



Appeal Decision

Site visit made on 25 February 2025

by **Sarah Manchester BSc MSc PhD MEnvSc**

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal Ref: APP/N2345/W/24/3355931

Bradcroft, Goosnargh Lane, Goosnargh, Preston PR3 2BN

- 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 David Bulcock against the decision of Preston City Council.
 - The application Ref is 06/2024/0756.
 - The development proposed is erection of self-build dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle, which the Planning Practice Guidance (PPG) advises is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first (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. The appeal relates to the first stage.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development. All other matters are considered as part of the subsequent Technical Details application, if permission in principle is granted. I have determined the appeal on this basis.

Main Issue

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

Reasons

5. The appeal site comprises about 0.1ha of undeveloped land, around 200m or so north of Goosnargh Lane and some 140m beyond the boundary of Goosnargh, which is a small rural settlement. The site lies to the west of an area of new residential development, but it is accessed from Goosnargh Lane via a narrow private road that serves Bradcroft and Bradcroft Cottage and also functions as a public right of way (the footpath). The appeal site is in the open countryside for planning purposes and, for the avoidance of doubt, it is not in the Green Belt.
6. Policy 1 of the Central Lancashire Core Strategy Adopted July 2012 (the CS) sets out the Council's locational development strategy. This directs development in accordance with the settlement hierarchy. In this context, Goosnargh is not a strategic location for growth nor is it an urban or local service centre. It falls instead

under policy criterion f) other places, these being small 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. In the open countryside, Policy EN1 of the Preston Local Plan 2012-2026 (Site Allocations and Development Management Policies) Adopted July 2015 (the LP) limits development with exceptions including for the purposes of agriculture and forestry, the re-use of existing buildings, and infilling in building groups in smaller rural settlements.

7. The appeal site is greenfield land in the countryside. It lies to the west of Chingle Hall Crescent, but the proposal would not be related to the neighbouring housing development. While its western boundary would abut the private road that serves Bradcroft, the appeal site is bordered by undeveloped land, including woodland, to the north, west and south. The proposal would not be infilling in a built up frontage or in a building group. The dwelling would not be for a rural purpose nor would it demonstrably meet an identified local need. As such, the proposal would conflict with the Council's spatial strategy and rural housing aims.
8. The proposal would not be strictly isolated from other dwellings. However, it would be somewhat distant, and largely further than would be a short or convenient walk, from the limited range of services and facilities, with gastropub, convenience store and fish and chip shop, in Goosnargh. Future occupiers would need to travel further afield to meet their reasonable daily needs. There is a bus stop within 300m providing services to larger settlements including Preston. Even accepting that there would be some choice of transport modes, in reality future occupiers would be heavily reliant on private vehicle journeys. The limited accessibility to services, facilities and sustainable transport modes does not overcome the policy conflict.
9. Therefore, I conclude that the site is not suitable for residential development, having regard to its location, proposed land use and amount of development. The proposal would conflict with the aims of CS Policy 1 and LP Policy EN1.

Other Considerations and Planning balance

Self-build housing

10. The proposal would be a self-build dwelling, either be for the appellant or sold as a self-build plot. There are no local plan policies relating to self-build dwellings. However, the Self Build and Custom Housebuilding Act 2015 (the Act) imposes duties on local authorities to both maintain a register of persons seeking to acquire serviced plots in the area for self build and custom housebuilding (SBCH) and to give enough suitable development permissions to meet the identified demand. As part of the Government's objective of significantly boosting the supply of homes, the National Planning Policy Framework (the Framework) also sets out the importance of addressing the needs of groups with specific housing requirements, which include those wishing to commission or build their own homes.
11. I have been provided with the number of individuals entered onto the register for each base period from April-October 2016 until October 2022-October 2023. In total, there appear to be 39 entries on the register, with entries for the 3 latest base periods starting October 2020 of 3, 2 and 0. I note that the national association estimates that the demand is likely to be far higher than this. Nevertheless, while the PPG advises that secondary source data can be used to understand and

consider future needs for this type of housing, the legal duty to give enough suitable development permissions relates to meeting the demand on the register.

12. There is little evidence that the appellant is on the SBCH register. Nevertheless, the Council has not granted sufficient suitable development permissions to meet the demand on the register arising from any base period. One SBCH dwelling would make a significant contribution in this regard, but this is in the context of the very low number of entries on the register for the relevant base periods. Moreover, it has not been demonstrated that the proposal would be secured as SBCH for the purposes of the Act. The appellant suggests this could be controlled by planning condition or legal tie, but no Unilateral Undertaking has been provided with the appeal and the PPG is clear that conditions cannot be attached to a grant of permission in principle. Therefore, this carries little weight in favour of the scheme.

Other planning permissions

13. Planning permission (ref 06/2018/0411) was previously granted for conversion of stables/storage building to a residential dwelling at Bradcroft Cottage. The conversion and re-use of buildings, such as is permissible under policy, is not directly comparable to the construction of a new dwelling. The appeal would not be an appropriate substitute for that scheme, not least as they relate to different sites in different ownership and they are not mutually exclusive. Therefore, the lapsed permission does not weigh in favour of the scheme.
14. Planning permission was granted on appeal (ref APP/T2350/W/23/3335737) for one self-build dwelling at land adjacent to 110 Ribchester Road. The Inspector found conflict with the council's locational development strategy, but it was outweighed by material considerations including the contribution to the unmet demand for self-build housing and the relative accessibility of the location. That scheme differs from the appeal, including that it was accompanied by a signed Unilateral Undertaking that ensured the development would be SBCH and it was close to a more sustainable settlement and within walking distance of a wider range of services, facilities and public transport.
15. I have been provided with excerpts of other appeal decisions where Inspectors elsewhere attached significant weight to SBCH in the context of shortfalls in the number of suitable permissions. These are comparable to the appeal insofar as the Council in this case is failing to meet the demand on the register. However, taking into account the low number of register entries and the lack of certainty that it would be SBCH, schemes in different contexts including in terms of the level of demand and shortfall do not weigh in favour of the appeal.

Green Belt planning policy and permissions

16. My attention has been drawn to policies in the revised Framework relating to Green Belt land, in particular paragraph 155. This relates to the development of grey belt land, which is previously developed land or other land in the Green Belt that does not strongly contribute to Green Belt purposes. However, the appeal site is not in the Green Belt. Policies that protect the Green Belt or future changes to the extent of Green Belt are not relevant in the determination of the appeal. Similarly, appeal decisions¹ relating to the development of land in the Green Belt are not directly comparable to the proposal and do not weigh in its favour.

¹ Appeal refs APP/M3645/W/24/3347328 and APP/M3645/W/24/3339699

Other matters

17. Concerns have been raised about the adequacy of the private access road to serve an extra dwelling. This is already in use by several properties and businesses, and it functions as a footpath. Due to its length, narrow width and absence of passing places, vehicles meeting must reverse for a considerable distance onto Goosnargh Lane, where visibility is restricted at the highway entrance. The Highway consultee considers the constraints are a safety hazard to all users and an intensification of use of the access would pose a risk to vehicular and pedestrian safety.
18. I accept that the previously approved stable conversion at Bradcroft Cottage would have resulted in additional traffic. However, even if the access arrangements were identical, it does not automatically follow that the access must be acceptable now taking into account the elapse of time and cumulative effects on the highway network arising from other development locally.

Housing land supply

19. When the application was determined, the Council's local housing need figure was 269 dwellings per annum and the Council could demonstrate a 9.3-year supply of deliverable housing sites. However, following publication of the revised National Planning Policy Framework (the Framework) in December 2024, the appellant states that the annual housing need figure stands at 590 dwellings and the parties agree that the Council cannot currently demonstrate a 5-year supply (5YHLS). The Council's Housing Delivery Test: 2023 measurement is 455%. Nevertheless, based on the previous position and the revised annual housing need figure, the modest shortfall in 5YHLS triggers paragraph 11d) of the Framework.
20. There are no policies in the Framework that provide a strong reason for refusing the development in accordance with paragraph 11d)i. Therefore, in accordance with paragraph 11d)ii., permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
21. The CS and the LP are now quite old. However, the weight to be attached to the development plan relates not to its age but rather to the degree of consistency of the relevant policies with the Framework. In this regard, the Framework gives substantial weight to the value of using suitable, including brownfield, land within settlements for homes. In rural areas, housing should respond to local circumstances and reflect local needs, being located where it will contribute to the vitality of rural communities. While recognising that opportunities to maximise sustainable transport solutions vary between urban and rural areas, nevertheless it prioritises sustainable transport modes and it requires safe and suitable access to the site to be achieved for all users, minimising the scope for conflict between pedestrians, cyclist and vehicles. Decisions are also expected to contribute to the natural and local environment, including by recognising the intrinsic character and beauty of the countryside. Consequently, significant weight can be attached to the conflict with CS Policy 1 and LP Policy EN4.
22. Notwithstanding the nearby bus stop, the private access road is constrained, and the separation of the appeal site from the settlement and the distance to a

reasonable range of shops and services weigh against the proposal to a significant degree. The proposal would not be the effective use of land. It would not provide affordable housing and it would not demonstrably be SBCH for the purposes of the Act. The contribution of 1 market dwelling towards meeting the Council's housing supply shortfall carries limited weight, even taking into account the Government's objective of significantly boosting the supply of homes. The local economic benefits during construction and occupation carry little weight.

23. Therefore, I find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As a result, the proposal would not benefit from the presumption in favour of sustainable development.

Conclusion

24. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations, including the provisions of the Framework, that would outweigh that conflict.
25. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR