
Appeal Decision

Site visit made on 30 April 2025

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 May 2025

Appeal Ref: APP/N2345/W/25/3360993

Land adjacent to Bonds Farm, Horns Lane, Preston PR3 2NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Ashley Fletcher against the decision of Preston City Council.
 - The application reference is 06/2024/0966.
 - The development proposed is described as 'Proposed self-build detached two-storey 3-4 bedroom dwelling with an attached double garage. Modified access off Horns Lane, with 2.no car parking spaces'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address in the banner heading above from the appeal form as this accurately describes the location of the appeal site.
3. Outline planning permission is sought, with access to be considered at this stage. I have determined the appeal on this basis. While not formally part of the scheme, I have treated any details submitted with the appeal application relating to matters of appearance, landscaping, layout and scale as a guide to how the site might be developed.

Main Issue

4. The main issue is whether this is a suitable location for new housing, having regard to development plan policies relating to the development strategy for the area and the countryside.

Reasons

5. Policy 1 of the Central Lancashire Adopted Core Strategy Local Development Framework July 2012 (CS) sets out the focus for growth and investment within a hierarchy of settlements and strategic sites within the district. There is no dispute between the main parties that the appeal site lies outside of any defined settlement, within the countryside. Sub-section (f) of CS Policy 1 states that in other places - smaller villages, substantially built-up frontages and Major Developed Sites - 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.
6. Policy EN1 of the Preston Local Plan 2012-26, Site Allocations & Development Management Policies, Adopted 2 July 2015 (LP) is specific to the countryside. It

states that development in the open countryside 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. The supporting text to this policy states that smaller settlements and clusters of buildings are not defined on the proposals map, but are included within the open countryside designation, and proposals within these settlements will be considered against both LP policy EN1 and CS Policy 1 (f).

7. The main parties dispute whether the proposal would comprise infill development of a type that would comply with CS policy 1 and LP policy EN1. Neither party suggests that the proposal would benefit from any of the other exceptions of LP policy EN1, and from the information before me, I have no reason to disagree. There is no definition of infill development within the development plan, albeit the supporting text to LP policy EN1 states that it is important that areas of open countryside are protected from unacceptable development which would harm its open and rural character. A planning judgement is required in each case, taking into consideration the physical circumstances on the ground.
8. The appeal site comprises part of a field that extends back from Horns Lane. Its boundary with the highway is formed by hedgerow, with a line of trees behind. Further fields are located to the west, and opposite the site to the east, with Wood Nook Farm set back considerably from the road. To the north is the house at Bonds Farm, which has a generous side garden adjoining the appeal site, and an attached stone barn to its opposite side, beyond which is Bonds Cottage and then further fields. To the northeast, accessed from a private lane extending off Horns Lane, is White Moss Gate Farm. To the south is a further field and beyond this, two semi-detached houses (3 and 4 Horns Lane), with a horse-riding arena and fields beyond.
9. Taking CS policy 1 first, this is a rural location, with open fields that are interspersed by intermittent farmsteads and housing. As such, the appeal site is not within a village, even a small one, and it is not identified as a major developed site. While there are a small number of houses in the vicinity of the appeal site, these are set well apart, with a generous side garden at Bonds Farm, and a field separating the appeal site from Nos 3 and 4. From along Horns Lane, open views are possible across surrounding agricultural land. Consequently, this part of Horns Lane does not have a substantially built-up frontage, and the proposal would not infill an existing gap, as even with the appeal scheme, open space would remain to the north and south afforded by the aforementioned garden and field. As such, the appeal site would not constitute an area where small scale infilling would be supported by CS policy 1.
10. For infill development to be supported by LP policy EN1, it must be within a group of buildings in a smaller rural settlement. Given the limited number and sporadic arrangement of intermittent development along this part of Horns Lane, set amongst open fields, existing development could not be considered to comprise a smaller rural settlement. Further, existing development in the locality is so well spaced and loosely arranged that on the ground, there is no sense of the appeal site forming a gap in a cluster of existing buildings. As such, the proposed development would not be infilling within a group of buildings, even if this were to be considered a smaller rural settlement. Therefore, the proposal does not benefit from the support of LP policy EN1.

11. I have been provided with a number of examples of development involving new dwellings in the countryside, given planning permission by the Council, which the appellant indicates have been accepted as infill within the context of LP policy EN1, and which the appellant considers are comparable to the appeal scheme. I appreciate the importance of consistency in the decision-making process and I acknowledge that in the exercise of planning judgment, a relevant consideration may be the local authority's approach to similar applications in the locality.
12. However, while I have been provided with reference numbers, location plan extracts and short sections of the officer report for these examples, full details, including the precise addresses, the decision notices and full officer reports, have not been provided. From the available information, it has not been possible to fully appreciate the context of these examples and draw thorough comparisons to the appeal scheme. Ultimately, these other examples are in different locations. Whether or not a proposal will comprise infill development requires an assessment of each situation on the ground, and so it remains necessary for a judgement to be made on the individual circumstances of each case. As such, these other examples in differing locations do not alter my findings that the appeal scheme does not comprise infill development.
13. To conclude on this main issue, this would not be a suitable location for new housing, given the conflict with CS policy 1 and LP policy EN1.

Other Matters

14. The appeal site is located within flood zone 1, which is land with the lowest probability of flooding. The information before me does not indicate that the proposal would impact on any designated heritage asset, public right of way or any trees subject to preservation orders. These are neutral matters that do not carry any weight for or against the proposal. The appellant indicates that the proposal would have no ecological impacts, that safe access and sufficient parking could be provided, and that there would be adequate separation to neighbouring properties. While some of these matters will need to be considered further, at the reserved matters stage, I note that the Council has not raised any concerns in these respects, at this stage.
15. Reference has been made to the proposal being a self-build dwelling. 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 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.
16. I have not been provided with details of the number of persons seeking to acquire serviced plots in the area, or any evidence to suggest that the appellant is on the self-build register. Detailed evidence demonstrating that the Council has not been able to grant enough suitable development permissions to meet the identified demand for such plots is not before me. Even if this were the case, it has not been

demonstrated that the proposal would be secured as a self-build for the purposes of the Act. Therefore, this carries little weight in favour of the appeal scheme.

17. The proposal would provide for an additional dwelling, which would make a small but positive contribution to the Government's objective of significantly boosting the supply of homes, as well as choice. The appellant states that the design of the dwelling would be traditional and in keeping with the area, providing an active frontage, new native hedgerow planting and replacement tree planting, and home-working space, while the Design and Access Statement references an eco-dwelling, utilising natural materials. As the proposal is at the outline stage, these details are not before me. However, I have no reason to consider that these elements would not be forthcoming at the detailed stage. The weight to be attached to the benefits of the proposal are modest.

Planning Balance

18. I have identified conflict with CS policy 1 and LP policy EN1 and so there is conflict with the Development Plan when taken as a whole. However, at the time the Council made its decision, it could not demonstrate a five-year housing land supply. Paragraph 11d) of the Framework is therefore engaged.
19. In these circumstances, the weight to be attached to development plan policies relates to their degree of consistency with the Framework. In this regard, CS policy 1 seeks to manage growth, having had regard to the size and connectivity of existing places, along with the level of services currently available, while LP Policy seeks to limit the extent of development in the countryside to that which is necessary for the rural economy, the re-use of existing buildings, and small-scale development within smaller rural settlements. These policies are generally consistent with the Framework's requirements for locating rural housing where it will enhance or maintain the vitality of rural communities, avoiding isolated homes in the countryside, and promoting sustainable transport. Consequently, significant weight can be attached to the conflict with CS policy 1 and LP policy EN1.
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, planning permission should be granted unless the 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 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. While there are some houses and farmsteads near to the site, the proposed development would be physically separate from the nearest settlement. The proposed dwelling would therefore be isolated in the context of paragraph 84 of the Framework. I have not been presented with any evidence to suggest that any of the specific circumstances providing by the Framework to support isolated homes in the countryside, would apply to the proposal, therefore the proposal would conflict with the Framework's aim to avoid the development of isolated homes in the countryside.
22. The Framework requires that patterns of growth are managed to support those objectives of paragraph 109, including, seeking to promote walking, cycling and

public transport use, while recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

23. I am advised that a small number of amenities are within one mile of the appeal site, including Ye Horns Inn public house, The Look Out café and farm shop, and St Francis Primary and Preschool, while a bus stop serving local schools is within 500m and the town of Longbridge is within two miles. Reference is also made to public footpaths and cycle paths.
24. However, I have not been provided with the precise location of the bus stop, or its detailed routing, or frequency. Nor have I been provided with the routes of any public footpaths or cycle routes. As such, I cannot be certain that these would be suitable alternatives to the private car, for meeting day to day needs.
25. Horns Lane has no footway or lighting. Given this, and the distance to nearby services and amenities, it is likely that future occupiers of the proposal would be highly reliant on the private car to meet their day-to-day needs. As such, while recognising that sustainable transport solutions will vary between urban and rural areas, the proposal would fail to ensure that sustainable transport modes are prioritised as required by paragraph 115 of the Framework. The proposal provides limited scope to promote sustainable travel modes that limit future car use, as required by paragraph 129 c). For these reasons, the proposal would not be sustainably located, which weighs significantly against the appeal scheme.
26. The Council has identified a lack of available housing land to meet the identified need as required by the Framework. The main parties have provided slightly different supply figures of 4.24 and 4.26 years. The proposal would make a small but positive contribution to the supply of housing land to meet this moderate shortfall, benefitting from support in this regard from Framework paragraph 129 a).
27. The proposal has been submitted in outline only and its detailed design is not before me. The Council accepts that a dwelling could be designed so as to secure a visually attractive development that is sympathetic to its landscape setting, as required by Framework paragraphs 129 e) and 135. The proposal would not contribute towards the provision of affordable housing.
28. Taking the policies in the Framework as a whole, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Conclusion

29. The proposed development conflicts with the development plan when read as a whole. There are no material considerations, including the Framework, of sufficient weight to indicate the decision should be taken otherwise. For the reasons given, I conclude that the appeal should be dismissed.

S Brook

INSPECTOR