
Appeal Decision

Site visit made on 25 June 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 9th September 2019

Appeal Ref: APP/V4250/W/19/3224154

Bores Meadow, Chorley Road, Worthington, Wigan WN1 2XJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr David Ellis against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/18/85398/OUT, dated 29 March 2018, was refused by notice dated 18 October 2018.
 - The development proposed is a residential dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline with approval sought for matters of access, layout and scale. However, the plan that was considered by the Council (ref 1275-PL02A, July 2018) illustrates elevations and street scenes. On the basis that appearance is a matter reserved for future consideration, I have therefore treated those parts of the plan that relate to appearance as illustrative only.

Main Issues

3. The main issues are:
 - i) Whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - ii) The effect of the proposal on the character and appearance of the area, including the visual buffer; and
 - iii) If the proposal is 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 the development.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

4. The appeal site is an area of land between Chorley Road and Bores Meadow, which is a small housing development. The site is separated from the adjacent residential development by a close-boarded fence. The boundary to Chorley Road is formed by a low boundary wall which curves round to the south of the

- site to form the existing residential access. The surrounding area is relatively flat and open countryside with scattered pockets of development, including dwellings and farmsteads. The appeal site is in the Green Belt.
5. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
 6. Policy CP8 of Wigan Council's Wigan Local Plan Core Strategy Development Plan Document Adopted September 2013 (the Local Plan) sets out that development within the Green Belt will only be allowed in accordance with national planning policy, and specifically refers to limited infilling or redevelopment being allowed at previously-developed, brownfield sites in the Green Belt in accordance with national planning policy. Policy 145 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a limited number of exceptions, one of which is 145 g) limited infilling or the partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development.
 7. There is evidence before me of former development at the site, including historic industrial use. More recently, it has been used for the storage of construction materials. However, irrespective of its former use, there were no buildings on the site at the time of my visit and the land was largely vegetated over.
 8. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence. Openness is the absence of development and includes both spatial and visual aspects.
 9. There would be a significant spatial effect on openness as a result of the permanent footprint of the development including the dwelling and associated vehicular access and parking areas. There would be a significant visual impact on openness as a result of the bulk of the development, car parking and associated domestic paraphernalia in a prominent roadside location. Travelling from either direction on Chorley Road, the dwelling would be seen to extend the quantum of built development. It would be visually obtrusive, eroding the open character of the area and interrupting long views across undeveloped countryside.
 10. I note the suggestion that the impact on openness arising from the proposal should be considered in the context of the volume of the adjacent Bores Meadow development. However, paragraph 145 g) of the Framework relates to the redevelopment of PDL which would not have a greater impact on openness of the Green Belt than the existing development. Therefore, and irrespective of the adjacent dwellings, the baseline for the assessment is the existing development within the appeal site.
 11. Consequently, the proposal would have a greater impact on the openness of the Green Belt than the existing vacant site. It would not meet the exception criteria set out at paragraph 145 g) of the Framework. Therefore, it would be in conflict with Policy CP8 of the Local Plan and policies in the Framework that protect the Green Belt.

Character and appearance

12. The Bores Meadow development is set back from the road with open land to either side of the highway access. The proposed dwelling would be located in the wide landscaped buffer between Bores Meadow and the road. It would project forward from, and at a right angle to, the existing cluster of dwellings. While it would be a relatively modest single storey dwelling, it would not relate well to the nearby built development and it would disrupt the visually harmonious open landscape frontage. Consequently, it would be a prominent and discordant feature that would not integrate with its surroundings.
13. The appeal scheme is in outline, with matters of appearance reserved for future consideration. Nevertheless, the appellant has sought to demonstrate that the proposal would be a gatehouse style of dwelling that would be in keeping with other gatehouses along Chorley Road. However, while gatehouses may be historic features of the wider area, they are characteristically located adjacent to the entrance to the grounds of a large property or large area of enclosed land. In this case, the dwelling would be immediately adjacent to a modern housing development and it would not therefore be in keeping with the traditional form of gatehouse development in the area.
14. By virtue of its siting, scale and orientation, the proposal would result in harm to the character and appearance of the area. It would conflict with Policy CP10 and CP17 of the Local Plan which requires development to, among other things, respect and acknowledge the character and identity of the location, to integrate effectively with its surroundings to create attractive places, and to maintain the environment for the benefit of people.

Other Considerations

15. The Council is able to demonstrate in excess of a 5 year housing supply (5YHLS) and the tilted balance does not therefore apply. However, Paragraph 11 d) of the Framework is in any case clear that the presumption in favour of sustainable development does not apply where the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development. The specific policies referred to are listed in footnote 6 and include those relating to land designated as Green Belt. Therefore, even if the Council had been unable to demonstrate a 5YHLS, the provision of one dwelling in an unsuitable location would not be a factor that would weigh in favour of the scheme.
16. The appellant has suggested that the proposal would not be inappropriate development within the Green Belt as it would not conflict with the purposes of including land within it. However, while this is a test that applies to some forms of development, including those listed at Paragraphs 145 b) and 146 of the Framework, it does not apply to Paragraph 145 g) the redevelopment of previously developed land. Any absence of conflict with the purposes of including land within the Green Belt would therefore be a neutral factor in my assessment.
17. I acknowledge that the dwelling would be a self-build project and that the Council has duties under the Self-Build and Custom Householding Act 2015 (as amended), including in terms of meeting the demand for such housing. However, on the basis that there are likely to be other sites in more suitable

locations for new residential development, this is a matter that attracts little weight in the balance.

18. The proposed dwelling would not result in significant harm to the living conditions of the occupiers of neighbouring residential developments. However, this is a neutral factor in my assessment.

The Green Belt Balance

19. I have concluded that the proposed dwelling would be inappropriate development in the Green Belt. It would result in a small loss of openness of the Green Belt. These matters attract substantial weight. It would also result in an adverse effect on the character and appearance of the area.
20. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

21. For the reasons set out above, and having regard to all other matters, the appeal should be dismissed.

Sarah Manchester

INSPECTOR