



Appeal Decision

Site visit made on 5 February 2026

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2026

Appeal Ref: APP/P2365/W/25/3369518

Bickerstaffe Service Station, Rainford Road, Ormskirk L39 0HF

- 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 Motor Fuel Group Ltd against the decision of West Lancashire Borough Council.
 - The application Ref is 2024/0071/FUL.
 - The development proposed is an extension to the existing sales building and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the header above is taken from the planning application form. The Council's decision notice and the appeal form set out a different description which reads "*Proposed extension to the existing sales building and new EV charging hub to provide EV chargers with EV canopy and associated EV infrastructure/plant, sub-station, jet wash facilities with associated infrastructure, car care facilities and other associated works. (Amended Description)*". This revised description is used by both main parties in the appeal submission, and it more closely reflects the details shown on the appeal drawings compared with the original description. Therefore, I have considered the appeal on this basis.

Main Issues

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

Reasons

4. The appeal site comprises Bickerstaffe Service Station, located at the roundabout junction of Rainford Road and Skelmersdale Road, approximately 200 metres north of the M58 motorway and accessed via Junction 3 of the Bickerstaffe

Interchange. The site operates as a petrol filling station with a covered forecourt, a single-storey sales building, a car wash, and associated infrastructure.

5. A neighbouring building to the north, in separate ownership, is occupied by Starbucks and Subway. There is a large car parking area to the west and south of this building. The surrounding area is predominantly rural and lies within the Merseyside and Greater Manchester Green Belt.
6. The proposed development involves the installation of an EV Charging Hub, with six high-speed chargers and associated canopy, an extension to the existing sales building and associated infrastructure such as a sub-station, jet wash and car-care facilities.

Whether Inappropriate Development

7. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and that the essential characteristics of Green Belts are their openness and their permanence.
8. The construction of new buildings and certain other forms of development should be regarded as inappropriate development in the Green Belt, subject to the exceptions set out in Paragraph 154 of the Framework. Although Policy GN1 of the West Lancashire Local Plan 2012-2027, adopted October 2013 (the Local Plan), predates the Framework, it is consistent with its approach to controlling development in the Green Belt.
9. The proposed extension to the retail would wrap around the side and rear of the existing sales building and would project approximately 6.58m to the side and 2.635m to the rear of the existing building. It would have a flat roof which would be the same height as the existing building.
10. The Council has drawn my attention to previous applications¹ for extensions to the existing building which were considered to represent disproportionate additions. However, I do not have these details before me. Nonetheless, the appellant has not demonstrated that the proposed extension would not be a disproportionate addition.
11. Consequently, I find that it would be a disproportionate addition to the existing building and would not therefore benefit from the exemption as set out in Paragraph 154(c) of the Framework.
12. The appellant considers that the proposed development comprises 'Local Transport Infrastructure'. However, the Framework does not define 'Local Transport Infrastructure'. Paragraph 104 of the Framework states that planning policies should, amongst other things, provide for any large-scale transport facilities that need to be located in the area and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. Footnote 42 goes on to clarify that examples of such facilities include ports, airports, interchanges for rail freight, public transport projects and roadside services. The primary function of roadside services should be to support the safety and welfare of the road user.

¹ Application Refs: 2006/1092 and 2007/0282/FUL

13. Planning permission² has been granted for the EV Charging which forms part of the appeal proposal. However, the appellant states that this will not be implemented without an enlarged sales building. The Council does not dispute that the provision of EV Charging would be Local Transport Infrastructure for the purposes of the Framework. However, I am not persuaded that the proposed extension of the roadside retail unit amounts to Local Transport Infrastructure and even if the entirety of the proposal should be considered as Local Transport Infrastructure, Paragraph 154(h) of the Framework also requires development to preserve its openness and not to conflict with the purposes of including land within it.
14. A fundamental aim of Green Belt policy is to prevent sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence. Openness is the absence of development, and it has both spatial and visual aspects.
15. The existing sales building measures approximately 74m², and the proposed extension would increase the size of this building by approximately 72m². The proposal would also involve the erection of a canopy to provide cover to the EV Charging Hub. The Council accepts that the proposal would not be prominent in views from the surrounding area, due to intervening screening. However, the visual impact of the proposal is only one consideration when assessing the effect on openness.
16. Overall, I find that the proposal would have a greater effect on openness than the existing facility, but the extent of this, in both spatial and visual terms, would be limited. Nevertheless, I find that the proposed development would not benefit from the exemption as set out in Paragraph 154(h).
17. Paragraph 155 of the Framework states that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all the following apply:
 - a) The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed;
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
 - d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.
18. The Grey Belt is defined in the Glossary to the Framework as "*land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. Grey Belt excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development*". The purposes referred to relate to checking the unrestricted sprawl of large built-up areas, preventing neighbouring

² Application Ref: 2023/0414/FUL

towns merging into one another and preserving the setting and special character of historic towns.

19. It is not disputed that the appeal site comprises previously developed land. It is also common ground between the parties that the site does not strongly contribute to Green Belt purposes (a), (b) or (d) of Paragraph 143 of the Framework. From the evidence before me, I agree with this assessment. Furthermore, the site does not include any of the areas or assets listed in footnote 7 of the Framework.
20. Consequently, I find that the appeal site is Grey Belt land as defined in the Framework, and it does not strongly contribute to any of the purposes (a), (b) or (d) in Paragraph 143 of the Framework. Therefore, the proposal meets criterion (a) of Paragraph 155 of the Framework.
21. In terms of Paragraph 155(b) of the Framework, a demonstrable unmet need must relate to the development proposed as a whole. While I accept there is a wider national need for EV charging infrastructure, this forms only one component of the scheme. The proposal also includes the enlargement of the retail floorspace. No substantive evidence has been provided to demonstrate that the existing retail offer is insufficient to meet demand, or that additional retail floorspace is required to support the operation of the EV charging element. Improvements to the layout or offer of an existing facility do not in themselves establish unmet need. On the basis of the information before me, I am not satisfied that there is a demonstrable unmet need for the retail component, and therefore for the development as a whole.
22. The appellant states that the various elements of the scheme form a single, functionally linked planning unit. Even if I were to accept that there is some operational relationship between the EV chargers and the retail unit, this does not demonstrate that the scale of the retail extension proposed is necessary to support the functioning of the charging infrastructure. I have not been provided with any substantive evidence that the chargers could not operate effectively without the significant level of additional retail space proposed or that a smaller, proportionate facility would not meet operational needs.
23. Paragraph 155(b) refers to “the development proposed”, which in my view encompasses all components of the scheme and it would not be appropriate to disaggregate a proposal and apply the unmet need test to one element only. Taking the proposal as a whole, and in the absence of compelling evidence relating to the retail expansion, I find that the requirement for a demonstrable unmet need has not been satisfied.
24. As I have found that the proposal would not meet a demonstrable unmet need, there is no need to assess in any detail the Paragraph 155(c) of the framework’s requirement for the development to be in a sustainable location. The Golden Rules specified in Paragraph 155(d) are also not relevant to this appeal.
25. For the above reasons, I conclude that the proposal would constitute inappropriate development within the Green Belt.

Other Considerations

26. The appellant has provided a detailed review of national policy and industry literature highlighting the general need for expanded EV charging infrastructure. I

recognise that Government strategies, including the EV Infrastructure Strategy and Net Zero commitments, seek to support the transition to electric vehicles and to increase charging provision nationally. I also note the uneven distribution of charge points referenced in the 2024 Department for Transport report and the limited number of rapid chargers along the M58 corridor. As such, I attach moderate weight to this benefit.

27. The appellant refers to wider sustainability benefits associated with encouraging EV uptake. While these are consistent with national policy objectives, the evidence before me does not demonstrate that this particular proposal, which includes a substantial retail extension, would lead to a material reduction in emissions beyond that achievable through the already approved EV charging scheme. As that approved scheme could be implemented independently of the appeal proposal, the additional sustainability benefits arising specifically from the appeal scheme attract only moderate weight.
28. The proposal would result in the provision of an enhanced retail facility. However, such improvements would primarily benefit existing customers of the facility and do not address an identified deficiency in local service provision. In the absence of evidence of wider community benefit or need, I attach only limited weight to this consideration.
29. Although I acknowledge the Council's wider air quality objectives, the appellant has not provided substantive evidence that the proposal would generate measurable or meaningful improvements in local air quality beyond those associated with the already approved EV charging scheme. As such, I afford this matter limited weight.
30. The scheme would create a small number of additional jobs and retain existing roles. Short-term construction employment and localised spending are also noted. These benefits are modest in scale and would not significantly influence the wider local economy. They therefore attract limited weight.
31. The inclusion of a publicly accessible toilet would address the concerns raised by local residents regarding inappropriate behaviour linked to the absence of such provision. While I acknowledge the practical benefit of this facility, it constitutes a minor ancillary improvement directly related to the operator's own service offer. Accordingly, I give this limited weight.

Other Matters

32. I acknowledge that there are no objections from any statutory consultee and Section 4 of the relevant Officer's Report confirms that the Highway Authority, the Council's Principal Engineer (in respect of flood risk), the Merseyside Environmental Advisory Service (MEAS) (ecology matters), the Council's Environmental Protection (noise and disturbance) and the Council's Arboricultural Officer (trees) all raised no objections. However, the absence of harm in relation to these matters is a neutral matter which neither weighs for nor against the proposal, and therefore, it does not alter my above findings.

Green Belt Balance & Conclusion

33. The proposal constitutes inappropriate development in the Green Belt. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt, including harm to openness. I attach substantial weight to these harms.
34. Taking the proposal as a whole, the limited to moderate weight I afford to the various benefits does not clearly outweigh the substantial weight attributed to Green Belt harm. Consequently, the very special circumstances necessary to justify the proposal do not exist thus, it would fail to accord with the Green Belt aims set out in Policy GN1 of the Local Plan and the Framework.
35. For these reasons, the proposed development would conflict with the development plan, and the material considerations do not indicate that the appeal should be made other than in accordance with the development plan. Therefore, the appeal is dismissed.

K Lancaster

INSPECTOR