
Appeal Decision

Site visit made on 20 January 2026 by T Morris BA (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2026

Appeal Ref: APP/R0660/W/25/3375514

Marbury Farm Equestrian Centre, Wrenbury Road, Marbury, Cheshire East SY13 4LU

- 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 RG & SK Evans against the decision of Cheshire East Council.
 - The application Ref is 25/1594/FUL.
 - The development proposed is redevelopment of equestrian centre (and associated agricultural/commercial buildings) to provide 7 residential dwellings.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for Costs

3. An application for costs has been made by RG & SK Evans against Cheshire East Council. This application is the subject of a separate decision.

Preliminary Matters and Main Issue

4. The appellant has submitted amended floorplans, drawing no. TFB 013a, for the proposed 'barn' dwellings (Units A, B, C, D, E and F) with the appeal. The Planning Appeals: Procedural Guide (PG) sets out that the appeal process should not be used to evolve a scheme. It is important that what is considered at appeal is essentially the same as by the Council and interested parties at the application stage. The PG goes on to explain that in deciding whether to, exceptionally, accept any amendments, as per the judgement in Holborn¹, which refined the Wheatcroft principles², consideration must be given to the substantive and procedural tests.
5. The amended floorplans do not seek to increase the overall size of the proposed dwellings, or the number of bedrooms that they would provide. They only alter the first-floor internal layout of the dwellings, with the floor area of the first-floor rooms now also annotated. This is a minor change and the development as depicted in the amended floorplans is essentially the same scheme as the Council considered.

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney (2018)

² Bernard Wheatcroft v Secretary of State for the Environment (1982)

6. The Council has had the opportunity to comment on the amended floorplans. Therefore, it would not be procedurally unfair if I were to accept them. It would also not be procedurally unfair to interested parties, since the plan seeks to address a matter which relates to the living conditions of the future occupiers of the dwellings, and not any matters which would impact upon interested parties. Therefore, I have accepted drawing no. TFB 013a as part of the appeal.
7. The Council has confirmed that the amended floorplans now show compliance, in regard to the internal floorspace and bedroom sizes in units A, B, C, D, E and F would accord with the Nationally Described Space Standard (NDSS) and, consequently, Policy HOU 8 of the Cheshire East Local Plan - Site Allocations and Development Policies Document (2022) (DPD). I have no reason to find a different conclusion and thus the Council's reason for refusal concerning the effect of the proposals on the living conditions of future occupiers has been addressed. The main issue is therefore the suitability of the location of the proposed development, having regard to its access to facilities, services and public transport.

Reasons for the Recommendation

8. The site is not located within a defined settlement boundary. It is therefore in the open countryside for the purposes of Policy PG 6 of the Cheshire East Local Plan – Local Plan Strategy 2010 – 2030 (2017) (LPS), as well as the supporting text of Policy PG 9 of the DPD.
9. Policy PG 6 seeks to protect the open countryside from urbanising development by only allowing certain types, subject to some exceptions. Notwithstanding the comments of interested parties, the main parties seem to agree that the proposed development meets the re-use of existing buildings and the replacement of existing buildings exceptions as set out in paragraph 3 of PG 6. That being said, paragraph 5 of Policy PG 6 states that the acceptability of such development will be subject to compliance with all other relevant policies in the Local Plan.
10. In that regard, Policy SD 1 of the LPS requires that developments should wherever possible provide access to local jobs, services and facilities, should be accessible by public transport, walking and cycling and should prioritise the most accessible and sustainable locations. Similarly, Policy SD 2 of the LPA states that residential development will be expected to provide access to a range of forms of public transport and key services and amenities and incorporate measures to encourage travel by sustainable modes of transport. It also provides a guide to the appropriate distances to services and amenities and explains that consideration should be given to the quality of the pedestrian, cycle or other transportation routes.
11. The nearest services to the site are located in the small settlement of Marbury. It is not classified as a village, as per the Cheshire East Local Plan - Site Allocations and Development Policies Document Settlement and infill boundaries review [ED 06] (2020) (SIBR). It's facilities and services are limited to a children's play area, a place of worship, a public house and a village hall. Although Marbury has a bus stop, the evidence suggests that services are limited and infrequent. Marbury is also located over 1km from the site along Wrenbury Road, a route which does not have a footpath or street lighting.
12. Wrenbury is approximately 1.9 miles from the site and is identified as a local service centre in the SIBR. Although it provides more facilities and services than Marbury, including a train station, a shop and a primary school, it does not provide

the substantial range of services and facilities of principal towns and key service centres, such as those identified in the SIBR. Furthermore, like Marbury, Wrenbury is accessible from the site along Wrenbury Road, the constraints of which I have set out above. It is also a further distance away.

13. Marbury and Wrenbury would only provide access to a limited number of facilities, services and public transport connections compared to principal towns or key service centres. There is also limited information before me of how far away the nearest one of these is. Consequently, occupiers of the proposed dwellings will more likely than not have to travel some distance to access key services and amenities such as a supermarket, a bank, higher education and leisure facilities.
14. Even if Marbury and Wrenbury had more services and amenities to meet the day-to-day needs of occupiers of the proposed dwellings, these locations are for the most part, further away than the suggested distances in the supporting text of SD 2. Furthermore, and due to the unsuitable conditions of the route along Wrenbury Road to both locations, occupiers of the dwellings are unlikely to walk or cycle to these locations on a regular basis. Although the appellant refers to the use of the South Cheshire Way footpath and National Cycle Route 45, there are limited details of these routes before me, and in any case, such routes would not provide a realistic travel alternative for all people in all weathers.
15. Consequently, the proposed development would not be in an accessible or a sustainable location. Occupiers of the dwellings would therefore be highly reliant on the use of a car to access key services and facilities, and such journeys are likely to be frequent and long. It would be unrealistic to expect occupiers of the dwellings to rely on the go-too bus service as a regular alternative to driving. The Council's commitment to local bus services does not confirm that a significant improvement thereto is forthcoming to the extent that it justifies the poor accessibility of the development. The use of electric vehicles by occupiers of the dwellings would still be a journey in a car and one could not insist on occupiers owning one. There are also limited details of school buses and taxis to the extent that this would clearly be a viable alternative to driving.
16. In reaching this conclusion, I have considered the decisions in the same Council area which are referred to by the appellant, as well as the principle of consistency as is referred to in the case law provided. I also recognise that the National Planning Policy Framework (the Framework) sets out that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
17. The Over Alderley appeal decision was only for two dwellings, rather than seven. Furthermore, an important distinction between the appeal before me and this one is that the site was in reasonable proximity, albeit still by driving, to the larger settlement of Macclesfield, which is a principal town providing a substantial range of services and facilities. Furthermore, the site was also near to Prestbury and Alderley Edge, both local service centres which provide further facilities and services. Therefore, even though occupiers of the dwellings in that appeal would also be reliant on the car, journeys would be limited by the small number of dwellings and the close proximity to a principal town and two local service centres.
18. Scheme reference 18/1677N is near to Marbury Farm for four dwellings. It would thus result in fewer potential car trips than the proposal before me. Furthermore, the evidence indicates that the context of that proposal was different as it involved

the conversion of existing buildings rather than the erection of new ones. In any case, and even though the Council did not identify any harm in terms of the sustainability of the location in that proposal, I am not bound by the Council's previous findings.

19. The other appeal decisions provided relate to various sites in the areas of Wychavon, Uttlesford, Bath and North East Somerset, Welwyn Hatfield and Fareham. These are all varying proposals in different areas all over the country. None are in the same Council area as the appeal site and I do not have the full planning background or the details of the circumstances in which these appeals were determined such that they do not change my findings on the specifics of the appeal before me, its context, location and particular circumstances.
20. In appeal 3362453, the Inspector gave moderate weight to the removal of the business use and associated vehicles. However, that was for a single dwelling and the Inspector noted that any vehicle movements would be indistinguishable from the other vehicles accessing the site. In contrast, this appeal is for seven dwellings, which would have more vehicle movements. Even if those associated with the proposed dwellings is less intensive than that of the equestrian centre use, that use is more typical in a rural area and any vehicle movements associated with it would be expected. I therefore give limited weight to the removal of the business use and associated vehicles in the appeal I am considering.
21. Taking account of the above factors, the site would not be a suitable location for the proposed development, having regard to its access to facilities, services and public transport. Consequently, the proposal would conflict with Policies PG 6, SD 1 and SD 2 of the LPS. Amongst other matters, these require that developments prioritise the most accessible and sustainable locations and provide access to a range of forms of public transport, key services and amenities.

Other Matters

22. The absence of objections from statutory consultees, as well as there being no demonstrable harm to highway safety, the living conditions of neighbours, environmental matters and the fact the scheme would make an efficient use of land would be neutral and not weigh in favour of the appeal scheme. I do not have precise details of if and how any part of the proposals could come forward through exercising rights under permitted development for conversion or re use works and the appellant's concerns regarding the way in which the Council dealt with the application should be taken up with them directly.
23. The Framework does lend some support to isolated homes in the countryside where, amongst other things, they might re-use redundant or disused buildings. That said, the majority of the development in the appeal before me would be new builds.

Planning Balance and Paragraph 11 of the Framework

24. The Council cannot demonstrate a five-year supply of deliverable housing sites. In these circumstances, the policies which are most important for determining the application are out of date. As such, paragraph 11 d) ii. of the Framework explains that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies

for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

25. The harm arising from the proposals relate to the principle of its location. This goes to the heart of the scheme and would conflict with the Framework on reducing the need to travel and directing development to more sustainable locations, specifically paragraphs 110 and 115. I afford this matter significant weight.
26. Small sites can make an important contribution to meeting the housing requirement of an area. In providing seven dwellings, the scheme would make a positive albeit small contribution to the Council's housing supply. Whilst the proposals would remove what the appellant refers to as 'eyesore' buildings from the site, they are at least of an agricultural appearance which is commensurate with the rural context. Future occupiers of the development would potentially contribute to the local economy in expenditure. This would however be limited by the scale of the scheme, and I have not seen compelling evidence that the viability or vitality of local business would suffer in the absence of the dwellings it would provide.
27. Taken together therefore, the benefits of the appeal scheme would attract moderate weight for the reasons I have set out. Whilst there is no harm alleged in regard to an effective use of land or in respect of the design or appearance of the proposals, the development would not be in a sustainable location, nor would it provide affordable housing. With this and the above in mind, the adverse impacts of the scheme would significantly and demonstrably outweigh its benefits. The presumption in favour of sustainable development does not therefore apply.

Conclusion and Recommendation

28. The proposal would conflict with the development plan as a whole, and there are no other identified considerations, including the provisions of the Framework, which would outweigh this conflict. Therefore, I recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

29. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR