



Appeal Decision

Site visit made on 3 January 2023

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2023

Appeal Ref: APP/F2360/W/22/3306867

**Land at Royalty Avenue, New Longton, Preston, Lancashire PR4 4JN
(351428, 425956)**

- 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 Winston Watson against the decision of South Ribble Borough Council.
 - The application Ref 07/2022/00462/PIP, dated 31 May 2022, was refused by notice dated 7 July 2022.
 - The development proposed is permission in principle for the erection of up to two dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for the erection of up to two dwellings on land at Royalty Avenue, Preston PR4 4JN, in accordance with the terms of application Ref 07/2022/00462/PIP, dated 31 May 2022, and the plan submitted with it.

Preliminary Matters

2. The proposal is for permission in principle. The 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; 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.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development to be 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 on this basis.

Main Issues

4. The site lies within the Green Belt, accordingly the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (the Framework) and any relevant development plan policies
 - if so, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reason

5. The Government's approach to protecting the Green Belt is set out in Section 13 of the Framework. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 of the Framework makes it clear that new buildings are inappropriate in the Green Belt. However, an exception is made in the case of limited infilling in villages.
6. Policy G1 of the South Ribble Local Plan [2015] (the RLP) is consistent with the Framework. It restates the exception to the construction of new buildings in the Green Belt consisting of limited infilling in villages.
7. There is no national definition of 'infill', nor am I directed to any detailed description within the local planning policies. As a site that could accommodate 2 dwellings in plot sizes commensurate with others in the near vicinity, and located between existing dwellings, the proposal would be both limited in the number of proposed dwellings and utilise a modest gap between existing development. Accordingly, I find it would be consistent with the wording of 'limited infilling'.
8. New Longton is described as a village within the RLP. However, the site lies outside of the settlement boundary as defined by the Local Plan Policy Map. In the locality, the settlement boundary spurs eastwards of the main developed area of the village to include the mixed aged, individually designed houses on both sides of Royalty Lane west of its junction with Royalty Avenue, and a single row of mixed houses to the west of the road as it turns south from the junction. The plots commonly border open agricultural fields.
9. The site is contiguous with the village area and its northern extent is on a consistent line with the settlement limit formed by the rear garden boundaries of the row of houses on the northern side of Royalty Lane. The plot lies opposite a house located behind 77 Royalty Lane. Together with the flanking houses, the site is therefore bordered by residential development on 3 sides.
10. The frontage features a hedge with regularly spaced trees set behind shrubs and some lower ornamental plants. Accordingly, alongside the frontages and domestic boundaries of the development clustered close to the junction, the site has a greater affinity to the village area than the rural landscape of open agricultural fields, grazing land and dispersed buildings beyond.
11. On the ground, the proposed houses would appear as part and parcel of a continuous village area with no perception of separation or intervening open ground. Consistent with the approach in *Julian Wood*¹, referred to me by the appellant, I find the infill would lie within the village for the purposes of the assessment under Paragraph 149 e) of the Framework. It would thereby be an exception to inappropriate development in the Green Belt.
12. The Council's report references a planning appeal² that was dismissed on land adjacent to Fairfield, Royalty Avenue. However, despite being reported as only lying some 40m north of the appeal site, I find there are material differences in the site circumstances.
13. The previous appeal related to land that was not contiguous or aligning with the existing village envelope or the identified settlement boundary. Unlike the

¹ *Julian Wood v SSCLG, Gravesham Borough Council* [2015] EWCA Civ 195

² APP/F2360/W/21/3278967

scale and enclosed nature of the appeal site, it formed part of an open field characteristic of the local rural field pattern, is located further from the main built-up area and is not bordered by development on 3 sides.

14. I note the Inspector's comments in relation to the distinctly different appearance of development along Royalty Avenue compared to Royalty Lane. Although a relevant factor, it is not determinative. As highlighted by the appellant, there are similar characteristics on Balmoral Road, which lies within the settlement area. Taking the above matters together, I find the circumstances of that decision are distinct from the case before me.
15. For the above reasons, I conclude that the development would comprise limited infilling within the village for the purposes of Paragraph 149 e) of the Framework. As a proposal consistent with a defined exception to the restriction of new buildings in the Green Belt, it would not constitute an inappropriate form of development in the Green Belt and there would be no undue effect on its openness. The proposal would thereby comply with Policy G1 of the RLP and the Framework and very special circumstances are not required to justify the development.

Other Matters

16. Concerns have been raised by third parties in respect of the use of the site by various forms of wildlife, however, there is little substantive evidence to support those claims. I am therefore unable to attribute significant weight to this argument. Any potential threats to wildlife or the protected trees on the site are matters for consideration at the detailed consent stage.
17. The amount of development is limited to no more than 2 dwellings for residential use. The traffic associated with the use of 2 dwellings would not be significant and there is little before me to demonstrate that the use of the lane by limited additional traffic would give rise to highway safety or capacity issues in the vicinity of the site.

Conclusion

18. For the above reasons, I find that the principle of the proposed use and amount of development on the site would be acceptable having regard to the development plan and the Framework, therefore, the appeal should be allowed.

R Hitchcock

INSPECTOR