



Appeal Decision

Site visit made on 17 August 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2020

Appeal Ref: APP/U2370/W/20/3253480

Land North of The Woodlands, Wallace Lane, Forton, Preston, Lancashire.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Duxbury against the decision of Wyre Borough Council.
 - The application Ref 19/00636/OUT, dated 26 June 2019, was refused by notice dated 4 March 2020.
 - The development proposed is outline application for the erection of 1no. detached dwelling with access applied for (all other matters reserved).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description and location of the development provided on the planning application form have been replaced by amended versions on the decision notice and in subsequent appeal documents. I consider those subsequent versions to be more comprehensive and I have therefore used them within this decision.
3. The appeal has been submitted in outline with all matters reserved for future consideration except access. I have dealt with the appeal on that basis.

Main Issues

4. The main issues are whether the site would be a suitable location for residential development with regards to:
 - Development plan policy in respect of development in countryside areas;
 - Access to services; and
 - Whether there are other material considerations which indicate that determination should be made otherwise than in accordance with the development plan.

Reasons

Development Plan Policy

5. Policy SP4 of the Wyre Local Plan 2019 (the Local Plan) sets out the Council's approach to managing development in countryside areas. The appeal site is

located within a hamlet which is included within a countryside area as defined in the Local Plan.

6. The first limb of Policy SP4 seeks to preserve the open and rural character of the countryside. The Council submit that the proposal would be an additional built form in the countryside detrimental to the intrinsic beauty of the surrounding landscape. However, the site is located within the body of the hamlet and the evidence suggests that this is on previously developed 'brownfield' land. The site does not contribute to the open and rural character of the countryside and the proposal would appear as an infill development within the built extent of the hamlet. Whilst I acknowledge that the proposal would introduce further built development into the countryside area, I consider that a dwelling of a suitable design would not harm the intrinsic beauty of the open and rural character of the countryside, and would therefore not conflict with the first limb of Policy SP4.
7. However, the second limb of Policy SP4 sets out that in countryside areas planning permission will only be granted for new development that is for a number of specified purposes. The proposal would not meet any of these purposes and would therefore conflict with the second limb of Policy SP4.
8. I conclude that the proposal would conflict with Policy SP4 of the Local Plan when read as a whole as it would not be for one of the purposes set out in the second limb of that policy.

Access to Services

9. The appeal site is located in a hamlet which has minimal, if any, services. The hamlet is separated from the village of Forton which contains some key facilities, albeit of a limited nature. In any event, access to Forton is via a country lane which does not have a demarcated footway and is largely unlit.
10. The nearest settlement which would provide the key facilities and services to meet the needs of residents of the proposal is Garstang which is over 3 miles from the appeal site. There is a bus stop less than 500m from the site which provides a service to Garstang. The appellant submits that this bus stop is within the average walk journey parameters of the Institute of Highways and Transportation. However, the route to the bus stop also does not have a demarcated footway and is largely unlit.
11. Due to the nature of these routes to access services, they would be likely to deter pedestrians and cyclists, with the result that residents of the proposal would have to rely on the private car. As a result, the proposal would not be in a sustainable location with regards to access to services, with resultant harm to the social and environmental objectives of sustainable development. The proposal would therefore conflict with the requirements of Policies SP1 and SP2 of the Local Plan with regards to development strategy, ensuring accessible places and minimising the need to travel by car.

Other Material Considerations

12. Outline planning permission has previously been granted for a dwelling on this site, although this permission has lapsed. Even though this lapse may have occurred relatively recently, the adoption of a new Local Plan represents a material change in circumstances since the previous outline permission was granted. This appeal must be determined on the basis of the development plan

as it currently stands. The circumstances of a lapsed planning permission granted under a different policy regime carry little weight and do not outweigh the conflict with the adopted development plan.

13. My attention has been drawn to a nearby appeal decision which referred to the potential for residents of that proposal to enhance the viability of existing facilities and the vitality of the community, including those in Forton. The appellant also submits that in granting planning permission for dwellings in this hamlet, the Council has deemed those sites as being sustainable. However, it has not been demonstrated that the circumstances of those schemes are a direct parallel to the appeal before me, including in respect of the number of houses proposed, planning policy and housing land supply. Furthermore, the benefits arising from the single dwelling which would result from the appeal proposal would be very limited. Consideration of these matters does not lead me to a different conclusion in respect of the sustainability of the location of the proposal, and in any event I have determined this appeal on its own merits.
14. As stated previously, the evidence suggests that the site represents brownfield land. The Framework gives great weight to using suitable brownfield land within settlements for homes. However, whilst the appeal site is not isolated in respect of its proximity to other dwellings, the hamlet in which it is located is not a defined settlement in the Local Plan. Moreover, the site is not suitable for this form of development due to the previously identified conflict with development plan policy. Policy SP2 of the Local Plan also seeks to maximise the use of previously developed land, although the proposal would conflict with other elements of this policy with regards to accessibility and minimising the need to travel by car. As a result, whilst the proposal would represent the redevelopment of brownfield land, this carries no more than limited weight in favour of the proposal.
15. It is proposed that the dwelling would be an eco-style house including a number of sustainable features. However, there is no substantive evidence that this would mitigate the harm arising from the unsustainable location of the proposal with regards to access to services. In any event, such a dwelling could be provided in a sustainable location or be of a purpose which would comply with the Local Plan with regards to development in countryside areas. I give the proposed eco-style design of the dwelling limited weight in favour of the proposal.
16. The appellant queries what the future of the site would be if the appeal is dismissed, as it is not within a domestic curtilage and may therefore lead to blight. However, it has not been demonstrated that it is unfeasible to put the site to a purpose which complies with the Local Plan, including those purposes set out in Policy SP4. This matter does not therefore weigh in favour of the appeal.

Planning Balance and Conclusion

17. For the reasons stated above, the proposal would conflict with the development plan in respect of development in countryside areas and access to services. Due to the no more than limited weight I have given to other material considerations, these are not of such weight either individually or cumulatively to indicate that the appeal should be determined otherwise than in accordance with the development plan.

18. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR