



Appeal Decision

Site Visit made on 7 September 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/E2340/W/21/3276380

Land adjacent to Meadow View, Skipton Old Road, Foulridge, Lancashire BB8 7QE

- 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 H Simpson against the decision of Pendle Borough Council.
 - The application Ref 20/0698/PIP, dated 8 October 2020, was refused by notice dated 18 January 2021.
 - The development proposed is residential development of up to three dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for a residential development of 3 dwellings at land to the north-west of Meadow View, Skipton Old Road, Foulridge, Lancashire BB8 7QE in accordance with the terms of application Ref 20/0698/PIP, dated 8 October 2020.

Preliminary Matters

2. The address in the banner heading above is taken from the planning application form. However, for the avoidance of doubt, I have used the address featured on the Council's Decision Notice as a more accurate description of the site's location.
3. The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 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. Both stages are required to achieve a planning permission. This appeal relates to the first of these 2 stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. 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. A site layout plan showing three dwellings and an access point was submitted for the purpose of the application for permission in principle. The plan is marked as for illustrative purposes only and I have regard to this only insofar as it is indicative of a development for three dwellings.
5. Since the Council's determination of the planning application, a revised version of the National Planning Policy Framework (the Framework) was issued on 20 July 2021. I have sought the further comments of the main parties in this

respect and have had due regard to both their representations and the changes to the Framework in my determination of this appeal.

Main Issues

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

Reasons

7. The site is part of an inclined undeveloped field situated between Skipton Old Road and Skipton Road (A56). The land is to grass and is bordered by a dry-stone walls, mature hedging and trees. The plot lies beyond a residential property to the south known as Meadow View. Meadow View marks the northern extent of the settlement area and the area of primarily residential development as it extends along both sides of Skipton Old Road from the core of Foulridge village to the southwest.
8. To the north is an overgrown walled garden associated with a residential property named Cragg House. To the east are some elevated residential properties separated from the main group of development to the south by a grassed field. The site lies within the open countryside.
9. Policy SDP2 of the Local Plan for Pendle Part 1: Core Strategy 2011-2031 [2015] (CS) sets out the Council's spatial strategy for development. It designates Foulridge as a Rural Service Centre which is identified as a focus for growth in Rural Pendle. The policy seeks new development to be located within the defined settlement area. However, whilst acknowledging that settlement boundaries are subject to review, it states that development outside the settlement boundary and within the open countryside will only be permitted for exceptions identified in the Framework or policies elsewhere in the development plan for Pendle.
10. Policy LIV1 of the CS relating to housing provision and delivery states that until such time that the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies (SADP), sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the 5-year supply of housing land, including those identified in the Strategic Housing Land Availability Assessment (SHLAA), will be supported. This is to encourage significant and early delivery of the Council's housing requirements.
11. The site lies beyond the northern extent of grouped residential development along Skipton Old Road. The land currently appears as an open field framing the edge of the settlement along the A56 but from here is viewed against the backdrop of the elevated properties to the east. On Skipton Old Road the proposed houses would continue the line of development on the western side of the road. Accordingly, the development of the site at a lower density to the adjacent settlement area would retain a more spacious transitional character between the settlement area, the surrounding open countryside and the loose string of residential properties to the north.
12. The indicative layout plan suggests that the existing characteristic stone wall fronting the site will require removal to provide adequate visibility at the proposed access. Additionally, some regrading of the land profile might be required. As an indicative layout only any detailed effects of those aspects of

the development on the character and appearance of the locality are matters to be assessed under technical details consent. They are not therefore matters of significant weight in this appeal.

13. The site would rely on access from Skipton Old Road. This is a lightly trafficked narrow rural lane subject of a 30 mph speed limit. The road benefits from streetlighting and the speed limit reduces to 20 mph along its length further down the lane. In the vicinity of the site the lane is narrow and winding such that traffic speeds are necessarily low. This was observed at the time of my site inspection. As the road descends towards the village the increasing number of access points and encroachment of parked vehicles on the contained road corridor further reduces vehicle speeds.
14. There are no pavements along the initial section of the road leading into the village. However, this is the existing situation for the majority of residents in this part of the settlement. I note the concerns of the Council's highway advisors but there is little evidence to suggest that the shared use of the carriageway has led to significant road safety concerns in the vicinity of the site or on the route towards the services within the village centre. Furthermore, there is little to indicate that the extent of proposed development would cause capacity issues within the local highway network.
15. The village includes a limited range of shops but includes food and drink venues, hairdressers and beauty services, pre-secondary schools, community facilities and some potential employment opportunities. As a settlement intended for growth, the proposal would assist in sustaining the existing services and potentially contribute to promoting new ones.
16. I acknowledge that the site would exceed maximum recommended walking distances to some services. However, it lies within walking distance of bus stops which, according to the appellant, include regular services to larger key service centres and dedicated school buses to nearby secondary schools.
17. I also acknowledge that a route to the bus stops which relies on a public footpath between the A56 and Skipton Old Road would be unsuitable for many users and particularly during darkness or inclement weather. However, accessibility would remain via the established local road network. Accordingly, the use of the site adjacent to the boundary of a settlement identified as a focus for new development would provide adequate access to the goods and services within it and further afield.
18. Given the proximity of other residential properties in the locality there is no clear reason why the proposed use of the land would conflict with the surrounding land uses or be adversely affected by them. Furthermore, notwithstanding that the Council is currently able to demonstrate a 5-year housing land supply, the proposal would contribute to the housing supply, albeit to a limited extent.
19. For the above reasons, I find that the principle of development would align with the provision in Policy LIV1 which provides for the early delivery of sustainable housing close to existing settlements in the period prior to the adoption of the SADP. Accordingly, the exception provides the justification for development outside of a settlement boundary deemed necessary under Policy SDP2 of the CS. The principle of development is therefore consistent with the those set out

in Policies SDP2 and LIV1 of the CS as they seek to deliver housing in sustainable locations.

20. Additionally, the amount and nature of the proposed use of the site would be compatible with surrounding land uses and the characteristic layout of similar development nearby. It would thereby meet the requirements in Policy ENV1 of the CS as it seeks development to respond to its local context and the landscape character.

Other Matters

21. I note the comments from third parties in relation to the use of the site by wildlife. However, there is little substantive evidence to support those claims. I am therefore unable to attribute significant weight to this argument.
22. The effects of constraints on construction traffic and the generation of noise and disturbance arising from the construction phase of the development would be short-term and could be mitigated by careful construction management. This could be conditioned at the consideration of the detailed development proposals.

Conclusion

23. For the above reasons, the appeal should be allowed.

R Hitchcock

INSPECTOR