



Appeal Decision

Site visit made on 23 January 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2023

Appeal Ref: APP/N2345/W/22/3307827

Land to the rear of Beconsall Barn, Bartle Lane, Preston PR4 0RU

- 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 & Mrs Brown against the decision of Preston City Council.
 - The application Ref 06/2022/0683, dated 10 June 2022, was refused by notice dated 14 July 2022.
 - The development proposed is erection of one dwelling and associated development.
-

Decision

1. The appeal is dismissed.

Preliminary 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. The permission in principle procedure requires the minimum and maximum number of dwellings to be specified. My assessment is based on one dwelling as applied for.
4. 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.
5. A copy of part of a Local Plan consultation document has been submitted² which identifies a large area for housing around the appeal site. However, from the information submitted, the new Local Plan is at a very early stage in its preparation and therefore I have afforded it very limited weight.

Main Issue

6. 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.

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

²Central Lancashire Local Plan Preferred Options – Part One Consultation December 2022 – Regulation 18 Consultation.

Reasons

7. The appeal site comprises an area of land accessed from a track off the northern side of Bartle Lane. It contains a mix of timber and breezeblock buildings and rough, unmade ground and is located to the rear of buildings fronting Bartle Lane including a former barn, now the residential property known as Beconsall Barn and its garage. Beconsall Barn adjoins another dwelling, Beconsall Farm. These form part of sporadic development which stretches along Bartle Lane with some development extending behind a road frontage. This includes a new residential development on the opposite side of Bartle Lane which stretches a short distance southwards from the lane.
8. Notwithstanding the built-up areas along Bartle Lane, the area is rural in character and appearance with open countryside interspersed between and beyond the built-up parts of the area. Although the appeal site includes a number of structures as described above, these are small and single storey in height. They are low key in the landscape and have only a minimal impact on it. In contrast a dwelling and any development associated with it would appear as a visual intrusion in the countryside. Notwithstanding that details of scale and design would be required in the second stage of this procedure, a dwelling would extend beyond the built-up areas that are otherwise generally closer to Bartle Lane which would harm the open and rural character of the area.
9. Moreover, the proposal would be located in an area identified in the development plan as open countryside. Policy 1 of the Core Strategy³ focuses growth and investment on well located brownfield sites and the Strategic Location of Central Preston, Key Services Centres of Chorley and Leyland and the other main urban areas in South Ribble.
10. In other places including smaller settlements, the policy states that development should be confined to small scale infill, conversion of buildings and proposals to meet local need. Furthermore, Local Plan⁴ Policy EN1 limits development in the open countryside to that needed for the purposes of agriculture or forestry or other uses appropriate to a rural area or for infilling within groups of buildings in smaller rural settlements, amongst other things.
11. The appellant's state that the appeal site has been used for domestic storage since its acquisition in 1986 and considers it to be previously developed land. However, I am not aware that the lawful status of the land has been confirmed and the evidence before me is not sufficiently robust for me to be certain that it is in fact previously developed. Consequently, and in the absence of this, the proposal would be contrary to Core Strategy Policy 1.
12. Moreover, there is no evidence that the proposed dwelling would be required for agriculture or forestry or any other use appropriate to a rural area or to meet a local need. The proposal is therefore also contrary to Local Plan Policy EN1. Furthermore, I do not consider it represents an infill site due to its location to the rear of buildings and its projection into open countryside. It does not represent a gap between buildings.
13. For the above reasons, I conclude that the location of the site in the countryside is not a suitable one for residential development and it would conflict with Core Strategy Policy 1 and Local Plan Policy EN1.

³ Central Lancashire Adopted Core Strategy Local Development Framework July 2012

⁴ Preston Local Plan 2012-26 Site Allocations & Development Management Policies, Adopted 2 July 2015.

Other Matters

14. Various developments are underway in this part of Preston including the Preston Western Distributor Road (PWDR) which includes a new junction from the M55 to the north and a large allocated site to the south, described as the North West Preston Strategic Location (NWPSL). These are major strategic developments identified on the development plan and are not therefore comparable with the much smaller proposal subject to this appeal.
15. Another development referred to relates to a large area of land to the north-west and west of the appeal site⁵. This large development site includes highway infrastructure works and up to 1100 dwellings. However, whilst this was not a site allocated for development and whilst it was acknowledged to be contrary to Core Strategy Policy 1 and Local Plan Policy EN1, planning permission was granted on the basis of other material considerations including the fact that it could be considered to be a sustainable urban extension and the substantial benefits that would arise from it (including infrastructure and affordable housing). Planning permission was granted on the basis of the particular circumstances of the case, a number of which are not applicable to the proposal. As the proposals are not directly comparable, I afford limited weight to this example.
16. Examples of smaller developments close to the appeal site have also been cited by the appellant⁶ but it appears that, in addition to other considerations, these were approved at a time when the Council could not demonstrate a five year supply of deliverable housing land. This is not the case now and the Council's position regarding its supply of housing land is not disputed. In addition, it appears that one of the examples included the development of a partial brownfield site and that neither example was considered to result in visual harm to the area. therefore, as with the above example, the proposals are not directly comparable and I afford limited weight to them.
17. I appreciate that the appellant's consider that the Council has been inconsistent in its decision making and I note the case law referred to. However, I have considered the examples referred to and how they differ from the appeal site and proposal as set out above. In any case, each application should be considered on its own merits and I have determined this appeal accordingly.
18. I acknowledge that the area in this part of Preston is planned to change in terms of its rural appearance due to the development that has been permitted, some of which I saw during my site visit. I appreciate that these changes will affect the character of the area in the future and the sustainability of the site. However, the appeal site remains in an area unaffected by either the approved allocation or the approved planning application for strategic developments including housing.

Conclusion

19. For the reasons given above, and having regard to the development plan and all other consideration, I conclude that the appeal should be dismissed.

J D Clark
INSPECTOR

⁵ Planning Application Ref: 06/2020/0888.

⁶ Planning Application Refs Laburnum House Farm – 06/2019/1068 & White Gables – 06/2018/1238.