



Appeal Decision

Site visit made on 28 March 2024

by S Brook BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2024

Appeal Ref: APP/M2325/W/23/3332286

Land adjacent to Edgeley, School Road, Westbury with Plumpton FY4 5LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Richard Ellis against the decision of Fylde Borough Council.
 - The application Ref is 23/0594.
 - The development proposed is Erection of single detached dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Richard Ellis against Fylde Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. The application form indicates that the proposal was made in outline with all matters reserved and I have considered the appeal on this basis. Notwithstanding access is a reserved matter, it would be taken from School Road as the site location plan shows this to be the adjoining highway.

Main Issues

4. The main issues are (a) whether this is a suitable location for new housing, having regard to policies relating to the development strategy and the countryside, and (b) the effect of the proposed development on the character and appearance of the area.

Reasons

5. Policy S1 of the Fylde Local Plan to 2032 (incorporating Partial Review), Adopted December 2021, (LP), provides the settlement hierarchy for the area. There is no dispute between the main parties that the appeal site lies outside of any defined centre or settlement and so it falls to be considered as countryside. Within rural areas, beyond defined rural settlements, development is allowed only where certain policies are applicable. Windfall sites consisting of small-scale housing development, can occur throughout the borough where compliant with other policies of the plan.
6. LP Policy GD4 is specific to the countryside. It restricts the types of development which will be acceptable to a number of exceptions, in order to protect the intrinsic value and rural character of the countryside. The main

parties dispute whether the appeal scheme benefits from the support of criteria f) minor infill development. Neither party suggests that the proposal would benefit from any of the other exceptions of this policy and from the information before me, I have no reason to disagree. The supporting text to LP Policy GD4 indicates that minor infill development will be of a scale and use that does not have a material impact on the rural character of the area and does not conflict with the provisions of policy ENV3.

7. There is no dispute between the main parties that the proposal would represent "minor" development and noting the size of the site and that the proposal is for a single dwelling only, I concur. There is no definition in the Local Plan or in the National Planning Policy Framework (the Framework) of "infill" and therefore, it is a matter of planning judgement in each case. Having had regard to a number of appeal decisions that have considered this policy criteria, the Council considers "infill" to mean the filling of a modest gap in an otherwise continuous built-up frontage. I consider this approach to interpreting infill development to be a reasonable one.
8. The appeal site does adjoin a dwelling to the east (Mossfield) and a dwelling to the west (Edgeley), which are both visible from School Road, above frontage hedgerows. These two dwellings are set in spacious plots, with mature hedges and planting forming the boundaries with the appeal site. East of Mossfield, open land fronts the highway and the buildings associated with a commercial log and kindling business are set back substantially from the road. West of Edgeley, a field with frontage hedgerow provides a notable gap between this dwelling and a short row of houses at Midgeland Terrace. Open fields with hedgerow are located opposite. While there is a building beyond the rear boundary of the site, of a modern agricultural style, this is set well back from the road, and so it does not contribute to frontage development.
9. Given the limited number of buildings fronting onto this part of School Road and the degree of open space in and around these dwellings, the appearance of this part of School Road could not be described as a continuously built-up frontage. Therefore, even if I were to consider that the appeal site represented a modest gap that the appeal scheme would fill, the proposal would not represent infilling in an otherwise continuously built-up frontage.
10. My attention is drawn to a site allocated for housing within the LP that extends north of School Road and east of Bamber Lane, which is the subject of two planning applications¹. The appellant considers that this housing allocation demonstrates the Council's objective to see this northern frontage of School Road developed for housing.
11. This housing allocation establishes in principle, the acceptability of residential development within the allocated area. This residential development would presumably contribute to meeting the established housing requirement over the Plan period, which has been subject to relatively recent review. Therefore, it is likely that the character and appearance of the surrounding area would be subject to change, as a result of future development on this allocation.
12. However, I have not been provided with the precise form this new residential development would take. It appears to be a large allocation, which would presumably include elements of open space, landscaping and drainage, the

¹ Planning application references 19/0284 and 22/0461

placement of which could have differing outcomes in terms of its impact on the surroundings. This information does not demonstrate that, as a result of any future development, the frontage of School Road would be so changed as to be considered to be built-up, particularly as a stretch of open land would remain between Bambers Lane and Mossfield, as well as to the west of Edgeley. As such, this information does not allow me to conclude that the appeal scheme would comprise infill development.

13. My attention has also been drawn to the approval of an infill development adjacent to Four Winds, Whitehill Road². I was able to visit this location as part of my site visit. However, in my view, the physical characteristics of this plot and its surroundings are not the same as the appeal site. In the vicinity of Four Winds, there is housing to both sides of the road. The Four Winds proposal adds a fourth dwelling to a row of three established dwellings. While this is only one more than is present at the appeal site, it does lengthen the built-up frontage of housing along Whitehill Road. Further, this housing and associated paraphernalia is more visible in the street scene, due to the prevalence of low-level brick walls and fencing. As such, this stretch of housing presents a more built-up frontage in my opinion, than that relating the appeal site.
14. I have also noted the other appeal decisions referenced by the main parties. However, my consideration of whether the proposal would amount to infill development is based on the physical characteristics of this particular site and its surroundings, and so these other examples are not directly comparable.
15. For these reasons, I conclude that the proposal would not represent minor infill development, and it would not accord with criteria f) of policy GD4. Consequently, this would not be a suitable location for new housing and the proposal would also fail to accord with LP Policies S1 and DLF1, which provide the settlement hierarchy and most sustainable locations for development within the Borough.

Character and Appearance

16. In the vicinity of the appeal site, School Road provides ample width for two-way traffic, with typical road markings and a pavement to its northern side. However, several features combine to give this area a more rural character, including the grass verge to the south of the carriageway, hedgerows to both the north and south of the road, less frequent street lighting than is prevalent further west, uninterrupted views of agricultural fields to the south and a sporadic form of built development to the north, with intervening parcels of open land. Although those uses adjoining the site are not agricultural, this does not undermine the rural character of the area.
17. There is dispute between the main parties as to whether the appeal site comprises of previously developed land. Nevertheless, the existing field gate and frontage hedgerow are typically characteristic of a rural area. The hardstanding and grassed area comprising the appeal site, provide an openness to the site, which is not significantly diminished by the buildings to the rear, given the degree to which they are set back. The openness of the site reinforces the distinctive pattern of development, thereby making a positive contribution to the rural character and appearance of this part of the countryside.

² Planning application reference 21/0755.

18. By introducing a dwelling to the site, the proportion of built development in this area would increase and the openness of the site would be significantly diminished. This would have an urbanising effect that would erode the positive contribution the site presently makes to the open pattern of development that characterises this part of the countryside. Landscaping of the proposal would not be sufficient to mitigate this urbanising effect and loss of openness.
19. I am advised that an extant planning permission exists to change the use of the land to residential curtilage, demolish the existing stables and erect an ancillary residential annexe³. I have not been provided with the details of this planning permission, in order to ascertain how it could influence the character and appearance of the site. Nevertheless, it is unlikely that ancillary domestic development would be comparable to the urbanising effect of a new dwelling and its associated domestic paraphernalia.
20. As noted above, the development of the housing allocation to the east would likely have some influence on the character and appearance of the wider area. However, there is uncertainty as to the precise form any future development would take, particularly along School Road. As such, this information does not demonstrate that the rural character of the appeal site and its surroundings would be so changed, so as to allow me to conclude that the appeal scheme would not have a harmful impact on the openness that characterises this part of the countryside.
21. I have also considered the Four Winds decision in relation to this second main issue. However, there are physical differences in the character and appearance of these two areas. The built form along Whitehill Road is more apparent, given the presence of housing to both sides of the road, as well as the visibility of housing and associated paraphernalia above low-level boundary walls and fencing, particularly to the southern side. The domestic appearance of this boundary treatment also has an urbanising influence. Despite a lack of footpaths and streetlighting, these features combine to give the area around Four Winds a more urban character than that of the appeal site.
22. For these reasons, the proposal would harm the character and appearance of the area. It would conflict with LP Policies ENV1 and GD7, which require, amongst other things, that all development takes account of the character and appearance of the local area, including its visual impact within its landscape context. Furthermore, the proposal would not accord with Paragraph 180 of the Framework which requires that all decisions contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Other Matters

23. While the Council may be able to demonstrate a five-year supply of deliverable housing sites, it remains a government objective to significantly boost the supply of homes. In this context, the provision of an additional dwelling would make a small but positive contribution to the windfall housing supply, while the construction phase would generate employment. The increased density of housing would make a more efficient use of land. These public benefits of the proposal attract modest weight in favour of the appeal scheme.

³ Planning application reference 22/0195.

24. The appellant indicates a commitment to using sustainable construction techniques that would mitigate against any contribution to climate change. There is no detailed evidence before me as to how this would be achieved. Given the proposal is for a single dwelling only, this would attract only modest weight in any event.
25. The proposal would not be located close to any heritage assets, protected trees, ecological designations, or hazard sites. No concerns are raised by the Highway Authority, Environment Agency or drainage bodies. These are neutral matters that do not weigh for or against the appeal scheme.
26. The Council suggests that part of the site is Flood Zone 2. However, the appellant has provided mapping from the Environment Agency that indicates that the site is within Flood Zone 1 and as I have no evidence to the contrary, I have considered the appeal on this basis. As this land has the lowest risk of flooding, it is not necessary for me to consider this matter further.

Conclusion

27. For the reasons set out above, the appeal scheme would conflict with the development plan when taken as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. As such, it would not represent a sustainable form of development. Therefore, the appeal should be dismissed.

S Brook

INSPECTOR