

Appeal Decision

Site visit made on 18 October 2016

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 November 2016

Appeal Ref: APP/D2320/W/16/3154595

Coppull Moor Lane, Nurseries, Coppull Moor Lane, Coppull, Lancashire, PR7 5JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs G Brocken against the decision of Chorley Borough Council.
 - The application Ref 15/01098/FUL, dated 3 November 2015, was refused by notice dated 26 February 2016.
 - The development proposed is the erection of a single dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single dwelling at Coppull Moor Lane, Nurseries, Coppull Moor Lane, Coppull, Lancashire, PR7 5JH in accordance with the terms of the application, Ref 15/01098/FUL, dated 3 November 2015, subject to the conditions in the attached Schedule:

Procedural Matters

2. During the course of the application, the appellant submitted amended plans without a garage. I have based my decision on these plans.

Main Issues

3. The appeal site is in the Green Belt so the main issues are:
 - Whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework;
 - If the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether or not it would be inappropriate

4. The Framework establishes that new buildings within the Green Belt are inappropriate unless they fall within certain exceptions. Paragraph 89 of the Framework gives two of these exceptions as:-
 - "Limited infilling in villages..."(bullet point 5); and
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- “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.” (bullet point 6)
5. Policy HS7 of the Chorley Local Plan 2012-2026 (LP) defines infill as the filling of a small gap in an otherwise built-up street frontage, e.g., typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.
 6. The appeal site is amongst a clearly identifiable frontage of buildings because there is a dwelling adjoining the site to one side and a barn with planning permission for a residential conversion on the other side. The barn and its outbuildings are of a rural character; nonetheless, they are buildings which contribute to the built up frontage. Therefore, I consider that the site falls within the definition of infill as contained within LP Policy HS7 and would not extend the frontage.
 7. Policy 1 of the Central Lancashire Adopted Core Strategy, 2012 (CS) defines Coppull as an Urban Local Service Centre (ULSC) where some growth and investment will be encouraged to help meet housing and employment needs. Both parties accept that the site is outside of the settlement area; the appellant indicating that it is some 256m away from the boundary. That said, the site is within a clear continuum of development spreading out from the settlement. Notwithstanding the location of the formal boundary, there is nothing to obviously separate the site from the rest of the settlement.
 8. Therefore, it is my view that the appeal site forms part of the settlement. Regardless of the Council’s designation of Coppull as an ULSC, it would be reasonable to describe Coppull, in common parlance, as a “village”. Just because it is not a “smaller village” as referred to in CS Policy 1 (f) does not mean that it not a village at all. Furthermore, Paragraph 89 does not specify what size a village must be. Neither does it specify that a village must be designated as such in the development plan nor that a site must fall within a settlement boundary. I therefore conclude that the proposal would constitute infill within a village and would therefore not be inappropriate development within the Green Belt.
 9. Given my findings in this respect there is no need for me to consider whether the proposal would conform to the exception in bullet point 6 or to examine the proposal under LP BNE5 which both relate to the limited infilling or the partial or complete redevelopment of previously developed sites. This would have included an assessment of the development upon the openness of the Green Belt but as I have found the development not inappropriate under bullet point 5 there is no need to undertake this exercise.

Conditions

10. I have considered the Council’s suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition it is necessary, in the interest of precision, to define the plans with which the scheme should accord. The details on the application form and plans are insufficient so a condition is necessary requiring samples of materials in the interest of the character and appearance of the area.

Details of the materials to be used for the drive and parking are required in the interest of highway safety and the prevention of flooding. Details of ground levels are required in the interests of visual and residential amenity. A condition is necessary in the interests of sustainable construction and energy efficiency. I have not imposed the suggested drainage condition as this is a matter covered by Building Regulations and it is therefore not necessary. A wheel washing facility is not necessary due to the small scale nature of the development. A landscaping condition is not necessary for a single dwelling with a private garden. Conditions 5 and 6 are pre-commencement conditions as they cannot be dealt with at any other time.

Conclusion

11. For the above reasons the appeal is allowed subject to the conditions.

Siobhan Watson

INSPECTOR

Schedule

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule 654 – 02C/04B/05B/06B/09A; site location plan edged red.
- 3) The construction of the dwelling hereby allowed shall not take place until samples of all external roofing and facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
- 4) Prior to the first occupation of the dwelling, the car parking, turning area and access shall be surfaced in materials, details of which will have been previously submitted to and agreed in writing with the local planning authority. The surfaces shall remain as such thereafter.
- 5) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floor of the proposed building, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 6) Before construction of the dwelling is commenced, details of energy saving measures to demonstrate that the building will achieve a minimum improvement in dwelling emission rate of 19% over the 2013 Building Regulations target emission rate, will be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved details and the building shall retain its level of energy efficiency thereafter. Evidence of compliance with the approved details shall be submitted to and agreed in writing with the Local Planning Authority before the first occupation of the dwelling.