



Appeal Decision

Site Visit made on 19 July 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2021

Appeal Ref: APP/F2360/W/21/3270562

Land Adjacent to Mill House, Moss House Lane, Much Hoole, Lancashire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Kirkpatrick against the decision of South Ribble Borough Council.
 - The application Ref 07/2020/00647/PIP, dated 6 August 2020, was refused by notice dated 9 September 2020.
 - The development is described as proposed 1 No detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the application was determined, a revised version of the National Planning Policy Framework (the 'Framework') has been published. The main parties were given the opportunity to comment on any relevant implications for the appeal and have not therefore been prejudiced. The main parties did not have any comments on this matter.
3. I have used the address provided in the appeal form and decision notice in the heading above as this more clearly describes the site location than that provided on the application form.
4. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
5. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
6. A drawing has been submitted showing a possible layout, this is considered as indicative only.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Main Issue

7. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

Location - Green Belt

8. The appeal site is located at the end of a row of dwellings, within the Green Belt. To the west is a residential property. There is a large visual gap between the appeal site and that property. In addition, there are no properties directly opposite or to the rear of the appeal site.
9. Paragraph 149 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. This includes e) limited infilling in villages. Although dwellings within the surrounding area are to a degree sporadic, to comply with this exception the appeal site needs to be located within a village.
10. The appeal site is located at some distance from Much Hoole. I observed on my site visit that the Methodist Church on Moss House Lane marks the point where the character of the road changes from village to countryside. There is a clear break in development between the appeal site and Much Hoole and there is not a continuously built up frontage. I do not consider that the site is within the physical built up area of the village.
11. Consequently, the appeal site is characterised as lying within the countryside rather than forming part of the village and the appellant has not submitted any substantive evidence to suggest otherwise. For the reasons given above, having regard to the location of the site and the characteristics of the area, the site would not constitute limited infilling in a village.
12. Accordingly, the proposal would not fall under any of the exceptions listed in the Framework and would be inappropriate development in the Green Belt, having regard to Policy G1 of the South Ribble Local Plan (2012-2026) (adopted 2015) (LP) and the Framework.

Openness

13. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
14. I acknowledge that the proposal cannot be fully assessed in this respect until the technical details are provided. However, it is possible to make an initial assessment 'in principle'.
15. The appeal site is currently enclosed by hedging and fencing. The erection of a new dwelling would have a significant adverse impact on openness. Although the existing boundary hedge would provide some screening, it is likely that the proposed development would be visible from the road and would have a visual impact upon the openness of the Green Belt. It would also have a spatial impact upon the Green Belt because it would result in an erosion of space where there are currently no buildings.

16. The removal of permitted development rights, as suggested by the appellant, would have extremely limited effect in preserving the openness of the Green Belt and minimising the development's impact upon the openness of the Green Belt.
17. Consequently, the scheme would increase the level of built development and would have an adverse impact on both the spatial and visual openness of the Green Belt. As such, the proposal would conflict with the fundamental aim of Green Belt policy, as stated in the Framework, to keep land permanently open.

Location – accessibility

18. As highlighted above, the appeal site is located at some distance from Much Hoole. Whilst the three overarching objectives of the Framework do not specifically relate to transport, the Framework promotes sustainable development in rural areas and seeks to promote sustainable transport. It states, in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities².
19. The dwelling may, to a degree, support local services, businesses and facilities but there is no compelling evidence before me which demonstrates that the proposal would maintain or enhance community vitality.
20. I observed on my site visit that this section of Moss House Lane did not benefit from a footway and the road is relatively well used. It also had extremely limited street lighting. Although the distance to Much Hoole would be walkable, it is unlikely that future occupiers would walk to the village. This is due to the lack of footway, limited street lighting and volume of traffic. Nevertheless, I acknowledge that future occupiers might cycle the short distance.
21. Much Hoole contains a limited number of services and facilities. Therefore, future occupiers would need to travel a greater distance to meet their day to day needs. I recognise that the development would be small scale and most occupants of the village would need to travel further than Much Hoole to access services and facilities.
22. I understand that Longton town centre contains services and facilities and that there is a bus service, but its frequency is extremely limited. It is unlikely that future occupiers would walk or cycle to Longton due to the distance, lack of footway, limited street lighting and crossing of a dual carriageway. Furthermore, based on the evidence submitted, it is unlikely that the bus service would be a viable mode of transport because of the limited frequency.
23. Hence, even in the context of the rural area, the availability of sustainable transport options is limited. The scheme is likely to result in unsustainable travel patterns, due to the distance to services and facilities, and a reliance on the use of a private car.
24. The appellant has drawn my attention to various parts of the Framework and the need for dwellings in different locations. They also state that the proposal will provide housing for local community needs. Nevertheless, no substantive evidence has been submitted which demonstrates that the development would truly contribute to local housing need. These matters do not outweigh the harm identified above.

² Paragraph 79

25. In relation to this main issue, the appellant has referred to an appeal decision³. Extremely limited evidence has been submitted with regards to that decision and therefore I am unable to directly compare it to the appeal scheme. In any event, I have determined the appeal on its individual merits. The issue relating to housing land supply is addressed below in my decision.
26. For these reasons, the proposed development would not represent an appropriate location for housing, having regard to the accessibility of services and facilities. Accordingly, it would conflict with Policy 3 of the Central Lancashire Core Strategy (adopted 2012) (CS) and Chapter F of the LP. These collectively seek, amongst other matters, to promote more sustainable modes of transport.
27. It would also conflict with the Framework which seeks to promote sustainable transport and sustainable development in rural areas.

Other considerations

28. The proposal would make a contribution towards the provision of housing and would also provide social and economic benefits. The appellant asserts that such benefits are especially important at a time when the country is in a recession due to the COVID-19 pandemic. Even if I were to conclude that there is a shortfall in the five-year housing land supply, the benefits to housing supply, as well as social and economic benefits, arising from one dwelling would be very modest. Thus, I attach no more than limited weight to these benefits.
29. I understand that the proposed development is for a self-build dwelling and the appellant has a childhood connection to the local area and wish to live close to a recently bereaved parent. However, the appellant has not provided any robust evidence to demonstrate that there are not any alternative and more appropriate self-build sites. In addition, it is not clear whether the Council are not providing enough suitable development permissions to meet the identified self-build demand. Therefore, I attach very limited weight to this matter.
30. The scheme would comply with various parts of the Framework. Nonetheless, any avoidance of harm and compliance with parts of the Framework are not considerations which amount to a positive consideration in support of the appeal.
31. I understand from the evidence submitted that the site highlighted by the appellant has not been allocated for development. The site in question has been put forward by a land owner as part of preliminary works towards the Council's next local Plan. Thus, this consideration does not amount to a positive factor in favour of the development.
32. The appellant asserts that the site is surrounded by existing properties and as a result will not look out of place in its setting. It is not possible to fully assess this consideration as the scheme relates to the first stage of a permission in principle application. In any event, as stated above, the absence of harm and compliance with local and national planning policies does not amount to a positive factor in favour of the scheme.

³ APP/Q3115/W/17/3185510

33. Based on the evidence submitted, Policy B2 of the LP, referred to by the appellant, does not include the appeal site. Hence, this Policy is not relevant to the appeal and does not amount to a positive factor in favour of the scheme.

Whether very special circumstances exist

34. The appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. It would also cause harm to the openness of the Green Belt. The Framework is clear that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
35. The advanced considerations relating to the contribution to housing supply as well as social and economic benefits are given limited weight. Furthermore, I attach very limited weight relating to the contribution to providing a self-build plot. The other considerations highlighted by the appellant are given neutral weight in that they neither weigh in favour or against.
36. When drawing this together, the other considerations advanced in support of the appeal whether taken individually or cumulatively, do not, clearly outweigh the totality of the harm that I have found. Therefore, the very special circumstances necessary to justify the development do not exist.

Planning Balance and Conclusion

37. The appellant suggests that the Council is unable to demonstrate a five year supply of deliverable housing sites. They also suggest that the development plan, and associated planning policies, is out of date. Therefore, they consider that the tilted balance applies. They have referred to appeal decisions in this regard⁴. Extremely limited information has been provided with those decisions and therefore I am unable to compare them to this appeal.
38. In contrast, the Council state that they are confident that they can achieve a five year housing supply. They have referred to the Council's annual housing requirement figure in this regard.
39. Paragraph 11 of the Framework, in the context of the presumption in favour of sustainable development, indicates that planning permission should be granted unless i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
40. The harm to the Green Belt that I have identified above, including that the proposal would result in inappropriate development, provides a clear reason for refusing the development proposed⁵. Therefore, the presumption in favour of sustainable development does not apply in this instance.
41. As set out above, I conclude that the proposal would amount to 'inappropriate development'. There are no very special circumstances to outweigh the harm caused. The proposal would not represent a suitable location for residential development. Any benefits associated with a single dwelling would be small. The benefits in that respect do not outweigh the deficiencies that would arise

⁴ Including APP/Q3115/W/17/3185510

⁵ See paragraph 11 d) i) – footnote 7 of the Framework

as a result of the conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

42. For the reasons set out above, I conclude that the appeal should be dismissed.

L Wilson

INSPECTOR