
Appeal Decision

Site visit made on 6 January 2026

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

Appeal Ref: APP/R0660/W/25/3375811

Land off Ridge Hill, Sutton, Cheshire SK11 0LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for permission in principle.
 - The appeal is made by Lionlike Ltd against Cheshire East Council.
 - The application Ref is 25/1416/PIP.
 - The development proposed is for erection of a single dwelling.
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Decision

1. The appeal is dismissed and permission in principle for a single dwelling is refused.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle 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. The appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. In this instance, because the site is in the Green Belt, these matters must be assessed in relation to national and local Green Belt policies. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. Permission in principle can be sought for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, permission in principle has been sought for one dwelling at the appeal site.
5. The Council did not determine the application. However, it has indicated that had it been able to issue a decision, it would have refused permission on the grounds that the proposal would amount to inappropriate development in the Green Belt.

Main Issue

6. The main issues in this appeal are:

- whether the appeal site is grey belt land and whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
- the effect of the development on the openness and purposes of the Green Belt;
- whether the site is suitable for residential development having regard to its location, the proposed land use and the amount of development; and
- whether harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

7. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. Policy PG3 of the Local Plan Strategy¹ sets out exceptions to inappropriate development in the Green Belt, including limited infilling in villages. This is consistent with paragraph 154 e) of the Framework. The main parties also refer to paragraph 155 of the Framework, which relates to the development of grey belt land in the Green Belt.

A) Limited infilling in villages

8. Policy PG10 of the SADPD² identifies the approach to 'infill villages' and defines infill village boundaries. The policy states that outside of village infill boundaries, development proposals will not be considered to be 'limited infilling in villages' when applying the Local Plan Strategy policies PG3 and PG6. There is no dispute between the parties that the appeal site does not fall within a defined infill village boundary, as set out in the SADPD.
9. My attention has also been drawn to case law³, which establishes that the boundary of a village defined in a local plan is not necessarily determinative in considering whether a site is within a village. Other factors should also be considered relating to the situation on the ground.
10. The infill village boundary as identified on the policies map is tightly drawn around the built up parts of Sutton. It incorporates the Church House public house and car park, and a row of large houses on Langley Road at its eastern periphery. There is a clear inter-visibility between these buildings and others within Sutton, as there are only small gaps between buildings.
11. At the junction with Ridge Hill the character changes. The lane runs uphill and is rural in appearance, as it is lined with drystone walling and trees, with views towards open fields on one side. There are no buildings visible for some distance along the lane, until Ridge Hill Farmhouse and the adjacent cottages are reached.

¹ Cheshire East Local Plan, Local Plan Strategy 2010-2030 (July 2017)

² Cheshire East Local Plan, Site Allocations and Development Policies Document (December 2022)

³ Julian Wood v Secretary of State for Communities and Local Government and Gravesham Borough Council [2015] EWHC Civ 195

There are 15 properties along this part of Ridge Hill, however rather than arranged in linear fashion, they are clustered with significant space in between each group. Taking into account the above factors, I conclude that the appeal site is both visually and spatially, not within a village.

12. The appellant refers to two appeal decisions⁴, in which the appeal sites were assessed as being within village locations, following an “on the ground” assessment. However, having regard to the Inspector’s commentary in both cases, and the site location plans, neither of those cases is directly comparable to the appeal scheme as the site context is different. This limits the weight I attribute to them.
13. The Framework does not provide a definition of what constitutes ‘limited infilling,’ and therefore a planning judgment is required, but it is commonly understood to be the development of a small gap within an otherwise built-up frontage. The appellant refers to the glossary to the Local Plan Strategy, describing infill as ‘the development of a relatively small gap between existing buildings’ and the glossary to the SADPD, as ‘infill development is generally the development of a relatively small gap between existing buildings. The scale of infill development will depend upon the location of the site.’
14. There is an absence of built form on the site of the proposed dwelling, and an extended site frontage. On the west side, this is separated from the adjacent row of cottages by a parking and turning area and rear gardens. On the east side, even though the land is domestic garden⁵, there is a substantial distance to the nearest building. Due to the presence of well-established trees, the site is also not seen within the context of a building that relates to this garden. Accordingly, the site cannot be said to be bookended by development, or a small gap between existing buildings.
15. Taking these factors together, I conclude that the development would not be limited infilling in villages. It would not meet the exception in paragraph 154 e) of the Framework, and it would conflict with Local Plan Strategy Policies PG3 and PG10.

B) The development of grey belt land

16. Grey belt is defined within the Framework as land in the Green Belt comprising previously developed land, and/or any other land that, in either case, does not strongly contribute to any of the purposes (a), (b) or (d) in paragraph 143 of the Framework. There is no dispute between the main parties that the site does not strongly contribute to these purposes.
17. Grey belt also excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. Of relevance to this appeal, is the site’s location within the Peak District National Park Fringe, and its proximity to the grade II listed Ridge Hill Farmhouse.
18. The site is positioned on a broad ridge along a sylvan lane interspersed with building groups, but with wide-ranging views of the rolling landscape on either

⁴ APP/R0660/W/23/3317932 (Land off the Coppice, Poynton); APP/R0660/W/23/3328363 (Land to the North West of Overdale, Oak Road, Mottram St Andrew).

⁵ Certificate of Lawfulness: 12/273M.

side, including in the direction of the Peak District National Park (NP). The wider landscape can be described as pastoral with a varied undulating topography of steep slopes, low ridges and incised valleys⁶. Within this wider landscape, any dwelling would be visible within this ridge context. However, given the small-scale of the appeal site, single dwelling nature of development and nearby building groups, the visual and landscape impact would be minimal, and could be further mitigated at technical details consent stage.

19. Moreover, the policies map shows the site to be within the fringe area, but a significant distance, which I am told is three kilometres, from the NP boundary, such that any impact on the setting of the NP would be negligible. The development would be capable of complying with Policy SE15 of the Local Plan Strategy and Policy ENV3 of the SADPD, which require development to be assessed on its merits having regard to the type, scale and location, and avoiding development that would have an adverse effect on landscape character areas, amongst other things.
20. Ridge Hill Farmhouse, is a grade II listed building with a date stone of 1693, and with mid-18th Century and 19th Century alterations and additions. Its traditional form and detailing contribute to its significance. The building is most obviously appreciated from the lane, and through its proximate link with the pastoral landscape, including the adjacent rural vernacular buildings, regardless of their present and historic ownership and usage.
21. The appeal site lies on the opposite side of the rural vernacular buildings. Those buildings are positioned forward within their site, and Ridge Hill Farmhouse is positioned far back, such that there is very limited intervisibility between the appeal site and the listed building. Notwithstanding the Council's concerns in respect of a 'light touch' application type, matters pertaining to the relationship, hierarchy and prominence of the farmhouse could therefore be mitigated through the technical details consent stage.
22. Accordingly, the site's position within the NP fringe, and the setting of the listed building do not constitute strong reasons for refusing or restricting development.
23. Taking the above factors together, the site can be considered to be grey belt land as defined within the Framework. My conclusion in this simple and limited respect, is in common with three appeal decisions supplied by the appellant⁷.
24. Paragraph 155 of the Framework states that development on grey belt land should not be regarded as inappropriate development where specific criteria are met. The main parties agree, and I have no reason to take a contrary view, that the development would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan (155, a.). Also that the 'Golden Rules' relating to major development, do not apply (155, d). In addition, there is a demonstrable unmet need for the type of development proposed, by way of the Council's 5 year housing land supply (5YRHLS) shortfall (155, b.). I will return to this particular issue later in my decision.
25. Paragraph 155, c. requires the development to be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. These refer to

⁶ Paragraph 13.168 of the Local Plan Strategy.

⁷ APP/M3645/W/24/3347328 (Woodside House); APP/M3645/W/24/3339699 (Beacon Platt); APP/R3650/W/24/3352222 (Hydon Farm)

managing patterns of growth in support of the Framework's sustainable transport objectives.

26. The Planning Practice Guidance⁸ states that when making decisions regarding development on grey belt land, authorities should ensure that the development would be in a sustainable location. Whether locations are sustainable should be determined in light of local context and site or development-specific considerations. In reaching these judgments, national policy is clear that authorities should consider opportunities to maximise sustainable transport solutions.
27. Policy SD2 of the Local Plan Strategy, sets out sustainable development principles that all development is expected to adhere to. This includes, in the case of residential development, access to a range of forms of public transport, open space, key services and amenities, as well as measures to encourage travel by sustainable modes of transport such as walking, cycling and public transport. This broadly adheres to the objectives referenced in the relevant paragraphs of the Framework.
28. The site is within the guideline distances to public rights of way, a public house, a village green, a post box and community centres⁹. However the distance to most day to day services and facilities such as schools, convenience stores, supermarkets, leisure centres and medical facilities, amongst other amenities, is further than the guideline distances. Macclesfield, one of the principal urban settlements has a wide range of services including a railway station with onward services, and employment opportunities. There are also a country park and a forest with recreational opportunities, however I am told that these locations are approximately two kilometres from the appeal site.
29. It is acknowledged that these distances are provided for guidance only, and that some services are close enough to access on foot or by bicycle. However, taking account of local context, the means of access to these services and a bus stop is solely via a choice of two steep and unlit, rural lanes. Even though Ridge Hill benefits from a footway and there is a bus stop within the guideline distances and cycle storage could be provided, the steep gradient and lack of luminance of the footway, would not be an incentive to travel on foot or by bicycle. This would be a particular issue at night, during the winter period, inclement weather, and for occupants with impaired mobility.
30. Combining these matters, the location does not offer a realistic choice of transport modes. In this case, future occupiers are more likely to travel by private vehicle for a wide range of their day to day requirements. In coming to my findings I have taken account of the fact that opportunities to maximise sustainable travel solutions vary between urban and rural areas, and the need for housing to be located where it will enhance or maintain the vitality of local communities (paragraphs 110 and 83 of the Framework).
31. The appellant draws my attention to two appeal decisions in which the Inspector found the site to be in a sustainable location¹⁰. In the case of Roestock Lane, the Inspector observed there to be a well-lit underpass providing a short walk to

⁸ Identifying sustainable locations: Paragraph: 011 Reference ID: 64-011-20250225

⁹ Table 9.1 Access to services and amenities, Cheshire East Local Plan Strategy 2010-2030.

¹⁰ APP/B1930/W/24/3342701 (Land at junction of Roestock Lane); APP/R0660/W/24/3354674: (Broadheath Farm)

services and amenities, and in the case of Broadheath the site was found to be within realistic and comfortable cycling distance of nearby settlements, and a designated cycle route, and was 'within the settlement of Over Alderley'. There is no evidence before me to indicate that the appeal site has similar accessibility. This limits the weight I attribute to these examples.

32. The site is not isolated insofar as it is near to other dwellings, and the development would not result in a significant impact on the local highway network. Ridge Hill lane is also designated as a 'quiet lane' and a bridleway. Electric car charging points could also be included as part of the technical details consent stage. Nevertheless, these factors do not outweigh my findings in respect of the sustainability of the site's location.
33. The appellant refers to planning permission for a single dwelling circa 400 metres east of the appeal site¹¹. Based on the evidence before me, this decision was based on a different Green Belt consideration, that the development would not be materially larger than the one it replaces, and it was found to be not inappropriate development in the Green Belt. The appellant has also referred to planning permission having been granted for 'a number of new residential properties along Ridge Hill over the years,' however I have no evidence before me in respect of these decisions. Therefore, these examples do not lead me to a different conclusion in respect of this main issue.
34. Accordingly the proposed development would be inappropriate development in the Green Belt. It would conflict with the relevant provisions of Policy PG3, SD1 and SD2 of the Local Plan Strategy. Together, and alongside Green Belt considerations, these policies seek to ensure development is accessible by public transport, walking and cycling, including to a range of key services and amenities, amongst other things. Moreover the proposal conflicts with the relevant and aforementioned provisions of the Framework, and paragraph 83, which is concerned with locating housing where it will enhance or maintain the vitality of rural communities.
35. The Council does not refer to Policy CO1 of the Local Plan Strategy within its proposed reason for refusal. This policy expects development to reduce the need to travel, including by guiding development to sustainable and accessible locations or locations that can be made sustainable, amongst other criteria. For the reasons given, the proposal is also in conflict with this policy.

Openness and purposes of the Green Belt

36. The essential characteristics of Green Belts are their openness, which has both spatial and visual aspects, and their permanence. Green Belt serves 5 purposes, one of which is to assist in safeguarding the countryside from encroachment.
37. As the appeal relates to the permission in principle stage, there are no detailed plans of the development for one dwelling. The appeal site is a field that is open to view on three sides, as its boundary is formed by a low post and wire fence, with little in the way of mature boundary planting, and no intervening features. From the roadside, views are afforded across the site towards the undeveloped land to the rear.

¹¹ 18/0744M; 19/3903M.

38. The site is enclosed on all sides, and there is no proposed extension to the site beyond its current boundaries, and so the surrounding countryside would be safeguarded from encroachment.
39. A dwelling would introduce a built feature with substantial and permanent mass, scale and bulk, with associated domestic paraphernalia such as hard surfacing, and general residential activity to a site of rural character and simplicity. Therefore, the proposal would result in a permanent, spatial and visual impact on openness. Taking into account of the nature of the proposal relative to the size and openness of the site, this would equate to a harmful loss of openness in the Green Belt.

Location, land use and amount of development

40. In common with the Council, I find that in relation to land use, living conditions would be capable of being safeguarded, and the use would be compatible with immediately surrounding land uses. Also sufficient space would be available to provide visibility splays, vehicle manoeuvring space and emergency vehicles access in line with the requirements of Policy CO1 of the Local Plan Strategy.
41. The Council is satisfied that at this stage of a permission in principle application, the proposed amount of development could be physically accommodated on the site, and an appropriate house type, size and tenure would be a matter for technical details consent. I see no reason to disagree.
42. In regard to density, the appeal site lies outside of settlements where Policy HOU14 of the SADPD expects developments to achieve a net density of 30 dwellings per hectare. The policy goes on to state that in determining appropriate densities the character of the surrounding area will be taken into account amongst other things. The surrounding area is relatively low density and there is no evidence before me to indicate that a higher density of development is appropriate in this instance. I also note that whilst the Council has indicated that the proposal is contrary to this policy, they have not advanced a reason for refusal in respect of the amount of development proposed.
43. Nevertheless, given my previous findings, the site is not suitable for residential development having regard to its location. Accordingly, it conflicts with Policies PG3, SD1 and SD2 of the Local Plan Strategy.

Other Considerations

44. The proposal would result in social and economic benefits associated with the provision of a single dwelling. This includes a contribution to the supply of homes, and economic benefits from construction and local spend. As it is established that the Council's 5YRHLS position is 3.8 years, the provision of a dwelling carries significant weight.
45. The proposal does not relate to the retention and development of local services and community facilities, or development that would meet local business and community needs. This limits the weight I attribute to paragraphs 88 d) and 89 of the Framework.

46. An agricultural building was allowed on appeal¹². This relates to a different type of development, which is 'not inappropriate' development in the Green Belt. I therefore attach limited weight to this appeal decision example.
47. Nevertheless, the Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I have concluded that the provision of a new dwelling would carry significant weight. This must be balanced against the substantial weight that the Framework directs must be given to any harm to the Green Belt, and also my findings in relation to the location of the development. In these terms, the other considerations do not, individually or cumulatively, outweigh the harm to the Green Belt and any other harm. Therefore, very special circumstances necessary to justify the development do not exist.

Planning Balance

48. The Council is unable to demonstrate a 5YRHLS in accordance with the Framework. Whilst different figures are presented by the main parties, the Council in its Statement of Cases advises that the figure now stands at 3.8 years. This engages paragraph 11 d) of the Framework.
49. Paragraph 11 d) directs that where there are no relevant development plan policies, or the policies which are most important for determining an application are out-of-date, permission should be granted unless certain circumstances apply. One such circumstance is where the application of policies in the Framework that protect areas or assets of particular importance, provides a strong reason for refusing the proposed development.
50. Footnote 7 of the Framework sets out that those particular policies include those relating to land designated as Green Belt. Consequently, on the basis that the proposal would be inappropriate development in the Green Belt, the presumption in favour of sustainable development does not apply in this case.

Conclusion

51. The proposal would conflict with the development plan when taken as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For these reasons, I conclude that the appeal should be dismissed.

E Heron

INSPECTOR

¹² APP/R0660/W/17/3173873 (Top Croft, Ridge Hill)