
Appeal Decision

Site visit made on 17 December 2019

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2019

Appeal Ref: APP/N4205/W/19/3236728

458 Wilkinsons Farm, Manchester Road, Blackrod, Bolton BL6 5SU

- 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 John Wilkinson against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 06293/19, dated 5 June 2019, was refused by notice dated 6 August 2019.
 - The development proposed is described as "erection of 4 proposed dwellings."
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Outline planning permission is sought with all matters reserved except access and layout. I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - i. Whether the proposal is inappropriate development in the Green Belt;
 - ii. The effect of the proposal on openness; and
 - iii. If the proposal is inappropriate, whether any 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 inappropriate development

4. Policy CG7AP of the Boltons Adopted Allocations Plan Document (BAAPD) relate to development within the Green Belt. This policy is consistent with paragraph 145 of the National Planning Policy Framework (the Framework) which states that the construction of new buildings in the Green Belt should be regarded as inappropriate, unless the development falls within the exceptions list. This list includes limited infilling in villages. The appellant considers that the proposal constitutes limited infilling in a village and is therefore not inappropriate development.
5. Whilst the terms 'limited' and 'infilling' are not defined in the Framework, I have had regard to the nature and size of the proposed development, the

location of the appeal site and its relationship to other, existing development adjoining and adjacent to it.

6. The proposed development would introduce four dwellings onto a site which does not have any existing buildings. There are existing buildings to the north, south and east of the appeal site. The buildings to the north are located beyond a group of trees and a highway junction. The proposed development would be located within a gap between the existing built form however, this gap would be substantial given the location of the buildings.
7. The proposal for four dwellings would be large in scale and would be located in a large gap between existing built form. Therefore, whilst the proposal would be infilling, given the nature and size of the proposed development and its location between the existing buildings in the area, the proposed development would not be "limited" infilling. The proposal would therefore not fall within the exceptions list detailed in paragraph 145 of the Framework.
8. Consequently, I find that the proposal would be inappropriate development within the Green Belt as it would not represent limited infilling in a village. Accordingly, the proposal would be contrary to Policy CG7AP of the BAAPD and paragraph 145 of the Framework.
9. Given the evidence submitted, I have been unable to determine whether the appeal site lies within a village location. Nevertheless, the proposal would not be limited infilling and would not fall within the exceptions list as described above.

Openness

10. Paragraph 133 of the Framework indicates that openness is an essential characteristic of the Green Belt. The proposal would be introducing four dwellings onto a site which currently does not have any substantial buildings. By all metrics the proposal would therefore have a greater impact on the openness of the Green Belt in spatial terms.
11. Visual impacts forms part of the concept of openness of the Green Belt, and whilst the site is partially screened by trees and hedgerow, the site is prominent when viewed in close proximity, particularly from parts of Manchester Road to the east of the site. The lower sections of the proposed dwellings may have some screening from the existing hedgerow however, the upper sections and the roofs of the proposed properties would be visible, particularly from Manchester Road. The proposed dwellings would have a greater visual impact within the surrounding area.
12. I therefore find that the development would lead to a significant loss of Green Belt openness contrary to paragraph 133 of the Framework.

Other considerations

13. The proposal would be the development of previously developed land which would contribute to the housing supply in the area. I have had regard to the appellants statement of case including the figures relating to housing shortage. I also note that the Local Highways Authority have not objected to the principle of residential development. These matters however, would not outweigh the harm I have identified above.

Conclusions

14. The proposal would be inappropriate development in the Green Belt and the Framework establishes that substantial weight should be given to any harm to the Green Belt. The proposal for four dwellings would be the development of previously developed land that contributes to the local housing supply which are benefits. However, I do not consider that these benefits would clearly outweigh the harm that the scheme would cause. Consequently, very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist. The development would fail to comply with Policy CG7AP of the BAAPD which accords with the Framework in seeking to protect the Green Belt from inappropriate development.
15. For the reasons set out above, I conclude that the appeal should be dismissed.

Chris Baxter

INSPECTOR