



Appeal Decision

Site visit made on 20 May 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/D2320/W/24/3354775

Douglas Bank Farm, Bolton Road, Anderton, Chorley PR6 9HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr L McCarrick against the decision of Chorley Borough Council.
 - The application Ref is 24/00499/FUL.
 - The development proposed is the change of use of part of an existing farmyard for the parking of up to 5 wagons under vehicle operator licensing number OC1131610.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. For the avoidance of doubt, where reference is made to the Framework, the paragraph numbers quoted are those that appear in the current version.
3. I have taken the address in the banner heading above from the Council's decision notice, rather than the application form, as it appears to be more accurate.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

5. The appeal site is located within the Green Belt where, according to the Framework, development is inappropriate unless it falls within identified exceptions.
6. The main parties have both considered the proposal against Framework paragraph 154(h)(v). This exception states that, provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, material changes in the use of land (such as changes of use for

outdoor sport or recreation, or for cemeteries and burial grounds) are not inappropriate in the Green Belt. Therefore, whilst not expressly referred to in the Council's decision notice, when assessing whether a proposal falls within this exception, consideration must be given to the impact of a proposal on openness

7. The proposed parking of wagons would take place amongst agricultural vehicles in and around several farm buildings, taking up a relatively small area of the farmyard. They would be parked during the nighttime period only, with the vehicles leaving the site at the start of the day and returning in the evening. However, whilst the visual impact would be variable, when wagons are parked on the site the openness of the Green Belt would be spatially reduced. In addition, the commercial nature of the vehicles would be a marked contrast to the agricultural activity on the site increasing their prominence in views from the access track, the open land surrounding the farmyard and from a nearby public footpath.
8. Furthermore, the inclusion of the words 'such as' before the examples within the Framework paragraph 154(h)(v) exception indicates that this is not an open-ended list. As such, for a use to fall within this exception it is reasonable to consider that it should take its flavour or extent from such examples. In this case, the appeal proposal does not align with the example uses identified within the exception.
9. Overall, I find that the proposal would not fall within the paragraph 154(h)(v) exception as it would result in a limited adverse impact, both spatially and visually, to the openness of the Green Belt and is not a use that falls within its parameters.
10. The parties agree that the proposal would not conflict with any of the purposes of the Green Belt identified at paragraph 143 of the Framework and based on the evidence before me I have no reason to reach a different conclusion. Nonetheless, it remains that the proposal does not fall with the paragraph 154(h)(v) exception.
11. I therefore conclude, the appeal proposal is inappropriate development in the Green Belt having regard to the Framework.

Other considerations

12. When not out on jobs, the commercial wagons require a place to park, and an operator license has been granted for them to park on the appeal site. Nonetheless, there is no compelling evidence before me that the appeal site is the only suitable location for the proposal, and that another place outside of the Green Belt would not meet the requirements of the business. As such, this carries limited weight in favour of the proposal.

Other Matters

13. The appellant indicates that the officer report was not available to view on the online planning register and that there was no way of knowing what, if any, assessment was carried out by the Council in respect of harm to, or impact on, the openness of the Green Belt. Nonetheless, this has not prevented the appellant from addressing openness within the statement of case and has subsequently had sight of the report as an appeal document. As such, the absence of the report has not prejudiced the appellant.

Green Belt balance and conclusions

14. Paragraph 153 of the Framework states that when considering any planning application, substantial weight should be given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
15. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. I have also found harm, albeit limited, to its openness. In accordance with the Framework, I attach substantial weight to such harm to the Green Belt.
16. The consideration I have identified is of limited weight in favour of the proposal. Consequently, such a consideration, along with all other matters acknowledged in the evidence, do not clearly outweigh the identified harm to the Green Belt, either individually or collectively, so as to amount to the very special circumstances necessary to justify the development.
17. The proposal therefore conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harms and associated development plan conflict.
18. Accordingly, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR