



Appeal Decision

Site visit made on 16 April 2025

by John Felgate BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2025

Appeal Ref: APP/P2365/W/25/3360264

Land at Bates Green Cottage, Dickets Lane, Lathom, Skelmersdale WN8 8UH

- 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 Mrs Lynne Ashcroft against the decision of West Lancashire Borough Council.
 - The application Ref is 2024/0903/PIP.
 - The development proposed is “up to 2 no dwelling houses”.
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Decision

1. The appeal is allowed, and permission in principle is granted for the erection of up to 2 no. dwelling houses on land at Bates Green Cottage, Lathom, Skelmersdale WN8 8UH, in accordance with the terms of the application, Ref 2024/0903/PIP, and the plans submitted with it.

Main issue

2. The permission in principle procedure, under Section 58A of the Town and Country Planning Act 1990, is limited only to matters of location, land use and the amount of development. I have considered the appeal on this basis.
3. In the light of the submissions before me, the sole main issue in the appeal is whether the proposal would represent ‘inappropriate development’ in terms of Green Belt policy.

Reasons for decision

4. The appeal site lies within an area defined as Green Belt. In the West Lancashire Local Plan (the WLLP), adopted in October 2013, Policy GN1 states that development proposals within the Green Belt will be assessed against national policy. In the National Planning Policy Framework (the NPPF), as revised in December 2025, paragraph 155 states that the development of homes in the Green Belt should not be regarded as inappropriate where various criteria relating to ‘grey belt’ apply.
5. In the present case, it is agreed by the Council that the appeal site comprises grey belt land, as defined in the NPPF’s Glossary. It is also accepted that the proposed development would not fundamentally undermine the purposes of the remaining Green Belt across the Local Plan area. It is not disputed that the District’s housing land supply stands at 2.49 years, and there is therefore a demonstrable unmet need for development of the type now proposed. And it is also accepted that the location is considered sustainable, having regard to NPPF paragraphs 110 and 115. Given the small scale of the proposal, the ‘golden rules’ in NPPF paragraph

156 are not applicable. The requirements of paragraph 155 are therefore all met. It follows that, in terms of national Green Belt policy, the proposed development is not inappropriate.

6. In the light of the above, it is not necessary for me to consider whether the proposed scheme would also comprise infilling within a village, nor whether the land could be considered previously developed, nor any effects on the Green Belt's openness. Whilst these matters might be relevant to assessing compliance with the NPPF's Green Belt policies in other circumstances, paragraph 155 makes it clear that they are not relevant in the case of grey belt land.
7. For these reasons, I find that the proposed development would not be inappropriate development and therefore would not conflict with the Green Belt policies of either the NPPF or the WLLP.

Other matters

8. Although not specifically referred to in the Council's refusal reason, I note that the proposal would not fully accord with WLLP Policies SP1 and RS1, which seek to locate most new housing at the District's towns and larger villages. However, given the shortfall in the housing land supply, those policies cannot currently be regarded as up to date. Likewise, I note the contents of the Council's supplementary planning document on Development in the Green Belt, adopted in October 2015, but in the light of the most recent changes to the NPPF, that document is no longer consistent with national policy. In the circumstances, any conflict with any of these development plan or SPD policies seems to me to be clearly outweighed by the need to boost the supply of housing.
9. The Highway Authority has raised concerns about the width and condition of the private lane that provides access to the site, and about visibility at its access onto Dickets Lane. But the Authority is satisfied that these issues can be considered at the technical details stage, and I see no reason to disagree. Any need for consent from the owners of the lane, with regard to either its use or any necessary works to it, would be a private matter between the parties concerned.
10. The appeal site is of a reasonable size, and there is no reason to doubt that it can accommodate two dwellings with adequate garden space, without any undue impact on neighbouring properties. There is no evidence that the site has any significant habitat value or that wildlife would be unduly affected. These matters can be considered at the technical details stage.

Conclusion

11. For the reasons explained above, I conclude that the proposed development would accord with the most relevant planning policies, relating to Green Belt policy. No compelling objections relating to other matters have been substantiated. It follows that the appeal should be allowed and permission in principle granted.
12. In accordance with the relevant legislation, any application for technical details consent must be made within three years from the date of this decision.

J Felgate

INSPECTOR