



Appeal Decision

Site visit made on 25 June 2024

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 5th July 2024

Appeal Ref: APP/N2345/W/24/3338488

Quaker Lodge, Sidgreaves Lane, Lea Town, Preston, Lancashire PR4 0RD

- 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 M Patel (Sapphire Properties Investment Ltd) against the decision of Preston City Council.
 - The application Ref 06/2023/1097, dated 10 October 2023, was refused by notice dated 9 November 2023.
 - The development proposed is permission in principle for the erection of up to 9 dwellings.
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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 2 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 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. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework). Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issue

5. 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.

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

Reasons

6. The appeal site is an area of land forming part of Quaker Lodge on Sidgreaves Lane. A roundabout junction is located to the west, such that a nearby highway runs close to the west and south boundaries of the site. Nevertheless, it remains that the appeal site, as a parcel of open land, forms part of the transition from the built up area of Cottam to the east, to a more sporadic form of development to the west. The proposal seeks permission in principle for up to 9 dwellings at the site.
7. Policy 1 of the Central Lancashire Adopted Core Strategy Local Development Framework, July 2012 (the CS) seeks to focus growth and investment on well located brownfield sites, strategic locations, and key service centres. In doing so, it acknowledges 'other places' at Policy 1(f), such as smaller villages, substantially built up frontages, and Major Developed Sites, where development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes.
8. Policy EN1 of the Preston Local Plan 2012 – 2026 Site Allocations and Development Management Policies (the Local Plan) states that development in the open countryside, other than that permissible under Policies HS4 and HS5, will be limited to: a) that needed for purposes of agriculture or forestry or other uses appropriate to a rural area including uses which help to diversify the rural economy; b) the re-use or re-habitation of existing buildings; c) infilling within groups of buildings in smaller rural settlements.
9. In accordance with the relevant Policies Map, the appeal site falls within, albeit to the edge of, open countryside. With regard to Policy EN1 of the Local Plan, there is no evidence before me to suggest that the proposal would fall under Policies HS4 and HS5 of the Local Plan, or that it would meet the requirements for Policy EN1(a) or EN1(c). In addition, the proposal would not convert buildings or proposals to meet local need, nor would it be a larger scale redevelopment scheme, as referred to in Policy 1(f).
10. With regard to infilling, the Council puts forward a definition of 'the development of a relatively small gap between existing buildings', which I find to be a reasonable definition. Although the appeal site is partially located to the side of the buildings at Quaker Lodge, it would not fill a gap between existing buildings such that it would not meet this text. Accordingly, on the evidence before me, the proposal would not be an appropriate form of development at the site in accordance with the provisions of either Policy 1(f) of the CS or Policy EN1 of the Local Plan.
11. I note the appellant's reference to Policy MD1 of the Local Plan allocating Cottam as a strategic site for development and Policy MD2 of the Local Plan allocating North West Preston as a strategic location for development, some 300m and 110m from the site, respectively. Nevertheless, despite its proximity to these locations, the appeal site remains open countryside in accordance with the Policies Map and as such is not assessed in accordance with policies relating to strategic sites or strategic locations.
12. I also acknowledge the constructed Western Distributor Road, provided for by the Preston City Deal, and its link road to Cottam close to the southern and western boundaries of the site. However, as land notably set away from areas

of more built-up development, the appeal site is experienced as an element of open countryside in the transition from Cottam to the east to more sporadic built form and open fields to the west. The Western Distributor Road and highway surrounding the site, the presence of which I also note on the Local Plan Proposals Map that allocates the site as open countryside, do not alter my findings in this regard. Given the visual and physical separation of the site from the existing, more built-up residential areas of Cottam in its largely setback position along the narrow section of Sidgreaves Lane, I also do not find that it could be described as within, or close to, these areas.

13. For the reasons given, the proposal would fail to comply with Policy 1 of the CS and Policy EN1 of the Local Plan. As such, the site is not suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Other Matters

14. Reference has been made to the emerging Central Lancashire Local Plan, which proposes a large urban extension at Cottam that would overrun the application site and extend to the west. However, given that this plan remains at an early stage, this attracts little weight.
15. I note the appellant's comments regarding the sustainability of the location for residential purposes, on previously developed land. The appellant further argues that the proposal would not have an adverse impact on the character and appearance of the surrounding area, and I note the Council's comments regarding the density of development. Nevertheless, it remains that I have found above that the site would not be suitable for residential development having regard to its location, the proposed land use and the amount of development.

Conclusion

16. The proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR