



Appeal Decision

Site visit made on 5 August 2025

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal Ref: APP/N2345/W/25/3367258

Land at Dean Farm, Whittingham Lane, Broughton, Lancashire PR3 2JL

- 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 Chris Adams of Lester Developments against the decision of Preston City Council.
- The application Ref is 06/2025/0224.
- The development proposed is permission in principle for up to 9no. dwellings (Parcel 1).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance advises this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (permission in principle) establishes whether a site is suitable in-principle and the second stage ('technical details consent') is when the detailed development proposals are assessed. This appeal relates to the first of these 2 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 Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. On 31 March 2025, after the appeal was made, the Council published an updated Housing Land Position for the period April 2025 to March 2030. The appellant has been provided with the opportunity to comment on the implications of this to their case. I have taken the views of the parties into account in reaching my decision.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

6. The appeal site (Parcel 1) is formed from part of the residential grounds of Dean Farm together with former equestrian land to the rear with hardstanding and building. It is immediately adjacent to Parcel 2¹, with which it shares its highway access from Whittingham Lane via Pudding Pie Nook Lane, this latter being a rural

¹ Appeal Ref APP/N2345/W/25/3367285

road serving dwellings, a distribution centre and agricultural land. The appeal site is in the open countryside beyond the settlement boundary of Broughton.

7. Policy 1 of the Central Lancashire Core Strategy Adopted July 2012 (the CS) sets out the Council's locational development strategy. This seeks to focus development in accordance with the settlement hierarchy. In this context, Broughton falls to consideration under policy criterion f) other places, these being small villages, substantially built up frontages and Major Developed Sites, where development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need. In the open countryside, Policy EN1 of the Preston Local Plan 2012-2026 (Site Allocations and Development Management Policies) Adopted July 2015 (the LP) limits development in the open countryside with exceptions including for the purposes of agriculture and forestry, the re-use of existing buildings, and infilling in building groups in smaller rural settlements.
8. Parcel 1 is not within a settlement nor surrounded by built development or in a building group such that the proposal would not be infilling. Moreover, being deeply set back from the highway network, the proposal would not be part of a substantially built up frontage. The proposal would not be the conversion or re-use of existing buildings. The dwellings would not demonstrably meet an identified need, such as for the purposes of agriculture or forestry, affordable or local occupancy dwellings, or otherwise meet specialist needs of the local community. As such, notwithstanding that the proposal would be small scale, it would not meet any of the policy exceptions to housing in this location.
9. The closest services and facilities are located in the centre of Broughton, roughly 1.5-1.7km away. While there are continuous footways along Whittingham Lane, Pudding Pie Nook Lane is a narrow road with no footway or streetlighting. Even if Pudding Pie Nook Lane could be modified to make it conducive to safe walking, the distance to the centre of Broughton is in any case further than could be considered a short or convenient walk. That being said, Broughton is within easy cycling distance. Even so, the relatively limited range of services in the lower tier rural settlement would not meet the totality of the daily needs of future occupiers.
10. The urban centre of Preston is within a roughly 5km radius of the appeal site and it and other larger settlements could be reached by public transport via bus stops within a few hundred metres of the site. I understand that school buses also operate along Whittingham Lane, albeit this would entail children crossing the busy road. Even accepting there would be some apparent choice of transport modes, the proposal would not minimise the need to travel and future occupiers would likely make the majority of trips by private vehicle. While Broughton may be a relatively sustainable location, the accessibility of the appeal site does not weigh in favour of the proposal nor overcome the conflict with the Council's spatial strategy.
11. Detailed design and layout would be addressed at the technical details consent stage. Nevertheless, based on the location plan, single highway access and the surrounding built and landscape context, the proposal would be an isolated small estate in the open countryside. By virtue of its separation from the urban edge and from Whittingham Road, it would be poorly related to the settlement and to ribbon development along the road. The proposal would be similarly poorly related to the existing pattern of rural development in the countryside around Broughton. In this regard, the discrete residential estate would be a suburban form of development that would be out of keeping with the typically more sporadic built form including

farmsteads and dwellings in individual plots with roadside frontages and separate residential access.

12. The proposal would be set back behind Dean Farm and screened by mature vegetation, including the wooded Dean Brook corridor. However, while landscape planting can help assimilate development into its surroundings, it is temporary and should not be relied upon to hide otherwise unacceptable development from view. Taking into account the existing context, including the typically rural former equestrian use, the proposal would be an urbanising and discordant form of development. It would erode the rural setting of Broughton and it would not respect the intrinsic character and beauty of the countryside.
13. Therefore, I conclude that the site is not suitable for new residential development, having regard to its location, the proposed land use and amount of development. In this regard, it would conflict with the spatial development and open countryside aims of CS Policy 1 and LP Policy EN1.

Other Considerations

14. In January 2021, an outline planning application (ref 06/2020/0977) for 32 dwellings was refused and a subsequent appeal (ref APP/N2345/W/21/3278556) was withdrawn. I understand that the reasons for refusal similarly included grounds relating to the location in the open countryside outside of the settlement boundary. The scheme has been amended and there are two separate appeals each relating to 9 dwellings in 2 separate parcels (Parcels 1 and 2). This is not a matter that weighs in favour of the appeal.
15. There have been numerous recent developments in the wider area. Irrespective of the similar policy context, the proposal is not demonstrably directly comparable, and would be poorly related, to the urban expansion to the south of Whittingham Lane between the motorway and Pudding Pie Nook Lane. The proposal would not be directly comparable to the development of 1 or 2 dwellings with roadside frontages or to the redevelopment of the former radar station² which, as with residential development further east, was acceptable in the context of the built up frontage along Whittingham Lane at that point. The nearby Oak Nurseries scheme³ relates to a commercial use. Development elsewhere does not provide a justification for the appeal, which I have considered on its own merits.
16. The Framework acknowledges that small and medium sites can make an important contribution to meeting housing requirements, are essential for small and medium enterprise housebuilders, and are often built out relatively quickly. However, it only advises that great weight should be given to the benefits of using suitable windfall sites within existing settlements for homes, which the appeal site is not. Nine new dwellings would make a modest yet valuable contribution to the Government's objective of significantly boosting the supply of housing. There would be similarly modest economic benefits in the short-term during construction. Future occupiers would also make a small local economic and social contribution.
17. Based on the evidence, Parcel 1 is previously developed land (PDL). However, the Framework gives substantial weight only to the value of using suitable brownfield land in settlements for homes. There is little evidence the proposal would help meet

² Ref 06/2020/0051

identified needs for housing where land supply is constrained. Policies in the Framework that support the re-use of PDL or efficient use of land carry little weight.

18. I accept that Broughton may be a reasonably accessible location. However, focussing growth in sustainable locations is a well established principle in both national and local planning policy. Compliance with policy in this regard is therefore not strictly a benefit of the scheme.
19. I note the suggestion that a subsequent technical details consent application would demonstrate delivery of at least 10% Biodiversity Net Gain and the appellant envisages additional planting. No substantive evidence has been provided in this regard to establish the biodiversity value of Parcel 1 or qualify and quantify any losses. However, the description of the site suggests that it comprises habitats of low biodiversity value, in which context a 10% gain might equate to a minimal benefit. Irrespective, this would be a matter for a future application and neither it, nor theoretical future planting weigh in favour of the principle of development.

Planning Balance

20. Paragraph 11d) of the Framework sets out that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless clauses i. or ii. provide a reason for refusing it. This includes situations where the Council cannot demonstrate a five year supply of deliverable housing sites (5YHLS) or where the Housing Delivery Test indicates a substantial shortfall in the delivery of housing against the housing requirement.
21. When the planning application was refused, the Council was unable to demonstrate a 5YHLS and therefore the paragraph 11d) presumption in favour of sustainable development applied. However, the recently published Housing Land Position Paper demonstrates a 6.7 year supply of deliverable housing land as of April 2025.
22. The appellant acknowledges the updated housing supply position but argues the situation at the time the application was determined should be paramount. However, the latest position is a material consideration in the appeal and, in this regard, there is little substantive evidence to dispute that the Council can currently demonstrate a 5YHLS. Irrespective, the appellant considers the appeal should still be allowed on grounds that the Council's housing policies are not fully consistent with the Framework and should therefore be afforded less than full weight.
23. The substantial recent development at the settlement edge has resulted in a significant change to the character and appearance of those areas. Nevertheless, there remains a distinct interface and change in character where the urban built envelope meets the open countryside and rural setting of the settlement. While the defined settlement boundary no longer reflects the situation on the ground, there is little evidence it would be extended to include the appeal site as part of the preparation of a replacement local plan. Moreover, while the boundary may be out of date, it does not automatically render the relevant policies out of date.
24. In this regard, CS Policy 1 seeks to focus growth and investment in the most accessible and larger settlements while protecting the character of suburban and rural areas. LP policy EN1 seeks to protect the open and rural character of the countryside from unacceptable development. It is not a blanket ban or prohibition on development in the open countryside, rather it seeks to secure appropriate rural

- uses, including those that help diversify the rural economy, the re-use of buildings and infilling in smaller rural settlements.
25. The Framework emphasizes the economic importance of sufficient land of the right type and in the right place, the social importance of accessible services, and the environmental importance of protecting and enhancing the natural environment. It expects the planning system to actively manage patterns of growth, with significant development focused on sustainable locations that limit the need to travel and offer a genuine choice of transport mode. It prioritises the use of suitable brownfield and windfall land in existing settlements for homes. This appears consistent with the Council's strategic locational hierarchy approach in CS policy 1.
26. In rural areas, the Framework advises that housing should reflect local needs, including affordable housing, and promote sustainable rural development. It supports essential rural workers dwellings, the re-use of redundant or disused buildings that enhances its immediate setting, the subdivision of existing residential buildings, and where the design is of exceptional quality including that it would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area. It also supports appropriate rural uses including agriculture and other land-based rural businesses, and sustainable rural tourism and leisure developments which respect the character of the countryside.
27. More generally, the Framework requires development to add to the overall quality of the area, being sympathetic to the surrounding landscape setting, and establishing or maintaining a strong sense of place. It also requires decisions to contribute to and enhance the local and natural environment, including by recognising the intrinsic character and beauty of the countryside. Therefore, the approach to protecting the rural character of the countryside in LP policy EN1 appears consistent with the rural, design, and countryside aims of the Framework.
28. Notwithstanding the government's aims in relation to boosting the supply of housing, I find that CS policy 1 and LP policy EN1 are consistent with the Framework and full weight can be attached to them. The policies which are most important for determination are not out-of-date. Framework paragraph 11d) is not engaged and the presumption in favour of sustainable development does not apply.
29. I acknowledge that there would be benefits, principally in terms of contributing to the wider supply of homes. However, these are not sufficient to outweigh the harm and policy conflict, to which I attach significant weight.

Conclusion

30. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
31. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR