



Appeal Decision

Site visit made on 9 May 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2022

Appeal Ref: APP/D2320/W/21/3288853

Land Adjacent 69-70 Long Meadows, Chorley PR7 2YB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Hammond of Hammond Homes, against the decision of Chorley Borough Council.
 - The application Ref 21/00261/FUL, dated 3 March 2021, was refused by notice dated 19 August 2021.
 - The development proposed is the erection of three no. 2 storey dwellings, consisting of one pair of semi-detached and one detached dwellings, including associated external works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant submitted an amended landscaping plan with this appeal, which indicated a variation on the degree and layout of the proposed hedging, trees and scrub planting which were considered by the Council when it determined the planning application. I have considered the amended plan under the principles established by *Wheatcroft*¹ and have found that, due to the minor alterations the amended plan introduces, to take it into account would not unacceptably prejudice those who should have been consulted on the change. I have determined the appeal accordingly.

Main Issue

3. The effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located between residential properties on Long Meadows, Lakeland Gardens and Longfield Manor. It is a linear site of limited size and is comprised of predominantly of semi-mature trees, grass and scrub.
5. The site is designated as existing open space. Policy HW2 of the Chorley Local Plan 2012-2026, Site Allocations and Development Management Policies, Development Plan Document (July 2015) (the LP) seeks to protect existing open space, unless criterion a) or criteria b) - e) are met. Criterion a) is not of relevance to the proposal.

¹ *Bernard Wheatcroft Ltd v SSE* [JPL 1982 P37]

6. I note that, due to its limited size, the appeal site has not been assessed in terms of quality and value as part of the Open Space Study. It has not therefore been expressly identified as being of high quality. Due also to its size, layout and character, it appears to have limited recreational value, with the site currently being used more as an informal cut through between residential areas. The Council also state that there is currently a surplus of amenity greenspace in Chorley South West ward, thus the loss of the appeal site would not lead to a deficit of provision in the local area. This is in line with paragraph 99 a) of the National Planning Policy Framework (the Framework) which states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.
7. However, it remains that the appeal site is designated as existing open space and Policy HW2 goes on to note that smaller sites nevertheless provide valuable visual amenity and will continue to be protected from development, unless they do not make a significant contribution to the character of an area in terms of visual amenity. The Framework also requires all developments to be visually attractive and sympathetic to local character and goes on to note that trees make an important contribution to the character and quality of urban environments and that existing trees should be retained wherever possible. I therefore consider that Policy HW2 is in accordance with the Framework as a whole.
8. At the time of my site visit there was some evidence of littering within the site and it appeared somewhat overgrown. Nevertheless, the tall, semi-mature trees and dense scrub are readily apparent in the street scene and from neighbouring properties and provide a green back-drop, natural buffer zone and visual relief in this dense, suburban area. The quality assessment categories of the several individual trees and groups of trees do not necessarily correlate with the positive and welcome contribution they, and the rest of the vegetation, collectively make to the area. The soft, visual appearance, degree of permeability and absence of development at the appeal site gives this part of the street scene a spacious feel.
9. The proposal would result in the loss of a vast area of vegetation and replacement with built form of significant coverage and massing which would dominate the appeal site due to the restricted size of the site and overall quantum of development, including vast areas of hardstanding. This would result in a significant urbanisation of the appeal site which would be visually intrusive and erode the current openness of this part of the street scene. Whilst proposed trees may mature to be of a good quality, overall, the landscaping would be limited in comparison to the existing vegetation and would not offset the substantial built form which would remain the prominent feature.
10. Accordingly, the proposal would result in the loss of existing open space which provides valuable visual amenity. For this reason, it would harm the character and appearance of the area and conflict with Policy HW2 of the LP and the Framework. Whilst not within the decision notice, Policy BNE1 of the LP has been referenced by the Council. The proposed development would also conflict with this policy as it would have a detrimental impact on landscape features in the street scene.

Conclusion

11. The proposal would provide additional homes which would bring some accompanying benefits associated with the investment and employment during construction and from the spending in the local area from future occupants. I afford these benefits limited weight due to the small scale of the development.
12. The proposal conflicts with the development plan as a whole and there are no material considerations of sufficient weight that indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

H Ellison

INSPECTOR