above is not directly comparable with this proposal, as it was for 13 dwellings, 5 of which were to be affordable. The Inspector concluded that these benefits outweighed the harm caused by the proposal. 13 dwellings would have a larger impact on increasing the housing land supply compared to a single dwelling. In addition, no affordable housing is proposed. The benefits arising from this proposal are, therefore, more limited in these respects.
14. This proposal is for a self-build dwelling, which the Framework supports. However, to meet the requirements of national policy, this must be secured. I have not been provided with a legal agreement for this purpose. Consequently, this attracts limited weight, which would not outweigh the harm identified above.
15. The significant adverse impacts of the proposal on the housing strategy and reliance on private transport in this location would significantly and demonstrably

outweigh the benefits when assessed against the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

16. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

C Evans

INSPECTOR