



Appeal Decision

Site visit made on 18 February 2026

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 March 2026

Appeal Ref: APP/R0660/W/25/3375780

29A Grimshaw Lane, Bollington, Cheshire East SK10 5PT

- 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 L Leitch of LL Securities Ltd against the decision of Cheshire East Council.
 - The application Ref is 24/0377M.
 - The development proposed is erection of 1 dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by L Leitch of LL Securities Ltd against Cheshire East Council. That application is subject to a separate decision.

Preliminary Matters

3. A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. Given that this is at the consultation stage and taking into account the matters before me, I do not consider it necessary to invite comments from the parties. Any reference to the Framework is based on the current version, dated December 2024.
4. The Bollington Neighbourhood Plan¹ was modified on 19 February 2025 and the Council has confirmed that the Decision Notice refers to the now superseded policies, MA.P1, MA.P2 and HO.P4. It states that the modified policies are MA1, MA2 and H5. There is little difference between the policies cited in the Decision Notice and the revised policies other than a reference change. I shall therefore refer to them as they are now approved.

Main Issues

5. The main issues are the effect of the proposed new dwelling on:-
 - the character and appearance of the surrounding area; and
 - parking and access at the appeal site and on Grimshaw Lane.

¹ Bollington Town Council – Bollington Neighbourhood Plan Update 2024 – 2040.

Reasons

Character and Appearance

6. The appeal site includes an end terrace house, 29A Grimshaw Lane and land around it. The site has been sub-divided by a timber fence creating a patio and garden to No 29A and a separate parcel of land adjacent. The main part of Grimshaw Lane is at a lower level but the appeal site and the terrace of which it forms a part, Nos 21 to 29A, is set at a higher level and accessed via a spur off the main road. The houses in the area comprise mostly of a mix of terraced and semi-detached two-storey properties faced in brick, stone and render.
7. The proposed dwelling would be a detached property with accommodation on three floors. The ground floor would be set beneath an overhanging first floor to create an under-croft for parking in front of the house and incorporate a large flat roofed element at the rear. The second floor would provide a bedroom in the roof space with a dormer window in the rear elevation. The plans indicate that the house would be faced with mock stone concrete blocks, reconstituted mock stone lintels, white UPVC windows and a natural slate roof.
8. I appreciate that the design of the house has been revised during the determination of the planning application. The main aim of this was to accommodate two off-street parking spaces. This has resulted in a poorly designed building both in terms of the under-croft, the asymmetrical roof and the large flat roofed element. The under-croft would mean that cars would be parked directly in front of a lounge window at the front of the house which together with the overhanging first floor, would potentially affect light into the room and result in a poor outlook for future occupiers. The large flat roofed element is not generally a characteristic of the area nor is the rear dormer window on the upper floor. I note there is a large flat roofed extension to the rear of a property on the adjacent street, Rose Bank, but this appears as an extension to an older property and not a feature on a newly designed house.
9. The side elevation would feature a number of windows but the fenestration on the front elevation does not complement that of the terrace which it would sit alongside. The overall scale, massing and design of the dwelling neither reflects those in the area nor does it complement the traditional appearance of the terrace. This section of Grimshaw Lane rises in levels with the appeal site being on a higher level. Also, the raised area of land adjacent to the main section of Grimshaw Lane and the path off it, referred to as Middlewood Way, makes the site particularly prominent. Whilst screening would lessen the impact in the summer months, the acceptability of a newly designed house should not depend on it being screened from view.
10. I therefore find that the proposed dwelling would have a harmful effect on the character and appearance of the surrounding area. This would conflict with Local Plan Strategy² Policies, SD 1, SD 2 and SE 1, SADPD³ Policy GEN 1 and Neighbourhood Plan Policy H5. Collectively, these seek to ensure that new development is well designed and contributes positively to an area's character and identity, amongst other things.

² Cheshire East Council – Cheshire East Local Plan – Local Plan Strategy 2010 – 2030 July 2017.

³ Cheshire East Council – Cheshire East Local Plan Site Allocations and Development Policies Document Adopted December 2022 (SADPD).

Parking / Access

11. This section of Grimshaw Lane is narrow and terminates approximately outside No 29. There is a rough area of land in front of 29A and a swept path analysis indicates that this area together with land in front of the proposed dwelling would enable cars to manoeuvre so that they could enter and exit the appeal site in forward gear. There is no dispute that this would provide car parking space for the proposed dwelling in accordance with the Council's standards.
12. However, the Council question the viability of this solution in terms of the potential conflict with cars parked in front of the terraced houses on Grimshaw Lane. The appellant claims a right of access to the appeal site and although I have no evidence to confirm this, I have no reason to dispute it. There is no vehicular access at the moment and cars parked on the road close to the appeal site would obstruct access to it. I note the appellant's evidence regarding police involvement (a crime reference number and photographs) regarding parked cars. I also note that a Traffic Regulation Order (TRO) has been applied for but will not be pursued by the Council due to staff resources. I also note the legal opinion submitted by the appellant.
13. On the basis that the appellant has right of access, then off-street parking provision could be made for the appeal site. In the absence of evidence that would conflict with this then the proposal would meet the standard required for parking and access at the appeal site as set out in Appendix C of the Local Plan Strategy. However, there would be added pressure on the demand for on-street parking on Grimshaw Lane as some residents would be unable to park as they do now.
14. I am mindful that an access could be created unrelated to this development and the situation would change accordingly, subject to satisfy any planning, highway or other legal requirements. However, the existing arrangement seems to have existed for some years and the proposal would directly lead to a change.
15. On the one hand the proposal would satisfy the Council's policies and standards including Local Plan Strategy Policy SD 1 in so far as providing safe access and sufficient car parking in accordance with the Council's standards. For the same reasons, it would satisfy SADPD Policy INF 3 in part but this would be at the expense of having an adverse impact on the existing occupiers of this section of Grimshaw Lane who would experience a loss of on-street parking. It would therefore conflict with this aspect of the Policy. Likewise, the proposal would provide adequate car parking in line with the requirements of SADPD Policy HOU 12 and Appendix C of the Local Plan Strategy but due to traffic generation, access and parking, it would harm the amenities of existing occupiers of neighbouring properties. The same conflict would apply to Neighbourhood Plan Policies MA1 and MA2.

Planning Balance

16. Local Plan Strategy Policy MP 1 establishes a presumption in favour of sustainable development. This is consistent with the Framework. The proposal would have economic benefits in the short terms during construction and economic and social benefits associated with the provision and occupation of a new home.
17. However, the Council states that it does not have a five year supply of housing land as required by the Framework. Consequently, paragraph 11 d) (ii) is engaged.

This establishes a presumption in favour of development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

18. Paragraph 14 of the Framework indicates that in situations where the presumption, at paragraph 11 d) applies, the adverse impacts of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits. This is provided that the neighbourhood plan became part of the development plan five years before the date on which the decision is made and the neighbourhood plan contains policies and allocations to meet its identified housing requirement.
19. The Bollington Neighbourhood Plan was updated in February 2025 and the Council states that the Plan includes a housing needs assessment, along with policies and allocations to meet its identified housing requirement. No details of the housing needs assessment has been submitted. In any event, I consider that the benefits of providing one dwelling is limited, although not insignificant; small contributions such as this can cumulatively have significant benefits but the adverse effects of the proposal as set out above, outweigh these benefits.
20. Therefore, I have found harm in relation to my first issue that would significantly and demonstrably outweigh the benefits and further harm would arise in relation to my second issue.
21. I have also taken into consideration the proposed ecological measures including the provision of bird boxes. The application pre-dates the requirements under Biodiversity Net Gain (BNG). Nevertheless, the environmental benefits do not outweigh the harms I have identified. The proposal would not therefore provide sustainable development in accordance with Local Plan Strategy Policy MP 1 or the Framework.

Conclusion

22. 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. Consequently, for the above reasons the appeal should be dismissed.

J D Clark

INSPECTOR