
Appeal Decision

Site visit made on 21 May 2020

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2020

Appeal Ref: APP/F2360/W/19/3232010

Oakland Farm, Hollins Lane, Leyland PR26 8LJ

- 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 Lewis Buller against the decision of South Ribble Borough Council.
 - The application Ref 07/2019/2257/OUT, dated 8 March 2019, was refused by notice dated 30 May 2019.
 - The development proposed is erection of up to 9no dwellings and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application seeks outline planning permission with access and layout to be determined at this stage. Appearance, landscaping, and scale are reserved for future consideration. The application was determined on the basis of layout drawing Ref 18-012-PL01.
3. The Council's fourth reason for refusal states that the development is inappropriate development in the Green Belt. The Council have not submitted a statement of case, and instead rely on an officer report which omits this fourth reason for refusal. Nonetheless, the decision notice represents the formal decision of the Council and I have determined the appeal on that basis.

Main Issues

4. Given the above, the main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt;
 - the effect on the character and appearance of the surrounding area;
 - whether or not the proposal would be in a suitable location having regard to accessibility of services;
 - the effect on the living conditions of the occupants of Hollins Lane, with particular regard to traffic noise and congestion; and
 - would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

5. The appeal site contains a number of buildings said to be in storage, workshop, equine and horticultural use. The stable buildings to the south-east are single storey with flat roofs; three polytunnel-shaped buildings to the north are similarly of low height; and there is a fenced sand paddock to the south west. The business activities and scale of buildings provide the site with a predominantly rural character, within the open countryside. The partially landscaped boundaries allow glimpses of the buildings from Hollins Lane. The effect of the proposal would be to provide nine dwellings across the whole site.

Inappropriate development

6. Policy G1 of the South Ribble Local Plan (2015)(LP) and the National Planning Policy Framework (the Framework) identify that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
7. The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions as set out in policy G1 and paragraph 145 of the Framework. One of these exceptions is the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than the existing development.
8. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect. The overall volume of existing structures on the site has been agreed, with the Council accepting an additional volume of up to 30%. However, the Rural Development Supplementary Planning Document (2012) does not offer specific guidance for volume increases where non-residential buildings are to be replaced with residential. Neither does the Framework, which instead states that proposals should not have a greater impact on openness.
9. Whilst the appeal is in outline, layout has been applied for. As such, the submitted drawing shows the way in which the buildings would be provided, situated and orientated within the site, despite the indicative labelling. The proposed dwellings are of greater total footprint than the existing buildings. Given the low heights and volumes of the existing buildings, it is not at all clear to me from the evidence that the volume of the existing buildings would not be exceeded by the volume of the proposed buildings, within the footprints proposed, even if the dwellings were single storey. As such, I am not persuaded that the proposal would not have a greater impact on the openness of the Green Belt than the existing development, in spatial terms.
10. Even were the spatial aspect to have a neutral effect, the visual aspect forms part of the concept of openness of the Green Belt, and the visual dimension of the Green Belt is an important part of the purpose of designating land as Green Belt. The existing buildings occupy a relatively small area of the overall site and, whilst the proposed dwellings to the north and south-east would occupy a similar locus to the existing buildings, even single storey dwellings would be more prominent, with adverse visual effects. Furthermore, the remaining dwellings are located in open parts of the site, and the visual intrusion resulting from the very presence of dwellings sited in otherwise open locations, would have a negative effect on the openness of the Green Belt.

11. I therefore find that in both spatial and visual terms the proposal would have a greater impact on the openness of the Green Belt than the existing development. Furthermore, in doing so the scheme also fails to check the unrestricted sprawl of large built-up areas in the countryside, one of the five purposes of the Green Belt. I therefore conclude that the proposal is inappropriate development in the Green Belt and, as such, conflicts with policy G1 of the LP, and the Framework.

Character and appearance

12. The existing buildings on the site read visually as being related to rural activities associated with the open countryside, and the two other dwellings along Hollins Lane are physically separated from each other by that open countryside. However, the proposed layout and access demonstrate a suburban character of development, and the proximity of the proposed detached dwellings to each other would not be in keeping with the wide separation between existing properties. Even though the existing building heights are low, they are still clearly visible from the Hollins Lane public footpath through the intermittent gaps in landscaping. It therefore follows that even single storey dwellings would be more elevated in the landscape than the existing buildings.
13. Overall, the proposal would create a poor contrast with the surrounding rural area, notwithstanding that appearance, scale and landscaping would be reserved for future consideration. The proposed cul-de-sac layout would result in a more domesticated character and appearance than is currently the case and would appear incongruous and unrelated to the locality. The proposal would have a significant adverse effect on the character and appearance of the surrounding area, contrary to policy G17(a) of the LP, which states that development should not have a detrimental impact on its surroundings.

Location

14. The nearest local services are at Seven Stars, some 1.8 km to the north, where a wide range of shops and facilities are available. One school is closer, at 1.4 km distant. These services would be accessible via a footpath along Leyland Lane, however, my observations are that this walk would take in the region of 20 minutes or more, on a footpath that is narrow in places and runs alongside an arterial 50 mph road. Given the length of time, the distance involved, and the character of the route, I find that residents of the proposed development are likely to be discouraged from walking to Seven Stars, where most local facilities are concentrated, regardless of suitable crossing points.
15. Having regard to the quoted Institute of Highways and Transportation (IHT) guidelines which suggest maximum walking distance of 2 km to schools, I accept that a daily commute to the schools would potentially be within acceptable distances. However, the IHT also advises 0.8 km for town centres and 1.2 km for elsewhere, supporting my findings that the walk to Seven Stars would be beyond a reasonable maximum, regardless of whether Seven Stars is considered a town centre or elsewhere. Rather it is more likely that residents would be encouraged to use the car. Any guidance on walking distances contained within Planning Policy Guidance 13: Transport can only be given very limited weight, given that it is now superseded.
16. There is no cycle lane in the vicinity of the appeal site that would offer an alternative sustainable option for this journey, and the speed limit along

Leyland Lane would disincentivise cycling, despite the existence of cycle infrastructure further afield. In terms of rail travel, the appeal site is too peripheral from the station, at some 4.5 km, to reasonably represent a convenient transport choice without use of the car to reach it, despite the wide availability of services. The bus stop located close to the end of Hollins Lane would offer an option for sustainable transport to larger centres. However, the described hourly service is not likely to encourage sustainable transport for shorter journeys such as to Seven Stars, given probable return journey times.

17. Overall, although there are some limited opportunities for sustainable transport, this is insufficient in itself to offer a genuine choice of transport modes. I conclude that the proposed development would not be in a suitable location having regard to accessibility of services, such that there would be conflict with paragraphs 102c, 103 and 108 of the Framework, which require development to reduce car dependency and encourage opportunities for walking, cycling and public transport. Paragraph 105 relates to the setting of local car parking standards and is not applicable. Whilst Policy C3 of the Central Lancashire Core Strategy (CS) and Chapter F of the LP both promote sustainable travel, they are not relevant development management policies against which the appeal proposal can be assessed.

Living conditions

18. The indicated existing uses at the appeal site have the potential to generate significant levels of traffic, including large vehicles and trailers. Indeed, the appellant suggests that there are currently up to 60 movements daily. The Council considers that the proposal would significantly increase traffic levels along Hollins Lane to the detriment of living conditions at Hollins Farm and Hollins Cottage. However, I am not persuaded that movements from nine dwellings would generate significantly greater noise and disturbance than the fallback position, notwithstanding the proximity of these properties to the road or its status as public or private road.
19. Consequently, I conclude that the proposal would not have a significant adverse effect on the living conditions of the occupants of Hollins Lane, with particular regard to traffic noise and congestion. Policy B1 of the LP relates to existing built-up areas defined on the policies map, which does not include the appeal site. Nonetheless, the proposal complies with paragraph 127 of the Framework, which requires that development should create a high standard of amenity for existing and future users.

Other considerations

20. Whilst the proposal would result in the removal of untidy structures from the appeal site, I have also found that the proposal would harm the character and appearance of the surrounding area. The appellant considers the proposal to be sustainable development, however, I have concluded that the proposal would not be in an accessible location. Finally, I note the lack of objection from consultees to the proposal. I give each of these benefits limited weight in support of the appeal.

Other matters

21. Permission has previously been granted for a single dwelling at this site, but this does not in itself justify a further 8 dwellings with the adverse effects that I

have found. The referenced permission for 400 dwellings at Altcar Lane does not represent a scale of development directly comparable with the current appeal. Permission is also cited for 2 dwellings at Four Acres, however, I do not have full details of appeal circumstances or the determination process. In any case, I must determine the current appeal on its merits. The appellant has completed a site allocation site assessment; however, this is a development planning tool of limited use in assessing a specific development proposal.

Conclusion

22. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition there are adverse impacts in terms of openness, the Green Belt purpose of checking the unrestricted sprawl of large built-up areas in the countryside, the character and appearance of the surrounding area, and the sustainability of the location. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
23. As outlined above, I give only limited weight to the other considerations and, even when taken together, these do not outweigh the harm that the proposed development would cause. The substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate very special circumstances. Therefore, for the reasons given and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Hanna

INSPECTOR