



## Appeal Decision

Site visit made on 15 July 2019

**by A Parkin BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 31<sup>st</sup> July 2019**

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**Appeal Ref: APP/D2320/W/19/3228123**

**Land at Carrington Road, Adlington PR7 4JE**

- 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 Hollins Strategic Land against the decision of Chorley Borough Council.
  - The application Ref 18/00863/OUTMAJ, dated 11 September 2018, was refused by notice dated 6 November 2018.
  - The development proposed is for the erection of up to 25 dwellings.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I have made minor changes to the description of the proposed development to remove superfluous words and improve clarity, in the banner heading above. I have also made a slight change to the address to improve its accuracy.
3. The appeal concerns an outline planning application for the erection of up to 25 dwellings, with Appearance, Landscaping, Layout and Scale reserved matters.

### Main Issue

4. The main issue is whether the appeal site is currently suitable for housing development, having regard to the development plan and any material considerations.

### Reasons

5. A small part of the appeal site is located within the Green Belt; the remainder forms part of a larger area of land that is safeguarded for future development.
6. The Government attaches great importance to Green Belts, the essential characteristics of which are their openness and their permanence<sup>1</sup>. Safeguarded land supports the permanence of the Green Belt.
7. There is no dispute between the main parties regarding the part of the appeal site that is contained within the Green Belt, and which the appellant has indicated would not be developed as part of the proposal.

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<sup>1</sup> Paragraph 133 of the National Planning Policy Framework 2019 (the Framework).

8. There is also no dispute between the main parties that the appeal proposal would conflict with Policy BNE3: Areas of Land Safeguarded for Future Development Needs contained in the Chorley Local Plan - Site Allocations and Development Management Policies (2012-2026) (CLP), which was adopted in July 2015.
9. Policy BNE3 recognises that the appeal site, as part of a larger area *BNE3.3 - North of Bond's Lane, Adlington*, is suitable for development. However, it does not specify the type of development that would be suitable here. The policy states that to ensure *that the Green Belt boundaries should be long lasting* the appeal site *is safeguarded for future development needs beyond the plan period*. Such an approach is consistent with Paragraph 139 (c) of the Framework.
10. Paragraph 139 (d) of the Framework reaffirms that *safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development*.
11. The appeal site comprises grassland with some trees, bushes and hedgerows, giving it a natural character that is not uncommon in urban fringe areas. This character and its current low-intensity agricultural use has little bearing on whether the site is suitable for housing development at the present time, and I give it very limited weight.
12. The location of the appeal site, next to existing housing in Adlington, a defined Urban Local Service Centre, also has little bearing on whether the site, as safeguarded land, is currently suitable for housing development and consequently I also give this very limited weight.
13. The statutory development plan for Chorley is contained in a number of documents, including the Central Lancashire Core Strategy (2012)<sup>2</sup> (CLCS) and the CLP. Policy 4 contained in the CLCS provides the housing requirements for the three Central Lancashire districts and requires a minimum of 417 new dwellings to be provided in Chorley each year, for the duration of the plan.
14. Policy 4 is more than five years old. Whilst I note from the evidence that the housing requirement for Chorley was considered at the examination of the CLP, the methodology and evidence for determining housing requirements has since changed.
15. The appellant's statement that the annual housing requirement for Chorley would increase from 417 units per annum to 634 units per annum from 2014<sup>3</sup>, using the standardised method of calculation, is not substantiated. In any event, it is not disputed that the Council has a 5-year supply of deliverable housing at present, and that the *presumption in favour of sustainable development* contained in the Framework<sup>4</sup> is not therefore engaged.
16. With reference to past appeal decisions, in recent years neither Preston Council nor South Ribble Council has been able to demonstrate a deliverable 5-year

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<sup>2</sup> For the purposes of the CLCS, Central Lancashire comprises the neighbouring districts of Preston, South Ribble and Chorley.

<sup>3</sup> Paragraph 4.3 of the Appellant's Statement

<sup>4</sup> Paragraph 11 d)

housing land supply<sup>5</sup>. Notwithstanding the joint approach to managing housing supply contained in the CLCS, it is not evident that this would require Chorley to accommodate undersupply in the other Central Lancashire districts, and even if it were, whether this would be spatially focused with regard to policies in the development plan.

17. Bolton district, to the immediate south of Chorley district and adjoining Adlington is said to only have had a 3.1 year deliverable housing land supply in 2016/17<sup>6</sup>. I am not fully familiar with Bolton district, including its current housing land supply or the extent of any functional relationship it may have with either Chorley or the other Central Lancashire districts. Consequently, it is not evident that housing in Adlington would help meet any housing requirement in Bolton.
18. I note from the evidence that between 1 April 2010 and 31 March 2019, 5,370 dwellings were delivered in Chorley, a surplus of 1,455 dwellings against the CLCS requirement, including under-provision that existed at April 2010<sup>7</sup>. The Government's Housing Delivery Test 2018 Measurement figures<sup>8</sup> (HDT figures) also show that Chorley delivered 133% of its housing requirement between 2015/16 – 2017/18. The HDT figures for Preston indicate that some 2,026 new homes were provided between 2015/16 – 2017/18 – 252% of its housing requirement over this time; 926 new homes were provided in South Ribble over the same period – 126% of its housing requirement.
19. The delivery of new homes across the three Central Lancashire districts is currently exceeding the Government's calculated housing requirements and has also done so over the most recent 3-year period for which information is available.
20. The delivery of new homes is likely to vary over a plan period as has been the case so far in Central Lancashire. Notwithstanding past delivery rates, and that some larger housing schemes are approaching completion, there is no substantive evidence before me that causes me to question the delivery of the housing requirement for Chorley contained in the development plan.
21. For these reasons, the provision of up to 25 new housing units would have only limited weight. Whilst eight social housing units are proposed<sup>9</sup>, or 32% of the proposed dwellings, this is very similar to the 30% target specified in Policy 7 - Affordable Housing of the CLCS. In the absence of any substantive evidence of a particular need for social housing, I give this only limited weight.
22. No substantive evidence has been provided to show how the use of a small, in-house construction firm for the proposal would be of particular benefit to the local economy, and I note that this is only an intention of the appellant. Consequently, I give this very limited weight.

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<sup>5</sup> Ref: APP/N2345/W/15/3130341; APP/F2360/W/18/3198822; APP/N2345/W/17/3179105; APP/N2345/W/17/3179177.

<sup>6</sup> Ref: APP/N4205/W/15/3139219 – paragraph 11

<sup>7</sup> Housing Land Monitoring Report - May 2019

<sup>8</sup> The HDT figures address whether the development plan for an area is 'up-to-date' in calculating its housing requirement.

<sup>9</sup> The application form and the Council's officer report specify 8 social housing units, and I have used this figure, rather than the 9 units referred to in the appellant's statement,

23. The appellant has provided a certified copy of a signed Unilateral Undertaking (UU) in response to matters raised by the Council in its officer report regarding financial contributions towards public open space provision. However, the UU does not address the larger contribution<sup>10</sup> sought by Lancashire County Council towards the provision of 10 primary school places, set out in its *Education Contribution Assessment* dated 27 September 2018, in the evidence before me.
24. These contributions would be necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development<sup>11</sup>. However, and setting aside that the Council has a CIL Charging Schedule<sup>12</sup> and that the proposal would be chargeable development, the UU, in not addressing the financial contribution sought by the County Council, would not be sufficient to make the proposal acceptable in planning terms and I therefore give it very limited weight.
25. With reference to section 38(6) of the Planning and Compulsory Purchase Act 2004, none of the points raised by the appellant to support their scheme outweigh the harm that would be caused to the future sustainable development of Chorley and the wider Central Lancashire area, as set out in the development plan, and supported by the Framework.
26. For the reasons given above, the appeal site is not currently suitable for housing development and would therefore conflict with Policy BNE3.3 of the CLP and with the Framework, in this regard.

### **Other Matters**

27. The Preston, South Ribble and Lancashire City Deal, to which Chorley is not a party, contains housing figures which are partly dependent upon supportive investment, including in infrastructure, for their delivery. These housing figures are separate from the housing requirement identified in the development plan. They do not affect Chorley's housing requirement contained in the development plan and do not cause me to reach a different conclusion regarding this appeal.
28. Reference is made by both parties to a Memorandum of Understanding (MoU) between the three Central Lancashire districts concerning, amongst other things, the management of housing provision across the three districts prior to the adoption of a new Central Lancashire Local Plan, currently scheduled for June 2022. Neither the MoU, nor the joint Strategic Housing Market Assessment (SHMA) upon which it draws, causes me to question my conclusion with regard to this appeal, for the reasons given above.
29. The appellant has not provided any substantive evidence of trespassers encroaching onto the appeal site, or any harm caused as a result. This matter does not, therefore, cause me to reach a different conclusion with regard to this appeal.

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<sup>10</sup> £157,533.10

<sup>11</sup> Paragraph 56 of the Framework

<sup>12</sup> Adopted 16 July 2013

**Conclusion**

30. For these reasons, and taking into account all matters raised, I conclude that the appeal should be dismissed.

*Andrew Parkin*

INSPECTOR