
Appeal Decision

Site visit made on 29 October 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 11th November 2019

Appeal A Ref: APP/F2360/W/19/3235293

Land between 2 and 3 Townley Lane, Penwortham, Lancashire PR1 0NU

- 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 Ms Maria Atherton against the decision of South Ribble Borough Council.
 - The application Ref 07/2019/0963/OUT, dated 29 January 2019, was refused by notice dated 20 June 2019.
 - The development proposed is outline application for the erection of a detached dwelling.
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Appeal B Ref: APP/F2360/W/19/3235288

Land between 2 and 3 Townley Lane, Penwortham, Lancashire PR1 0NU

- 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 Ms Maria Atherton against the decision of South Ribble Borough Council.
 - The application Ref 07/2019/0962/OUT, dated 29 January 2019, was refused by notice dated 20 June 2019.
 - The development proposed is the erection of a pair of semi-detached houses.
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Decision

1. Appeal A is dismissed and Appeal B is dismissed.

Application for costs

2. An application for costs was made by Ms Maria Atherton against South Ribble Borough Council in respect of both Appeal A and Appeal B. These applications are the subject of a separate Decision.

Procedural Matters

3. As set out above, there are two appeals on this site. Identical application forms have been submitted with both appeals and the description of the development in both cases is 'the erection of a pair of semi-detached houses'.
4. In respect of Appeal A, with the exception of the application form, the evidence before me relates to the erection of one dwelling. Therefore, I have adopted the description of the development in the banner heading above from the relevant decision notice and the appeal statement. Accordingly, I have determined Appeal A on the basis that the proposal is the erection of one dwelling. The evidence in respect of Appeal B relates to a pair of semi-detached houses. I am therefore satisfied that the description of development in the

application form is accurate and I have determined Appeal B on the basis that the proposal is the erection of a pair of semi-detached dwellings.

5. Both applications were made in outline with all matters reserved and the evidence submitted with both appeals is substantially the same. Therefore, in order to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
6. In both cases, the address in the application form is given as Merlewood, Townley Lane, Penwortham, Lancashire PR1 0NU. However, I have adopted the address from the decision notices and the appeal forms in the banner headings above as this more precisely identifies the location of the appeal site.

Main Issues

7. The main issues are:
 - i) Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - ii) The effect of the proposal on the openness of the Green Belt;
 - iii) Whether the location is suitable for new residential development; and
 - iv) 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

8. The appeal site is part of a field near the end of Townley Lane. It has a road frontage between Nos 2 and 3, which are part of a small group of dwellings in this location. The appeal site is in the countryside approximately 2km away from the urban edge of Penwortham. The surrounding area is characterised by open farmland with hedgerows and trees and scattered rural dwellings and farmsteads.
9. Policy G1 of South Ribble Borough Council Local Plan Adopted July 2015 (the LP) sets out that planning permission will not be given for the construction of new buildings in the Green Belt, with certain listed exceptions including limited infilling in villages. This is consistent with Paragraph 145 of the Framework which states that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to exceptions including 145 e) limited infilling in villages.
10. The 3 pairs of semi-detached properties in this location form a small and loosely-aggregated group. The group is well-separated from the settlement of Penwortham and from other scattered rural development in the area. There are no services or facilities in proximity to the appeal site and there is little evidence that the group has any other characteristic such as would be expected in a village location.

11. On this basis, I find that the appeal site is not within a village. Therefore, the proposal would not be limited infilling in villages. It would not meet the exception set out in Paragraph 145 e) of the Framework. Consequently, it would be inappropriate development in the Green Belt and it would conflict with Policy G1 of the LP and the policies in the Framework that protect the Green Belt.

Effects on openness of the Green Belt

12. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual impacts.
13. There are no details provided in respect of the layout or appearance of either proposal. However, the appellant envisages that in both cases the building would have the same dimensions and that the ridge height would be similar to the adjacent 2 storey properties.
14. The appeal site is a part of a field and it is visually and functionally related to the open countryside that extends behind the adjacent dwellings. Therefore, there would be a significant footprint of permanent development in this location as a result of the construction of a new building with associated vehicular access and parking. Appeal B would be likely to have a greater spatial impact on openness than Appeal A due to the creation of separate access and parking areas to serve 2 dwellings rather than one.
15. In both cases, the building would be clearly visible from locations along Townley Lane, from nearby properties and from the surrounding countryside. Irrespective of the number of dwellings or the details of the appearance of the building, there would be a significant visual impact resulting from the bulk of the building and the associated domestic paraphernalia. Appeal B would be likely to result in a greater visual impact than Appeal A due to the increase in vehicles and domestic paraphernalia associated with the increased number of dwellings.
16. Consequently, both schemes would result in a significant spatial and visual impact and a permanent loss of openness of the Green Belt. Taking into account the scale of the proposals and the surrounding context, I conclude that the proposals would result in a moderate loss of openness of the Green Belt in this locality.

Whether the appeal site is a suitable location for new residential development

17. The appeal site is in a remote rural location with no reasonable access to services and facilities or to sustainable modes of transport. Future occupiers would be reliant on private car journeys to meet their reasonable daily needs. There is little evidence that a new dwelling in this location would make any significant contribution to the vitality of rural communities or to local services. Therefore, the appeal site is not a suitable location for new residential development, having regard to the accessibility of local services and facilities.
18. However, the site is in close proximity to several dwellings and in this respect it is not spatially isolated. Consequently, the proposal would not conflict with Paragraph 79 of the Framework, which seeks to avoid the development of isolated homes in the countryside.

Other considerations

19. I acknowledge that the pre-application advice indicated that new residential development in this location would be not inappropriate in the Green Belt. While the decisions will therefore have been a disappointment to the appellant, the Planning Practice Guidance is clear that pre-application advice is not binding and it cannot pre-empt the democratic decision making process in the event that an application is made. This is a matter that carries minimal weight in my assessment.
20. The proposals would not result in harm to the living conditions of the occupiers of neighbouring properties. There would be no adverse effects on biodiversity or highway safety. However, these are requirements of the development plan rather than benefits of the appeal schemes. These matters therefore carry neutral weight in my assessment.
21. My attention has been drawn to permissions for residential development including extensions elsewhere in the area. Full details of such schemes have not been provided and I cannot therefore be certain that they are directly comparable to the appeal proposals or that they were considered in the same policy context. However, schemes permitted elsewhere that have been found to be acceptable and in accordance with relevant policies that protect the Green Belt are not factors in favour of the appeal scheme.
22. I note the third party concerns in respect of use of the unadopted road that serves the appeal site. However, this is a private legal matter and it is not one for this appeal to address. This is therefore a neutral factor in my assessment.

The Green Belt Balance

23. I have concluded that both schemes would be inappropriate development in the Green Belt which is, by definition, harmful. They would result in a harmful moderate loss of openness of the Green Belt. The Framework advises that substantial weight must be given to any harm to the Green Belt.
24. The Framework states that inappropriate development should not be approved except in very special circumstances. In this case, there are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Consequently, the very special circumstances necessary to justify the proposals do not exist.

Conclusion

25. For the reasons set out above, I therefore conclude that Appeal A should be dismissed and Appeal B should be dismissed.

Sarah Manchester

INSPECTOR