



Appeal Decision

Site visit made on 5 June 2025

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

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal Ref: APP/M2325/W/24/3357900

Land adjacent to Greenways, Mains Lane, Singleton, Lancashire FY6 7LD

- 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 Austin Aldred against the decision of Fylde Borough Council.
 - The application reference is 24/0267.
 - The development proposed is Permission in principle for erection of up to two dwellings (one of which is self-build).
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Decision

1. The appeal is allowed and permission in principle is granted for the erection of up to two dwellings (one of which is self-build) at land adjacent to Greenways, Mains Lane, Singleton, Lancashire, FY6 7LD, in accordance with the terms of the application, reference 24/0267.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second, Technical Details Consent (TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application, if permission in principle is granted. I have determined the appeal accordingly.
4. A revised description was agreed between the parties on the 10 May 2024. I have used this revised description in both the banner heading and decision above. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, the agreed description seeks permission in principle for up to two dwellings.
5. A proposed plan is provided to demonstrate how the site might be developed. I have treated this information as illustrative.
6. The submissions indicate that one dwelling will be a self-build development. Section 2A(5) of the Act defines 'development permission' as both planning permission or

permission in principle. The subsequent technical details consent would need to include a suitable legal mechanism for the delivery of the dwelling as a self-build.

Main Issues

7. Whether the location, the proposed land use and the amount of development is suitable, having particular regard to (a) policies relating to the development strategy for the area and the countryside, and (b) the effect on the character and appearance of the area.

Reasons

Development Strategy and the Countryside

8. Policy S1 of the Fylde Local Plan to 2032 (incorporating Partial Review), December 2021, (LP), provides the settlement hierarchy for the area. The Local Plan identifies the appeal site as located outside any recognised settlement and within the countryside. Within rural areas, development is allowed only where certain policies are applicable. LP policy DLF1 confirms that windfall sites consisting of small-scale housing development can occur throughout the borough, where compliant with other policies of the plan.
9. LP policy GD4 is specific to the countryside. It restricts the types of development which will be acceptable to a number of exceptions, in order to protect the intrinsic value and rural character of the countryside. The main parties dispute whether the appeal scheme benefits from the support of criteria f) minor infill development (MID). I have not been provided with any compelling evidence to suggest that the proposal would benefit from any of the other exceptions of this policy.
10. There is no definition within LP policy GD4 or its supporting text of MID. However, the supporting text does indicate that MID will be of a scale and use that does not have a material impact on the rural character of the area. Both main parties have suggested definitions. A number of appeal decisions have been provided which considered this policy criteria, and which have informed the Council consideration of infill to mean 'the filling of a modest gap in an otherwise continuous built-up frontage'. This interpretation is a reasonable one. The appellant's suggested definition is not dissimilar. A planning judgement is required in each case, taking into consideration the physical circumstances on the ground.
11. The proposed development would introduce up to two dwellings onto an area of land presently providing access, parking and a paddock associated with the keeping of horses. An existing stables and fenced riding area lie to the rear, beyond the appeal site. A small pond adjacent to Mains Lane is excluded from the appeal site and so the proposed dwellings would be set back from the road. The site lies between the residential properties of 89 Mains Lane to the northwest, and 77 Mains Lane to the southeast, separated from the latter by a plot of grassed land with access to a number of sheds and a polytunnel.
12. While designated as countryside, the extent of built form varies along Mains Lane, which in turn, affects its character. In the vicinity of the appeal site, this part of Mains Lane consists predominantly of linear residential development to both sides, with only occasional gaps. To the immediate northwest of the appeal site, to the south of the carriageway, No 89 itself is screened from the road to a large extent by a high hedge, however, outbuildings to the side of No 89, one of which sits

close to the site boundary, are visible along Mains Lane. The line of dwellings extending from No 89, are set close to the road and to each other. There is further residential development to the opposite side of the road, and while these houses are set further back and are more generously spaced, they appear as regular, continuous development when travelling along Mains Lane. While there is some open land around and opposite No 103, housing continues to line Mains Lane beyond this.

13. To the southeast of the appeal site, regularly spaced housing continues to front the highway to both sides, up to 68 and 69 Mains Lane, which then adjoin a wide section of open fields. Some of these plots are larger than others, while the set back of properties from the road varies, as do the types of natural or manmade boundary treatments and the levels of landscaping. As such, some properties are more visible in the street scene than others. Nevertheless, the continuation of the built form to the southeast up to Nos 68 and 69 is consistent, and apparent to the passerby. As such, while the appeal site itself has an open aspect and there is an open plot to the opposite side of the road also, generally, housing along this part of Mains Lane is regular and mostly continuous, rather than fragmented or sporadic. Open field parcels feature in the street scene only intermittently.
14. Albeit the appeal scheme would retain a pond to the site frontage, the indicative layout suggests that one of the proposed houses would be positioned to the rear of this pond, and so no large gap would remain. Two dwellings would be a small number quantitatively, and the indicative plans suggest that their construction would extend across much of the width of the appeal site, while utilising plot sizes that would not be excessive, or dissimilar to those of nearby housing. In the context of established residential development, which is extensive along this part of Mains Lane, development of the appeal site for residential use would not appear as a significant extension or incursion of the built form along the road.
15. I appreciate that the plot of land to the immediate southeast of the appeal site, a former nursery which extends to approximately 28m in width, would remain. This plot contains only low-lying sheds and a polytunnel, set back from the road. While these structures do not contribute significantly to a built-up frontage, they are nevertheless visible from Mains Lane. The presence of hedging and the proximity of No 77 to its boundary, gives this plot a narrow appearance when viewed from the road, and in itself, this neighbouring plot does not provide a significant visual break in the street scene. As such, I am satisfied that in the circumstances of this case, the proposal would appear contained spatially and visually by existing development to the northwest and southeast. Therefore, two dwellings on this site would constitute MID.
16. To conclude on this first main issue, I find that the proposed development would be MID. Consequently, the location, the proposed land use and the amount of development is suitable, having regard to the development strategy for the area and the countryside, as set out by LP policies S1, DLF1 and GD4. Nor do I find any conflict with LP policy H2 insofar as it requires self build homes on small sites to be located in accordance with LP policy DLF1 and other policies of the plan.

Character and Appearance

17. As noted above, while designated as countryside, the extent of built form varies along Mains Lane. In the vicinity of the appeal site, there is a relatively consistent

line of residential development to both sides, with only a limited number of gaps. The set back of dwellings, the spacing between them, plot sizes, boundary treatments, and the extent of landscaping, varies from plot to plot, and so some areas have a more open aspect and a more verdant character than others. Nevertheless, the more residential nature of Mains Lane at this point is apparent from the number of dwellings and their proximity to the road, and the presence of driveways and garages, as well as fencing and brick walls to a frequent number of frontages. Additionally, Mains Lane, which was a busy route at the time of my visit, is laid out with formal footpaths, street lighting and highway signage and markings.

18. Given these characteristics of the area, the introduction of up to two dwellings at the appeal site in the manner indicated would not undermine the established pattern of development, or have a particularly urbanising impact. The appeal site excludes the pond and surrounding trees that are positioned along the site frontage. Therefore, even if access arrangements require some removal of hedging, this area would continue to make a positive contribution to the leafy character of the road frontage at this point. Additional planting, if deemed necessary, could be secured at the TDC stage.
19. While the appeal site and the land directly opposite provides a gap in housing development, this is for a limited section of Mains Lane only. Open views across these areas are partially restricted by mature planting, hedges or trees, along the road frontage, particularly when in leaf. Where views are possible across the appeal site, these views take in the hard surfaced parking and access to the stables, the stables themselves and horse related vehicles, the outbuildings at No 89 Mains Lane, the sheds and polytunnel to the southeast, and the side elevation and outbuilding of No 77 Mains Lane. While the appeal site itself is open and affords some views of the more undeveloped land beyond the appeal site, these views also take in a new housing estate under construction. As such, the appeal site cannot be said to afford uninterrupted views of open countryside.
20. Development of the site for two houses and associated parking and paraphernalia would impact on the open aspect of the appeal site. However, given the extent to which views are restricted across the site in the first instance, and the extent to which development is visible in and around the appeal site, where views into it are possible, development at the density proposed would not result in any significant erosion of openness, or rural character. Given the proximity of residential development to either side, the proposal would not appear as an incursion of built development into the open countryside.
21. Consequently, the proposal would not have a harmful effect upon the character and appearance of the area. The proposal would comply with LP policies GD4, GD7, H2, and ENV1, which collectively and amongst other matters, require that new development is of a high standard of design that takes account of the character and appearance of the local area, including density, has regard to its impact on the visual amenities of the area, relates well to the surrounding landscape context and does not adversely impact on rural character.

Other Matters

22. A number of other appeal decisions have been brought to my attention, including at 39 Mains Lane, further to the southeast. All of these decisions highlight a range of physical factors that can be relevant to determining whether a proposal

constitutes MID, as well as the effect of a proposal on the character and appearance of the area. Nevertheless, my consideration of this proposal is based on the physical characteristics of this particular site and its surroundings, and so it must be considered on its individual merits. These other examples are mostly in differing locations. Having carefully considered the details provided, I do not consider them to be directly comparable in physical terms to the appeal site, having particular regard to the difference in the pattern of development, and the extent to which these other locations are built up, or otherwise, and the resulting effect on character and appearance. This includes the site at 39 Mains Lane, which, although not far from the appeal site, is located adjacent to a wide and open field, which is far more extensive than the plot to the southeast of the appeal site.

23. I have been provided with before and after images of works to hedging at the appeal site. While I have considered this information, I have determined the appeal based on the circumstances at the present time.
24. I have been provided with further comments on the extent of the Council's housing land supply in light of a recent appeal Hearing¹, the decision for which has not yet been issued, as well as the extent to which the Council is meeting any demand for self-build housing, and the weight that can be afforded to this, at the permission in principle stage. However, as I have not identified any conflict with the development plan in relation to the main issues, it has not been necessary for me to go on and consider these matters further.

Conclusion

25. Having considered the matters of location, the proposed land use and the amount of development, the proposal complies with the development plan when taken as a whole, and there are no other material considerations worthy of sufficient weight to suggest the decision should be made other than in accordance with the development plan. Therefore, the appeal should be allowed.
26. As set out in the PPG, it is not possible for conditions to be attached to a grant of permission in principle. The Council has suggested a number of informatives be included in the decision should the appeal be allowed. However, where permission in principle is granted by application, such as this, the default duration of that permission is three years, and any other matters can be addressed at the TDC stage.

S Brook

INSPECTOR

¹ APP/M2325/W/25/3360376