



Appeal Decision

Site visit made on 4 April 2024

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th April 2024

Appeal Ref: APP/N2345/W/23/3330119

Newhouse, Station Lane, Barton, Lancashire PR3 5DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Martin Blocksidge against the decision of Preston City Council.
 - The application Ref is 06/2023/0727.
 - The development proposed is the erection of 2no. dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for permission in principle. The 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 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle, and the second stage (technical details consent) is when the detailed development proposals are assessed. 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 permitted¹. 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.
4. I have taken the submitted 'Proposed Site Plan' as indicative only.

Main Issue

5. The main issue is therefore whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

6. The appeal site forms part of the garden of a bungalow, with detached garage, which is located on land accessed from a lengthy access route leading from Station Lane. There is a further detached dwelling, with outbuilding, located to the north west of the site.
7. For planning policy purposes, the appeal site falls within the open countryside. Policy 1 of the Central Lancashire Adopted Core Strategy July 2012 (the CS)

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

and Policy EN1 of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) (July 2015) (the LP) set out the spatial strategy for growth in the borough.

8. Policy 1 of the CS seeks to concentrate growth and investment according to a hierarchy of settlements, centres and sites. The appeal site falls within 'other places' whereby criteria (f) applies. This states that development will typically be small scale and limited to appropriate infilling, amongst other things.
9. Policy ENV1 of the LP follows, confirming that development in the open countryside will be limited to infilling within groups of buildings in smaller rural settlements.
10. Based on the maximum number of dwellings sought through this appeal, I consider that the proposal would constitute small scale and limited development. However, it is the infilling requirement of the aforementioned policies which is the main concern in this case.
11. Neither the development plan nor the National Planning Policy Framework (the Framework) provide a definition of infill development. Whilst the definition included on the planning portal may be a useful starting point, the assessment of whether a proposal constitutes infilling is essentially a matter of planning judgement having regard, for example, to the location of the application site and its relationship to other, existing development adjoining and adjacent to it.
12. My attention has however been drawn to a number of approved planning decisions in the borough. Although I do not know the full circumstances, the appellant suggests that in each approval the development was found to be infill despite not being within a built-up frontage. Whilst, depending on the particular context, a development may not necessarily need to be within a built-up frontage, it nevertheless seems to me that for a proposal to constitute infill development, the site needs to have a coherent and legible relationship with existing built form, amongst other things.
13. The detached garage of Newhouse is sited immediately adjacent to the appeal site boundary, with the property itself offset further. The adjacent dwelling at Newsham House is positioned to the north west of Newhouse, with its large detached outbuilding further towards its northern boundary. Generous distance separates the existing built form.
14. Further, the positioning of the existing built form relative to the access road is noticeably at odds with one another. Newsham House is significantly set back along a private gated driveway which veers away from the access road, and it is orientated at a different angle to Newhouse. It is not read within the same context as, or collectively with, Newhouse. There is a clear juxtaposition in this regard. The mature setting of the locality adds further to this lack of linear or radial interrelationship.
15. Additionally, regardless of whether the width of the appeal site and the distance to the adjacent built form is less than other examples relied upon by the appellant, the appeal site remains of a generous width and overall size. It is not a small gap in this context, which therefore adds to the visual separation between existing built form.
16. By virtue of this multitude of factors, the existing built form is well separated, their arrangement lacks a clear relationship between one another and the area

is not built-up to such a degree that they could be described or viewed collectively as a group or cluster of buildings. Rather, the existing built form has a sporadic appearance. As such, I am in no doubt that the proposed development at the appeal site would not constitute infilling.

17. Accordingly, by virtue of its location, the appeal site is not suitable for residential development having regard to its location, and it fails to accord with Policy 1 of the CS and Policy EN1 of the LP in their collective housing location aims and spatial strategy for growth in the borough.

Other Matter

18. I note the advice which the Council provided to the appellant in a pre-application response however this is not a matter for me within the context of this appeal, which I have determined on its own merits. Similarly, the Council's handling of the planning application is not a matter for me.

Conclusion

19. The proposal would deliver up to two additional dwellings which makes a contribution, albeit small, to supporting the Government's objective of significantly boosting the supply of homes. Economic benefits would arise during construction and on subsequent occupation. Given the scale of the development however, these benefits are afforded limited weight.
20. Therefore, the proposal conflicts with the development plan as a whole and there are no other considerations which indicate that a decision should be made other than in accordance with it.

H Ellison
INSPECTOR