



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: 30th April 2025

Appeal Ref: APP/D2320/W/25/3359070

Land adjacent to Taleford House, Squirrel Lane, Anderton, Lancashire BL6 7RR

- 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 T Dixon against the decision of Chorley Borough Council.
 - The application Ref is 24/00948/PIP.
 - The development proposed is the erection of 1 no. dwelling.
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Decision

1. The appeal is allowed, and permission in principle is granted for the erection of one dwelling on land adjacent to Taleford House, Anderton, Lancashire BL6 7RR, in accordance with the terms of the application, Ref 24/00948/PIP.

Main issue

2. The permission in principle procedure, under Section 58A of the Town and Country Planning Act 1990, is limited to matters of location, land use and the amount of development only. 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 of Green Belt, as defined as in the Chorley Local Plan (the CLP), adopted in July 2015. The relevant Green Belt policies are those of the National Planning Policy Framework (the NPPF), revised in December 2025.
5. NPPF paragraph 155 states that the development of homes in the Green Belt should not be regarded as inappropriate where the site falls within the definition of 'grey belt', and where various other criteria are met. Grey belt is defined as either previously developed or other land that does not contribute strongly to the Green Belt's purposes as set out at NPPF paragraph 143(a), (b) and (d). The other criteria in paragraph 155 include that the development would not fundamentally undermine the purposes of the remaining Green Belt; and that there should be a demonstrable unmet need for the type of development proposed; and that the site is in a sustainable location, having regard to the relevant NPPF policies.
6. On my visit, I saw that the appeal site is a smallish, rectangular parcel of land, surfaced in gravel or hardcore, and enclosed by close-boarded fencing. On one side, the site closely adjoins Taleford House, which is one half of a pair of semi-

detached houses fronting Squirrel Lane. On the other is the rear garden of Douglas House, which is the end property in a row of four detached houses fronting Bolton Road. The rear gardens of the latter houses extend across the appeal site's rear boundary. On its fourth side, the appeal site fronts Squirrel Lane, with a narrow strip of woodland opposite; and just beyond this is further housing and a sports ground, on the edge of the town of Horwich.

7. The pattern of the existing development in this urban fringe area is somewhat loose, and its character would be best described as semi-rural. The gardens of some of the Bolton Road properties, just beyond the appeal site's rear boundary, are very extensive, and adjoin open country on at least two sides. However, the appeal site itself is different from these, in that it is considerably smaller and also more enclosed by the existing built development. Furthermore, apart from the small intervening woodland, the site is almost contiguous with the main built-up area of the town. To the west, there is a substantial gap of nearly two kilometres between Horwich and the next town of Anderton. Consequently, as a result of its small size and its relationship to the surrounding development, the appeal site contributes little to the Green Belt's purposes of restricting sprawl, or preventing the merging of towns. Nor does it appear to play any role in preserving the setting of any historic settlements. The site therefore fulfils the NPPF's criteria to be regarded as grey belt land.
8. A new dwelling on the appeal site would add slightly to the amount of development in this part of the urban fringe. However, for the reasons already explained, it would appear as an intensification of the existing pattern, rather than as an extension of the town beyond its current limits. The remaining Green Belt, beyond the site's rear boundary, would continue to be capable of fulfilling the Green Belt purposes that I have already identified, and also in safeguarding the countryside from encroachment and encouraging urban regeneration. These purposes would therefore not be undermined or weakened to any significant degree.
9. It is accepted by the Council that the Borough does not currently have a five-year supply of deliverable housing land. The appellants' figure of 3.2 years has not been disputed, and in any event, anything less than five years' supply indicates a clear need for more sites. There is therefore a demonstrable unmet need for residential development, including housing of the type now proposed.
10. The appeal site is within easy walking distance of Horwich town centre, schools and bus services, and reasonable opportunities would be available to maximise the use of sustainable transport modes. The scheme would therefore contribute to the NPPF's aim to actively manage patterns of growth in support of sustainable transport objectives. As such, the development would be locationally sustainable.
11. Criterion (d) of NPPF paragraph 155, which sets out 'golden rules' for certain larger developments, is not applicable, as the appeal scheme would not amount to a major development.
12. In all relevant respects therefore, the proposed development meets the criteria in paragraph 155, relating to the circumstances in which the development of grey belt land should be regarded as not inappropriate. It follows that, in terms of the relevant Green Belt policies, the appeal proposal would not be inappropriate development.

Other Matters

13. The site in its current condition is clearly a visual eyesore, due to the combination of the hard surfacing and fencing that currently exists. Seen in the context of the semi-rural setting, these appear as incongruous and jarring. The development of the site with a dwelling would offer the opportunity to secure the removal of these unsympathetic features. Furthermore, the design and layout of the dwelling itself would be subject to technical details consent, and conditions could be attached to ensure that the scheme is well integrated with its surroundings. I appreciate that the site's present appearance has come about, at least in part, as a result of the unauthorised use of the land for storage; and that this was the subject of an enforcement notice which was upheld on appeal in August 2024. But the notice did not appear to require the removal of any existing surfacing, and whilst it did require the removal of certain fencing, this appears to have related to an internal fence rather than the existing boundary enclosure. In any event, there is no evidence before me to suggest that any action is still being pursued, or could now be taken, to secure any further improvements, other than through the granting of permission for some form of development. In the circumstances, the opportunity to secure a significant visual enhancement of the site is a benefit weighing in favour of the appeal.
14. The parties disagree as to whether the site constitutes previously developed land (PDL). However, the NPPF makes clear that the definition of PDL includes residential gardens outside built-up areas. In this case there is no dispute that the appeal site was part of the garden of Taleford House until around 2011. Notwithstanding the urban fringe nature of the location, it does not appear to be suggested that the site lies within a built-up area. Since 2011, the garden use has ceased, but given that the NPPF definition states "*is or was*", this does not seem to me to prevent the land from continuing to be regarded as previously developed. In the 2024 appeal decision, the Inspector commented that the fencing on the site did not constitute the redevelopment of PDL, but that statement seems to me to relate more to the effect of the fencing than to the status of the land. On the evidence before me, I am satisfied that the appeal site is PDL. In any event, it also evidently has no current beneficial use, nor any apparent prospect of such use. NPPF paragraphs 124 and 125 make it clear that, in order to meet the need for homes and other development, effective use should be made of PDL and other under-utilised land. In this case, the benefit of bringing the appeal site back into beneficial use adds further weight to the case for the appeal.
15. I agree that the development would not constitute infilling within a village. I also agree that the scheme would cause some loss of openness, albeit minor. However, in view of my finding that the site is grey belt land, it is not necessary to consider these matters further.
16. I have paid regard to the contents of Policy 1 of the Central Lancashire Core Strategy (the CLCS) adopted in July 2012, which seeks to focus growth and investment in accordance with a settlement hierarchy, and also Policy HS7 of the CLP which contains criteria for rural infilling. But nothing in these policies seems to me to rule out small scale development in other locations. In any event, neither policy deals with development in the Green Belt. Based on the submissions before me, I can see no conflict with any of the development plan policies referred to by any party.

17. I note the comments of some neighbours with regard to various other matters. However, there seems no reason why the boundary trees could not be protected by conditions, at the technical details stage. There is no evidence that the site itself is used by any existing wildlife; any off-site impacts could again be mitigated by condition. There is no requirement for new properties to have mains drainage or gas supplies available. Any issues relating to rights of access would be a private civil matter rather than a planning consideration.

Conclusion

18. For the reasons explained above, I have found that the most relevant planning policies in this case are those of the NPPF, relating to Green Belt. The appeal proposal would accord with those policies, by making use of grey belt land, and complying with the relevant requirements for development on such land, as set out in NPPF paragraph 155.
19. The development would also bring a visual enhancement to the site and its surroundings, and make use of previously developed and under-used land. No compelling objections have been substantiated.
20. It follows that the appeal should be allowed and permission in principle granted. 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