



Appeal Decision

Site visit made on 30 September 2025

by **J Hobbs MRTPI MCD BSc (hons)**

an Inspector appointed by the Secretary of State

Decision date: 9 October 2025

Appeal Ref: APP/E2340/W/25/3368704

Former Service Reservoir, High Lane, Salterforth, Barnoldswick

- 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 and Mrs Simon Eyre against the decision of Pendle Borough Council.
 - The application Ref is 25/0159/PIP.
 - The development proposed was originally described as “Proposed residential development of the Former Service Reservoir, High Lane, Salterforth”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance¹ advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the permission in principle stage establishes whether a site is suitable in-principle and the technical details consent stage is when the detailed development proposals are assessed. This appeal relates to the permission in principle stage.
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.

Main Issue

4. 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

5. Policy LIV1 of the Local Plan for Pendle, Core Strategy 2011-2030, December 2015 (CS) supports the development of sustainable sites outside but close to a settlement boundary, which make a positive contribution to the five year supply of housing land, up until the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies. This document has not been adopted.
6. The appeal site is over a kilometre away from the nearest settlements, Foulridge and Salterforth. To access these settlements future occupiers would walk along High Lane or Barnoldswick Road, which are narrow, unlit roads with no footpath

¹ Planning Practice Guidance, Permission in principle Paragraph: 001 Reference ID: 58-001-20180615

and have little space for refuge for pedestrians. The section of road closest to the appeal site is subject to a 50mph speed limit. Moreover, the topography of the area is undulating. At best, this walk would be unpleasant, but in the dark or during inclement weather it would be dangerous.

7. There may be more direct routes to the nearest settlements via a network of public footpaths. However, most of these are unlit and across fields. Therefore, they are more likely to be a recreational attraction rather than a suitable alternative to roadside walking. Furthermore, the nearest bus stops are within Foulridge and Salterforth. Accordingly, future occupiers would be largely reliant on the use of private motor vehicles to access services and facilities necessary to support everyday living. For these reasons, the appeal site is neither sustainable nor close to a settlement boundary. Therefore, it would not comply with CS Policy LIV1.
8. CS Policy SDP2 outlines the spatial development principles for the area. As the appeal site is not within an identified settlement it is in the open countryside for the purposes of the development plan. CS Policy SDP2 supports development in the open countryside when it meets the exceptions identified in the National Planning Policy Framework (the Framework) or policies in a document that forms part of the development plan.
9. Paragraph 84 of the Framework states that planning decisions should avoid the development of isolated homes in the countryside unless one of the specified circumstances applies. The term 'isolated' is not defined within the Framework. However, the Braintree DC Judgment² identified that the phrase "isolated homes in the countryside" connotes a dwelling that is physically separate or remote from a settlement. The appeal site is physically separated from the nearest settlements. As such, the proposal would result in isolated homes in the countryside. The proposed development would not conform with one of the identified exceptions and would therefore be contrary to paragraph 84 of the Framework.
10. Paragraph 124 of the Framework encourages planning decisions to promote an effective use of land and indicates that strategic policies should set out a clear strategy that makes as much use as possible of previously developed land. Paragraph 73 of the Framework identifies the important contribution that small and medium sites can make to meeting the housing requirement of an area. Albeit paragraph 73 gives great weight to the benefits of using suitable sites within settlements. Notwithstanding this, paragraph 115 of the Framework explains when assessing applications, it should be ensured that sustainable transport modes are prioritised. Future occupiers would be largely reliant on the use of private motor vehicles. As such, sustainable transport modes would not be prioritised.
11. When read as a whole, the Framework is not supportive of the proposed development at the appeal site. As such, the proposal would not meet an exception to development in the countryside identified in the Framework. There is also no evidence before me that the proposal would conform with an exception to development in the open countryside within a document that forms part of the development plan. Therefore, the proposal would be contrary to CS Policy SDP2.
12. The appeal site is previously developed land that is not within the Green Belt or a National Landscape. I am satisfied that a design could be brought forward as part of a Technical Details Consent application which could enhance the appearance of

² Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610

the site. The proposed dwellings could be energy efficient and incorporate measures such as heat pumps, electric vehicle charging points, and/or battery storage. Nonetheless, this would not mitigate the harm caused by the construction of isolated dwellings in the countryside.

13. The appellant has highlighted nearby examples where either permission in principle³ or planning permission⁴ was granted for residential development. However, the most pertinent details of those applications are not before me so I cannot determine their relevance to the appeal proposal or conclude that they set a precedence for it.
14. I conclude that the site is not suitable for residential development having regard to its location, the proposed land use, and the amount of development. The proposal would be contrary to CS policies SDP2 and LIV1 for the reasons given above. It would also be contrary to CS Policy ENV4 where it indicates that proposals should minimise the need to travel by ensuring they are developed in locations close to existing or proposed services.

Planning Balance

15. The Council can only demonstrate 2.8 years' worth of deliverable housing land. As such, the proposed construction of up to 2 dwellings would provide a much needed boost to housing delivery. The proposed development could also enhance the appearance of the appeal site and would lead to the redevelopment of previously developed land. Nonetheless, as the proposed development would not conform with the spatial strategy and would not minimise the need to travel to access services, there would be conflict with the development plan as a whole.
16. In accordance with paragraph 11(d) of the Framework, as the Council cannot demonstrate a five year supply of deliverable housing land, the policies which are most important for determining the application are considered out-of-date. In this scenario the Framework advises that permission should be granted unless any 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 particular regard to key policies for directing development to sustainable locations and making effective use of land.
17. As above, due to the appeal site's location the proposal would result in isolated homes in the countryside and would not ensure that sustainable transport modes are prioritised. Given the distance to the nearest settlements and the character of the surrounding road network, I ascribe significant weight to this harm.
18. The provision of up to two dwellings in an area where the supply of deliverable housing land is low, would support the Government's objective of significantly boosting the supply of homes. As above, the Framework identifies the important contribution that small and medium sites can make to meeting the housing requirement of an area, and the proposal would promote the effective use of previously developed land. Furthermore, the proposal could also result in a development that is visually attractive and sympathetic to the local character, and result in energy efficient homes which would help reduce greenhouse gas emissions. I am mindful of the Council's housing land supply position, but the scale

³ Refs. 23/0499/PIP, 22/0482/PIP, and 22/0697/PIP

⁴ Refs. 21/0620/FUL, 21/0109/FUL

of the proposed development tempers the weight I ascribe to the benefits. Overall, I ascribe moderate weight to the benefits of the proposal.

19. Consequently, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

20. The proposal conflicts with the development plan, when read as a whole, and the material considerations, including the presumption in favour of sustainable development, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR