



Appeal Decision

Site visit made on 5 December 2023

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2024

Appeal Ref: APP/P2365/W/23/3321213

Land East of 142 Brookfield Lane, Aughton, Ormskirk, Lancashire

- 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 Mrs Lisa Fry against the decision of West Lancashire Borough Council.
 - The application Ref 2022/1370/FUL, dated 22 December 2022, was refused by notice dated 27 March 2023.
 - The development proposed is the construction of 1 x single-storey detached dwelling and associated landscaping following the demolition of the existing buildings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (Framework) was published in December 2023. I have had regard to this in reaching my decision.
3. I have utilised the address from the decision notice as this provides a more complete address of the appeal site than the one on the application form.

Main Issue

4. The main issue is whether or not the location of the proposal is suitable for a residential dwelling, having regard to the proximity of facilities and services.

Reasons

5. The appeal site is situated in the countryside, although as it is close to other buildings, it would not be in an isolated location. It is still however necessary to consider the accessibility of the appeal site to facilities and services.
6. There is a farm shop, nursery and restaurant within around a 15-minute walking distance from the appeal site. These however provide limited amenities and whilst I do not doubt that they would receive support from future occupants of the appeal dwelling, it is also the case that to access a wider range of facilities and services, such occupants would need to travel further afield.
7. The Co-op Store at Aughton and the two nearest train stations are in terms of walking distance, around 25 minutes away from the appeal site, with Magull, the nearest settlement that provides a wide range of facilities and services is around 1.3 miles to the south. Much of these routes, although generally flat, are along narrow lanes, that are unlit and without pavements. Although to the

north, the appeal site is within a quarter of a mile of footpaths with street lighting, the nearest settlement (Ormskirk) providing a wider range of facilities and services in this direction, is further away at around a distance of 3 miles.

8. Whilst the appellant has walked a number of the routes and a reasonably fit person could access the facilities and services by foot, this may not be the case for all future occupiers, such as young children or the elderly. I also do not consider it likely that future occupants would undertake such journeys by foot during the hours of darkness, in poor weather or when carrying heavy items such as shopping. A bus stop is said to be around 0.5 miles from the appeal site, but I have not been provided with any details relating to the frequency of the bus services or the destinations it provides connections to.
9. As such, I consider that there would be a heavy reliance on journeys by private vehicle, even taking into account that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Although an electric vehicle charging point would encourage the use of ultra-low and zero emission vehicles, there is no certainty that this would be the choice of vehicle for future occupants.
10. I therefore conclude that the proposal would not provide a suitable location for residential development, having regard to the proximity of facilities and services. As such, it would be contrary to Policies GN1 and RS1 of the West Lancashire Local Plan 2012-2027 Development Plan Document and Paragraph 116 of the Framework, which seek, amongst other matters, to ensure development is suitably located, for priority to be given to pedestrian and cycle movement and address the needs of people with reduced mobility.

Other Matters

11. My attention has been drawn to a number of appeal decisions by the main parties. One of the referenced appeals¹ at Elm Farm has a number of similarities with the appeal proposal and it would share part of a route to some facilities and services to the south. However, the appeal site is situated around 300m further north than the Elm Farm site. This greater distance would also take longer to walk to reach facilities and services to the south along an unlit road without a pavement. I do not therefore consider the accessibility and sustainability to be the same as this proposal.
12. A second appeal decision² is referenced but I have been provided with limited details of this case. I accept the contention that a reasonably fit person could walk 25 minute to access facilities, but in the case of this appeal development, given the distances involved but also the nature of the routes to access the full range of facilities and services required for residential living, I have found that there would be a heavy reliance on private vehicles.
13. I acknowledge that there should be consistency in decision-making, but from the information before me, I do not consider the referenced schemes are directly comparable to the appeal development and therefore do not provide a justification for this scheme which I have considered on its own merits.
14. The appeal site is situated in the Green Belt, but it is common ground between the main parties that the proposal would not be inappropriate development.

¹ APP/P2365/W/21/3277552

² at Asmall House Farm, Asmall Lane, Scarisbrick

Having regard to the assessments before me against national and local policies, I have no reason to disagree. This however is a neutral consideration and is not a matter which weighs in favour of the development.

Conclusion

15. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR