



Appeal Decision

Site Visit made on 3 November 2021

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2022

Appeal Ref: APP/F2360/W/21/3278967

Land adjacent Fairfield, Royalty Avenue, New Longton, Preston PR4 4JN

- 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 C Coxhead against the decision of South Ribble Borough Council.
 - The application Ref 07/2021/00460/PIP, dated 15 April 2021, was refused by notice dated 13 May 2021.
 - The development proposed is described in the application form as: 'Up to 3 Dwellings'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. 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.
3. 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.

Main Issues

4. The main issues are:
 - 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;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the availability of best and most versatile agricultural land; and
 - if the proposal is inappropriate development, whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other

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

considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether Inappropriate Development.

5. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
6. Policy G1 of the South Ribble Local Plan (2015) (SRLP) is broadly consistent with Framework paragraph 149 which sets out that buildings within the Green Belt are inappropriate unless, amongst other things, they represent limited infilling in villages². The Framework does not define a village. Nonetheless, I am directed to case law³ that highlights that a village boundary defined in a local plan may not be determinative for this purpose. Therefore, when considering whether a site is in a village it is important to have regard to the situation 'on the ground' as well as any relevant policies.
7. It is not a matter in dispute between the main parties that the appeal site falls outside of the delineated boundary of the village of New Longton, albeit adjacent. Royalty Avenue is a narrow single track and dead-end road with no footway on the edge of the village of New Longton. Whilst a small cluster of properties lie at its end, development along both sides of the road is fragmented with occasional irregularly positioned dwellings interspersed by open space. This comprises of predominantly agricultural land, some of which includes the appeal site, and extensive gardens. Views across surrounding fields are possible from the appeal site and the land opposite, giving the area a distinct rural and open feel. This is in contrast to the more suburban character of Royalty Lane arising from its much wider road with footways to both sides, regular streetlighting and houses arranged in a linear pattern.
8. Accordingly, my impression was that the development along Royalty Avenue did not appear as a linear continuation of the development along Royalty Lane. Instead, there is a distinct change in character upon entering Royalty Avenue as the road narrows significantly and the coherent linear pattern gives way to the sporadic arrangement of dwellings with intervening open space typical of development within the countryside. Moreover, the appeal site is part of a lengthy open field which is visually, and functionally related to the undeveloped countryside that it adjoins.
9. I accept that the site would be within walking distances of services in the centre of the village and that established parts of the village would perhaps be further away from these than the appeal site. However that would be true of a number of adjacent fields and nonetheless I am mindful of the situation on the ground, considered above. Consequently, my assessment is that the appeal site is not within a village for the purposes of Framework paragraph 149.
10. I have been directed to an appeal decision at Chain House Lane, Whitestake nearby⁴. Here, both parties agreed that the site was within a village due, in

² Framework paragraph 149. e)

³ Julian Wood v The Secretary of State for Communities and Local Government, Gravesham Borough Council [2015]

⁴ APP/F2360/W/20/3244797

part, to its location amidst a long length of ribbon development to both sides of the road. The road here is wide with footways to either side. The site is therefore not comparable to the more sporadic development along the narrow single-track road of Royalty Avenue. The site at Whitestake is also different in that it is not particularly deep with views to countryside limited by the boundary hedges and glasshouses beyond. Whilst Whitestake may not have a defined centre, I am satisfied that for the above reasons this appeal decision does not represent a parallel with the case before me.

11. The appellant has referred to two or three additional permission in principle consents granted by the Council, also along Chain House Lane. Whilst I do not have the precise details of these, as outlined above, I do not find that the development along Chain House Lane is similar to that of Royalty Avenue. Based on the evidence before me, these approvals are therefore unlikely to be directly comparable to the appeal proposal.
12. I therefore conclude that the proposal would be inappropriate development in the Green Belt, as it would not meet the exceptions for the construction of new buildings set out in the Framework. It would conflict with paragraph 147 of the Framework. It therefore follows that it would also conflict with SRLP Policy G1.

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 permanence⁵, the assessment of which requires consideration of both spatial and visual impacts.
14. The appeal site is part of an open field extending a considerable distance away from the road where it adjoins surrounding fields. Some of the houses along Balmoral Road are visible in the distance, however the character of the land is overwhelmingly open as described above. Three dwellings with associated hardstanding, vehicular access and parking would result in a large footprint of permanent development regardless of their scale or how they were arranged on the site. Consequently, there would be a significant spatial loss of openness.
15. Notwithstanding the limitations of the first stage of the permission in principle route, and irrespective of their layout, scale or appearance, three dwellings would be highly visible both from Royalty Avenue itself and Balmoral Road. There would be a harmful visual effect as a result of the encroachment into the countryside and the massing of up to three dwellings.
16. I am directed to the Inspector's assessment of openness at the Whitestake appeal referred to above. I note that the Inspector found that site made a very limited contribution to openness, owing to its high hedge, and views being curtailed by a large glasshouse and other buildings within the adjacent site. This contrasts with the open nature of the appeal site described above.
17. I have had regard to the appellant's evidence of previous development on the site, however, the spatial and visual effect of the proposed development would result in a loss of openness of the Green Belt. The proposal would conflict with the purposes of the Green Belt in relation to checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment, contrary to paragraph 137 of the Framework.

⁵ Framework paragraph 137

Agricultural Land

18. Framework paragraph 174 requires decisions to contribute to and enhance the natural and local environment by recognising the economic and other benefits of the best and most versatile agricultural land, which is defined as land in Grades 1, 2 and 3a of the Agricultural Land Classification. The PPG⁶ sets out that planning decisions should take account of the economic and other benefits of the best and most versatile agricultural land.
19. Grades 1-3a are included within Policy 31 of the Central Lancashire Core Strategy (2012) (the CLCS) which seeks to avoid irreversible damage to, and instead achieve the full potential of, the soil. The development would result in the loss of Grade 3 agricultural land. The appellant states that the field comprising the appeal site is partly Grade 3b however there is no evidence to support this.
20. Nonetheless, the evidence before me indicates that part of the appeal site was previously developed which is likely to have downgraded its quality. Moreover, the appeal site is limited in size, and there is nothing before me to indicate that its loss to local agricultural production would be much more than negligible. Nevertheless, this would still be a loss, weighing against the proposal. There would therefore be minor conflict with Policy 31 of the CLCS and paragraph 174 of the Framework.

Other Considerations

21. The appeal site is in an accessible location in relation to local services and facilities and public transport. I accept that the proposal would make a limited contribution to housing supply. Economic and employment benefits would also arise from the construction and occupation of the development. However, these benefits are comparatively minor and as such carry limited weight.

Planning Balance and Conclusion

22. The proposed development would be inappropriate development in the Green Belt and would harm openness. The Framework establishes that substantial weight should be given to any harm to the Green Belt. I have also found minor harm with regard to the loss of the best and most versatile agricultural land. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
23. Given the substantial weight to be given to Green Belt harm combined with the other identified harm, relative to the modest benefits of the proposed scheme, the harm that would arise would not be clearly outweighed by the other considerations. Therefore, the very special circumstances necessary to justify the proposal do not exist, such that the appeal should be dismissed.
24. I have considered all other matters raised but none outweigh the conclusions I have reached. For the reasons set out above, I dismiss the appeal.

Paul Martinson

INSPECTOR

⁶ Paragraph: 001 Reference ID: 8-001-20190721