



Appeal Decision

Hearing held on 29 April 2026

Site visits made on 28 and 29 April 2026

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2026

Appeal Ref: 6002018

Land off Garstang Road, Broughton PR3 5LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Gladman Developments Ltd against the decision of Preston City Council.
- The application Ref is 06/2025/0868.
- The development proposed is outline planning application with all matters reserved except for site access for the erection of up to 95 dwellings (including affordable housing), with public open space (including children's play areas), landscaping and sustainable drainage system (SuDS).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is in outline with all matters reserved except for access. The matters discussed and the plans within the evidence before me are therefore illustrative only where they relate to scale, appearance, landscaping, and layout. In particular, this relates to the 'Illustrative Development Framework Plan 1108 20'.
3. National Highways (NH) was not properly consulted at the application stage, but was consulted during the appeal stage, and their comments informed the agreed Highways Statement of Common Ground (SoCG). I am therefore satisfied that NH was properly consulted during the appeal.

Documentation

4. An appeal for 95 dwellings in the nearby village of Goosnargh was recently dismissed¹, which I refer to as Swainson Farm (SF) throughout my decision. Whilst the decision was issued during the period of submitting evidence for the appeal, I provided sufficient time for the main parties to adequately review it, and I have therefore had regard to the decision and the evidence submitted in response as appropriate throughout my decision.
5. Additional plans were submitted shortly prior to the hearing session as part of updated agreed highways information². These plans are similarly illustrative only where relating to off-site highways improvements which could be achieved via a S278 agreement. Further documents were submitted in the lead-up to the hearing, and during and after it as set out in Annex B. I am satisfied that in all cases the material was directly relevant to, and necessary for, my decision. All parties were

¹ Appeal Ref 6001158; Land east of former Swainson Farm, Goosnargh Lane, Preston. Dismissed 23rd February 2026.

² Sustainable Improvement Plan 2251-F02 Rev A; Proposed Site Access Plan 2251-F01 Rev G.

given opportunities to comment as required and there would be no prejudice to any party from my consideration of these documents. The appeal is therefore determined on the basis of the revised and additional documents and drawings.

6. A signed and engrossed S106 Agreement dated 6 May 2026 ('the S106'), secures a range of contributions and other obligations. I am satisfied that all the proposed planning obligations as set out in the S106 Agreement are justified because I find them necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. As such, they satisfy the tests for planning obligations set out at paragraph 58 of the Framework and at Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). They are therefore material planning considerations to which I give weight in determining this appeal.

Areas of Dispute

7. The second reason for refusal cites that insufficient information was submitted to allow for a full assessment of the proposal's traffic impacts. The third reason for refusal cites that insufficient information was provided relating to employment and skills contributions, with no mechanism identified for securing these opportunities.
8. These matters were resolved between the main parties through discussions prior to the appeal hearing. Sufficient information has now been provided to demonstrate the acceptability of traffic impacts, and improvements to local employment and skills opportunities, based on the mitigation within the engrossed S106 Agreement and subject to the imposition of suitable conditions. The Council therefore no longer seeks to defend the second and third reasons for refusal, and these issues were not in dispute at the hearing.

Policy

9. The development plan includes the Central Lancashire Core Strategy 2010-2026 ('the CS'), the Preston Local Plan 2012-2026 Site Allocations and Development Management Policies ('the LP'), and the Broughton Neighbourhood Development Plan 2016-2026 ('the BNP').
10. The emerging Central Lancashire Local Plan 2023-41 ('the CLLP') was submitted to the Secretary of State for examination in June 2025. The Examination is ongoing, and the Examining Inspectors issued a Post-Hearing Advice Letter on 10th March 2026, to which the Council has replied.
11. The Broughton Neighbourhood Plan Review draft Regulation 14 stage underwent public consultation in December 2024. Regulation 15 consultation could not progress until after the May elections, with submission for examination now expected by early July 2026.
12. The main parties agree that the CLLP carries limited weight, and that the Neighbourhood Plan Review carries very limited weight. I see no reason to disagree with these conclusions.

Main Issues

13. The main issues are:
 - whether the proposed development is in a suitable location for housing, having regard to the spatial strategy for the area; and
 - whether there is a five year housing land supply.

Reasons

Suitable Location for Housing

14. The appeal site comprises a pasture field to the north of the village of Broughton. Vehicle access points are taken off Garstang Road along the site's western boundary, which is separated by a hedgerow. A cow underpass in the north-east corner allows field access to the north. The James Towers Way bypass forms the site's north-eastern boundary, separated by a hedgerow and a thick band of vegetation along its verge. To the south there is a hedgerow boundary, beyond which lie the rear gardens of dwellings on Pinewood Avenue, Willow Tree Avenue, Garstang Road, and Whittingham Lane.
15. The CS Policy 1 'Locating Growth' aims to concentrate growth and investment in the most sustainable locations, and for this purpose it establishes a spatial strategy of a settlement hierarchy, plus strategic sites. At the top lie the Preston/South Ribble urban area, then Key Service Centres, and Strategic Sites. Lower tier settlements of Urban Local Service Centres and Rural Local Service Centres are identified as having some or limited growth and investment, to help meet housing and employment needs and to support the provision of services to the wider area. Broughton falls within the lowest tier under part (f); *"In other places – smaller villages, substantially built up frontages and Major Developed Sites."*
16. The appeal site lies adjacent to but outside of the Broughton village boundary and within Open Countryside, as defined on the LP Policies Map. This results in CS Policy 1 conflict as the proposal would not fall under any of its tiers.
17. Even development within the lowest tier (f) should typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment. The proposal is for up to 95 dwellings on a site of 4.33 hectares. It is classified as 'major development' under the Town and Country Planning (Development Management Procedure) (England) Order 2015, and indeed, some of the housing land supply evidence on which the appellant relies indicates that 'large sites' are those of 50+ dwellings³. The National Planning Policy Framework ('the Framework') (2024) paragraph 73 also refers to small and medium sized sites as being no larger than 1 hectare. I am therefore unpersuaded by the appellant's arguments that 'small scale' in this instance is proportionate to the relative size of the settlement to which it applies, and the overall Preston context. CS Policy 1 conflict therefore also arises due to the proposal's size.
18. The LP Policy EN1 limits development in the countryside to specific purposes, including that needed for agriculture or uses which help to diversify the rural economy and are appropriate to a rural area. The proposal would not fall within any of the specified EN1 purposes, policy conflict results.
19. The BNP Policy RES1 allocates 3 specific small-scale housing development sites, none of which relate to the appeal site, specified as representing a rounding off of the village form. The village settlement boundary was extended around them. The appeal site was considered in the BNP site appraisal process, but was not allocated. RES1 states that other proposed development within designated Open Countryside will be heavily restricted in accordance with the CS and EN policies.

³ CLLP Examination document reference MO08 'Housing Trajectory Assumptions', submitted as Appendix A of the appellant's 'Addendum Update Statement including in respect of Housing Land Supply Submission', 10th April 2026.

20. The Policy RES1 justification text (paragraphs 8.5.3 and 8.5.4) identifies that the bypass and village centre highways works have made many sites attractive for development, but that the size and physical extent of many of these would represent major intrusions into currently open countryside, and would be wholly at odds with the aspirations of the local community as reflected in the Vision, Objectives, and Policies of the BNP.
21. Indeed, the BNP Examiner specifically raised concern with the draft wording of Policy RES1. This was because allowing scope for development on a number of sites adjoining the settlement may lead to a level of development of a scale not in accordance with the CS Policy 1, and the Preston development strategy which only encourages limited development in villages.

Accessibility

22. The CLLP proposes elevating Broughton to a Tier 4 Local Rural Service Centre, the only settlement to be moved upwards in this manner. For reference, Goosnargh is proposed within Tier 5 'Smaller Rural Villages and Hamlets'. However, the CLLP is in the context of a joint plan with two other local authorities. Its settlement hierarchy is therefore fundamentally different to the CS hierarchy, and does not infer the current one is out-of-date. In any case the parties have directed me to give only limited weight to the CLLP. If this Tier 4 point were to weight in favour, then the appeal site's lack of allocation in the CLLP would weigh at least equal against it.
23. The Inspector for the Broughton residential appeals allowed in 2018⁴ did specifically identify that the village was not notably poorly served in terms of access to services and facilities or choice of transport modes, and that the sites would be well located in terms of focusing significant development in locations which are or can be made sustainable in accordance with the Framework.
24. However, since 2018, those and other developments have taken place, with only an additional Co-op store identified as being an additional key facility within the village over that period. At some tipping point, the impact of previous growth has to impact on the resulting level of sustainability associated with the strategy across the wider area. I note that residents highlighted issues with accessing various facilities.
25. There is no indication within Policy CS1 or elsewhere that the facilities and accessibility within a specific village should support an additional 95 dwellings in the adjacent countryside. I am unpersuaded both that the facilities available in Broughton are very unusual in the context of the hierarchy and development strategy, or that its sustainability has changed to a very significant extent from when that hierarchy was adopted. Importantly, the 2018 decisions were made at a period when the Council did not have a 5YHLS, and there was no BNP. Overall, I find that the current position is a sufficiently different context, such that they are not determinative to my conclusion on the primacy of the development plan conflict under the plan-led system.

⁴ APP/N2345/W/17/3179177: Keyfold Farm, 430 Garstang Road, Broughton; Residential development for up to 130 houses. Allowed 3rd April 2018.

APP/N2345/W/17/3179105: Land off Sandy Gate Lane, Broughton; The erection of up to 97 dwellings. Allowed 3rd April 2018.

26. The Land West of Garstang Road⁵ Inspector similarly confirmed that the site before them had good accessibility to a range of existing services and facilities, and that this level of accessibility would reduce the need to travel by car and would not conflict with the objectives of the adopted spatial strategy. She found no development plan or Framework conflict, primarily due to the scale of the scheme, which was deemed to be within the upper reaches of 'small scale', and its location. These are clearly different situations and factors to the appeal scheme which again differentiate that decision from what is before me.
27. In contrast to the three previous appeals in Broughton, the SF Inspector identified that the site's locational accessibility credentials do not weigh in the proposal's favour. This was because although for a settlement of Goosnargh's size and rural location its accessibility credentials are satisfactory, they are also relative, and it is at the bottom of the settlement hierarchy. He determined that the development would result in significant housing growth taking place in a location which the development plan's spatial strategy, devised in the context of the whole of Preston and beyond, deems inappropriate.
28. At the SF appeal the Council itself argued to differentiate Goosnargh and Broughton. Factually, Goosnargh is more generally remote compared to the proximity of Broughton to the main urban area of Preston. Broughton also has an additional bus per hour and has direct access onto the Guild Wheel Cycle Path, a 21 mile cycling and walking route which encircles the city, connecting to its central area and to surrounding leisure and employment destinations. Broughton also has several additional services and facilities, including a secondary school, an additional pub/restaurant, and a petrol filling station, although it does not have the healthcare facilities or post office which are available in Goosnargh.
29. I do not dispute these settlement differences, and do not find the SF decision entirely determinative on this basis. Nevertheless, in considering the range of previous appeals, and in the context of the size of the proposal before me, I am most persuaded by the approach of the SF Inspector as regards the weight to village accessibility. The appeal site may well also be better located in terms of physical access, impacts, and accessibility than many other similar sized fields beyond the edges of villages across the Preston area. However, I have found nothing so compelling or unusual for this proposal, that would suggest this one in particular should be judged to outweigh the clear development conflict at the District and neighbourhood level.

Suitable Location - Conclusion

30. The proposed development would not be in a suitable location for housing, due to its countryside location, its outcome of expanding a settlement identified as within the lowest level of the development plan settlement hierarchy, and that expansion being of a significant scale. Overall, I find that there would be a significant conflict with the spatial strategy for the area as expressed in the development plan, and how it seeks to manage the pattern of development and growth. I see no reason in this instance for any further nuance beyond the tier system and clarity of CS Policy 1. The proposal would fundamentally conflict with the sustainability aims of the CS Policy 1, the LP Policy EN1, and the BNP Policy RES1, and I give this substantial weight.

⁵ APP/N2345/W/23/3330709: Land West of Garstang Road, Broughton; Outline application seeking approval for access only for residential development for up to 51 dwellings with associated works (all other matters reserved). Allowed 2nd April 2024.

Housing Land Supply

31. The Council's latest published 5-year housing land supply (5YHLS) position is the 'Housing Land Position at 31st March 2025' ('the HLP'), published in April 2025. This looks forwards across the period of 1st April 2025 to 31st March 2030.
32. The HLP is updated and published annually at the end of each May. The HLP for 31st March 2026 is therefore expected imminently. This timing creates a somewhat unusual position, in that regardless of my findings on the 5YHLS, the new HLP may cause them to be almost immediately out of date. Nonetheless, I have to proceed on the evidence before me at the current time, which remains the base date of the HLP 2025, despite that year 1 of the 5YHLS has already passed.
33. The SF Inspector recently identified a housing land supply for Preston of between 5.5 and 5.9 years. However, the appellant disputes 5 specific housing sites in the HLP, two of which did not form part of the SF appellant's case and so were not reviewed by that Inspector. They also dispute the windfall allowance, which again was not addressed at SF. On this basis it is appropriate for me to re-determine the housing supply position. The process of establishing whether the Council has a 5YHLS requires establishing the housing requirement over the relevant 5-year period, against the supply of deliverable sites, both of which I consider below.

Requirement

34. The CS Policy 4 sets the Preston housing requirement figure at 507 dwellings per annum (dpa), but as it is more than 5 years old, the Framework paragraph 78 requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need. This need is calculated using the 'standard method' specified in the Planning Practice Guidance (PPG)⁶. Based on this, the HLP sets an annual requirement of 620 dpa, including a required 5% buffer, from a 2023-based data set of housing stock and affordability ratios.
35. Updated 2024 housing stock estimates and affordability ratios were published in May and March 2025 respectively, and the PPG identifies that the most recent data published at the time should be used⁷. Using this data, the requirement rises to 664 dpa. Although the Council identified administrative and consistency reasons whereby updated data does not easily translate into a new mid-year HLP publication, those considerations do not bind me in determining the requirement figure for this appeal. Other factors could require a Council to update its figures, such as any buffer resulting from the Government's Housing Delivery Test results, and indeed this approach aligns with the Tilstock decision⁸ put before me.
36. The 2024-based data set is the latest currently available, my decision is now a year since its publication, and the HLP 2026 to be published very imminently will be based upon it. For these reasons, and at this specific point in time, I therefore find it most appropriate to use a housing requirement of 664 dpa. I note the SF Inspector also stated he could certainly see the credence in the approach that if it is known that more up-to-date data exists, then making periodic adjustments to the annual requirement figure is an appropriate course of action, and that decision was made some weeks ago.

⁶ Paragraph: 002 Reference ID: 2a-002-20241212, Revision date: 12 12 2024.

⁷ As specified in step 1 of the standard method, Paragraph: 004 Reference ID: 2a-004-20241212, Revision date: 12 12 2024.

⁸ APP/L3245/W/25/3362414: Land to the east of Tilstock Road, Tilstock; The residential development of 70 dwellings including access, open space, landscaping and associated works. Allowed 9th December 2025.

Supply

37. The HLP identifies a supply total of 4,158 dwellings within the 5 years. The appellant's position as the hearing opened was a supply of 3,114 dwellings. The PPG identifies that to demonstrate 5 years' worth of deliverable housing sites, robust and up to date evidence needs to be available⁹. The Framework Glossary for sites being considered as 'deliverable', is that they should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years.

Windfall

38. The PPG identifies that a windfall allowance may be justified in the anticipated supply if a local planning authority has compelling evidence as set out in paragraph 70 [now 75] of the Framework¹⁰. Paragraph 75 refers to supply and so has relevance in terms of calculating a 5YHLS. The Council highlights that all the other Lancashire Councils include a windfall allowance, and I am aware this is echoed by many Councils nationwide.
39. The HLP identifies a windfall allowance of 324 dwellings within the 5YHLS, at a rate of 81 dpa from Year 2. It identifies this is "*based on identified schemes (with permission awaiting S106) with confirmed start on site within the next 18 months on unallocated sites*" (page 22). These sites were named at the appeal stage, and are now under construction¹¹. In identifying specific sites, there is the possibility of double counting or 'moving the base date', and moreover, in the HLP 2026 they will no longer be windfall but will form part of the identified site supply.
40. However, I can also understand that if permissions were expected shortly after the 31st March 2025 date, then year 2 onwards completions may be expected from them. Windfall delivery is further substantiated through the HLP site schedule. This indicates a healthy delivery source of windfall sites, which the Council suggests would be even higher than 81 dpa when not discounting for those less common city centre large sites and sites granted on appeals. The CLLP Examining Inspectors also questioned the lack of future windfall allowance for Preston on the basis that windfalls have contributed to its historic supply, and the Council intends to consider this further.
41. I also see no reason to doubt the Council's recent developer discussions providing knowledge of such types of sites and trajectories to input into the HLP 2026, which acts as compelling evidence that such windfall remains a reliable expected future trend. Overall therefore, I find the total windfall allowance of 324 dwellings to be realistic, and include its full contribution towards the supply.

Land at Bartle

42. This site has outline planning permission for up to 1,100 dwellings within 4 zones (A-D)¹². The HLP identifies a 5-year contribution of 587 dwellings, but as zone D is the only part with reserved matters permission¹³, the parties agree that only its 229 dwellings could currently be deliverable.

⁹ Paragraph: 007 Reference ID: 68-007-20190722, Revision date: 22 07 2019.

¹⁰ Paragraph: 023 Reference ID: 3-023-20190722, Revision date: 22 07 2019.

¹¹ 06/2022/1101 Land West of Lea Road, Lea, Preston; 06/2024/0772 Former Ingol Golf and Squash Club, Tanterton Hall Road.

¹² 06/2020/0888.

¹³ 06/2025/0637.

43. Taking into account the timescale for conditions and implementation, achieving 229 dwellings within the remaining 5YHLS period would be a higher delivery rate than the CLLP 'Housing Trajectory Assumptions' of 49 dpa for sites of 100 to 499 dwellings, and the 47 dpa given for this site at the CLLP examination. However, I accept that delivery does vary considerably across different developments, with a cautious average delivery position being taken for the CLLP. The Council identifies that build-out rates in this part of the District are strong.
44. Based on the above, I find it appropriate to include 229 dwellings to be delivered within the 5 year period. I note that although now several weeks ago, the SF Inspector also identified no good reason to think that the entirety of zone D could not be delivered in the next 5 years.

Land at Tabley Lane, Preston

45. This site forms part of Preston's largest allocation, within the North West Preston Masterplan area. The HLP identifies it would contribute 175 dwellings. Parties agreed at the hearing that the only extant site permission is for 58 dwellings¹⁴.
46. A further 175 is based on permissions which are no longer extant¹⁵, which therefore suggests no delivery urgency. The Council identified that this element is now expected to only come forwards for 133 dwellings, and a new application covering both the sites is being progressed. However, considered against the Housing Trajectory Assumptions document, a timescale of completions starting in year 3 appears very ambitious for a site with no application yet submitted.
47. Although it may be that the Council can support its inclusion in the next iteration of the HLP on the basis of up-to-date developer information, the evidence before me does not indicate that this element would be deliverable. I therefore consider that only 58 dwellings from this site should be included within the 5YHLS, a reduction of 117 from the Council's position.

217 Garstang Road, Fulwood, Preston

48. The HLP identifies this site as contributing 23 dwellings, based on a full permission¹⁶. The appellant's written evidence suggests some uncertainty regarding whether the permission would expire by its three year date on 13th April 2026. However, at the hearing the Council strongly asserted the satisfactory discharge of all its pre-commencement conditions, and that it has been implemented and is thus extant. Even were I to undertake my own visit, it is beyond the remit of this appeal for me to rule whether this is or is not the case. I take it in good faith that the Council is satisfied that it is extant.
49. The condition discharges suggest the desire from both parties to keep the permission extant, but do not necessarily indicate that there will be actual delivery. The history of multiple residential planning applications dating back to at least 1996 demonstrates this lack, and I note the Lead Local Flood Authority's commentary within the relevant condition discharge decision notice, which identifies a lack of evidence of an agreement in principle with the relevant asset owner in order to permit more substantive development works. In the absence of more detailed future delivery intent, I therefore consider that the site should make no contribution to the 5-year supply in this instance.

¹⁴ 06/2021/1226.

¹⁵ 06/2017/1435; 06/2021/0794.

¹⁶ 06/2022/0271.

Land south of Bartle Lane, Lower Bartle

50. The HLP identifies this site will contribute 195 dwellings. However, based on the extant permissions¹⁷, this was agreed to only be a maximum delivery of 188 dwellings. The Council identified that groundwork construction for the relevant permissions has commenced. With no indication from the Council that this is not lawful or that the works on site should cease, I am content to make my determination on this same basis.
51. Based on recent developer updates the Council provided an updated trajectory, whereby both phases run alongside each other as they comprise a mix of unit types. This suggests 28 dwellings in year 2, 45 in year 3, 46 in year 4, and 45 in year 5. This equates to a total of 164 within the 5-year period. This is lower than the previous trajectory and accepts that some dwellings will fall into year 6, which thus accounts for the previous undue optimism.
52. Due to the works underway on site, and the relevant average annual build out rate of 49 dpa in the Housing Trajectory Assumptions document, I find this clear evidence that these dwellings would be delivered within 5 years.
53. The contribution from this site should therefore be 164 dwellings. I also note that this aligns to a reasonable extent with the trajectory concluded by the SF Inspector.

Former Cottam Brickworks

54. The HLP identifies this site will contribute 89 dwellings, across years 4 and 5. This is based on a hybrid planning permission, for which the residential element is in outline¹⁸. No reserved matters applications have been submitted, and no conditions in relation to the housing have been discharged.
55. Based on recent developer discussions, the Council expects a reserved matters application for the housing by January 2027. The delay is not due to the housing element, but the commercial element and the community interest. However, indication of this submission approximately 8 months ahead does not indicate certainty of a delivery intent. The complexity of the site as described to me adds to this uncertainty.
56. I therefore find that there is no clear evidence that housing completions will begin on site within five years. This is the same conclusion as made by the SF Inspector. For these reasons, this site should make no contribution to the 5-year supply.

Former Whittingham Hospital reminder of the site

57. The HLP identifies this site will contribute 126 dwellings¹⁹. The parties' evidence did not directly discuss it, nor was it raised at the hearing, but I note that the SF Inspector removed 15 dwellings from its trajectory. Although some weeks ago, the best evidence before me therefore remains that Inspector's conclusion, based on pre-commencement conditions still awaiting discharge and thus some slippage from year 2 to be quite likely. I therefore similarly consider this site to only contribute 111 dwellings.

¹⁷ 06/2020/1344; 06/2024/0773; 06/2025/0637.

¹⁸ 06/2022/1157.

¹⁹ 06/2019/0365.

Housing Land Supply Conclusion

58. I retain the HLP windfall allowance of 324 dwellings. The 5-year contribution from the above 6 sites equates to 562 dwellings²⁰, compared to the HLP total for these sites of 1,195 dwellings. I therefore reduce the HLP total of 4,158 dwellings by this difference of 633 dwellings, which results in a total 5-year supply of 3,525 dwellings²¹. When dividing 3,525 by the updated requirement of 664 dpa, this equates to a housing supply of 5.31 years.
59. I note that the future supply was examined for the CLLP, and that housing matters have not yet concluded following the Examining Inspectors' request for the Councils to undertake further work in this regard. The main parties make different conclusions in support of their respective positions based on this progress. Nonetheless, they have agreed that the CLLP holds limited weight. I find that none of the evidence before me on this matter is therefore determinative to the extent so as to suggest a different calculation for the current supply at this time.

Other Matters

Flood Risk and Drainage

60. The appellant's Flood Risk Assessment (FRA) identifies that small sections of the site are at a high risk of flooding from surface water sources. It then concludes that modelling results show that the overall risk of surface water flooding to the developable area is considered to be very low, in part based on the proposed layout plan (albeit that is illustrative only).
61. I am satisfied that in taking a proportionate approach there was no need for a sequential test. This is because in accordance with the Framework paragraph 175 and the PPG²², the FRA demonstrates that no built development would be located on an area that would be at risk of flooding from any source, based on its layout, design, and mitigation measures ensuring safety from surface water flood risk. Flood risk was not a reason for refusal, with no technical consultee objections, subject to the imposition of conditions. On the basis of the above, and despite the local resident concerns, I find no outstanding matters relating to flood risk.
62. I note that United Utilities raised a future objection if the reserved matters application were based on the illustrative site layout, in order to protect the large diameter trunk main which crosses the site. Nonetheless, the future reserved matters elements of the proposal are outwith my deliberation, with nothing before me to suggest that any potential such restrictions could not be accommodated.

Highway Safety and Congestion

63. Local residents and the Parish Council have objected on grounds of increased traffic and congestion, including on the motorway junction and in cumulation with other developments. Evidence at the hearing indicated traffic congestion both through the village and in impacting upon journey times into Preston and elsewhere, alongside bus cancellations. However, the additional highways evidence and updated modelling submitted for the appeal stage, alongside agreed contributions towards highways matters, has resulted in no outstanding objections from the Council, the Highway Authority, or NH.

²⁰ 229 (Land at Bartle) + 58 (Land at Tabley Lane) + 0 (217 Garstang Road) + 164 (Land south of Bartle Lane) + 0 (Former Cottam Brickworks) + 111 (Former Whittingham Hospital Remainder) = 562.

²¹ 1,195 – 562 = 633. 4,158 – 633 = 3,525.

²² Paragraph: 027 Reference ID: 7-027-20220825; Revision date: 17 09 2025.

64. In particular, those parties agree that queueing and delay on neighbouring A6 roundabout junctions would increase, and the increased traffic at the M55 J1 would form part of the wider cumulative pressures already identified at it, although would not be severe in isolation. However, they also agree that these impacts would be limited by the inclusion of mitigation, being the provision of £50,000 in the S106 Agreement to contribute to the Lancashire County Council and NH wider programme and strategy for ongoing improvements to the A6 corridor including the M55 J1.
65. Subject to detailed design, the principle of the appeal site's access arrangements and associated sustainable travel measures are also agreed to provide safe and suitable access for all users. Physical traffic calming measures along Garstang Road would be agreed via a S278 agreement. There would be a £6,000 contribution towards Travel Plan support, and also a cycle path contribution, which I consider in my benefits section below.
66. On this basis, I see no reason to disagree with the relevant parties that the proposal would have no materially detrimental impact on the capacity or safety of the local road network. It would therefore comply with the CS Policies 2 and 3, whereby new development should meet the on and off-site infrastructure requirements necessary to support development and mitigate its impacts, and support sustainable travel measures.

Character and Appearance

67. The main parties have agreed that the proposal would not harm the character and appearance of the area or the landscape. I particularly note that views across the field and beyond from the nearby dwellings would change to views across a housing development, or it may be screened by landscaping, but change does not indicate harm in this instance.
68. On the evidence before me I see no reason to take a different view. Matters such as the size and layout of the proposed new dwellings, and of the intervening landscaping, are reserved.

Living Conditions for Neighbouring Residents

69. Again, on the basis of the reserved matters stage being the point to specify matters such as separation distances and landscaping, there is nothing to suggest at this stage that there would be any untoward impact upon neighbouring properties. This includes that in broad terms, the change of view would not be so oppressive so as to cause specific harm.

Planning Balance

Benefits

Market Housing and Affordable Housing

70. The demonstration of a 5 year supply of housing land does not indicate a ceiling to delivery. I note that the CLLP proposes to meet around 80% of the known Local Housing Need, such that the Examining inspectors have identified that the CLLP would most likely require immediate review after adoption in order to ensure the impetus for growth explicit in government policy. The provision of up to 95 new dwellings would provide a significant benefit resulting from this contribution to the Council's housing supply.

71. Of the proposed homes, 35% would be affordable housing in accordance with the CS Policy 7, equating to up to 33 dwellings. This would be affordable rented and intermediate housing, helping to address local needs by providing opportunities for lower income households. The Framework paragraph 61 makes clear that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed.
72. There is an urgent real world need for the provision of more housing at this time of a national housing crisis, including locally across Preston. This includes the increase in the number of households on the Council's housing register over the last 10 years, and the number of households on the waiting list identified as homeless, living in temporary accommodation, overcrowded, or concealed homeless. Overall, I give significant weight to the housing supply benefits which would arise from the proposed new dwellings, and significant weight to the affordable housing provision.

Economic

73. The new dwellings would also bring economic benefits from their construction and occupation. There would be a construction investment of around £15.5m, creating around 84 full-time equivalent jobs and 6 construction apprenticeships. The improvements to local employment and skills opportunities would be ensured via the provisions within the S106, in accordance with the CS Policy 15 and the Central Lancashire Employment Skills Supplementary Planning Document. The new residents would contribute approximately £2.75m annually to the local economy through new spending, plus council tax revenue. This scale is a significant overall package of economic benefits, and therefore I give this significant weight.

Biodiversity

74. Although the proposal's detailed layout and landscaping is illustrative at this stage, the plans indicate a biodiversity net gain of 0.90 habitat units (10.12%) and 2.70 hedgerow units (35.26%). There would also be additional biodiversity enhancements such as bat and bird boxes. As this is a relatively limited gain, I give the biodiversity benefits limited weight.

Open Space

75. The new public open space and children's play area within the site primarily acts as mitigation for the impact of the new residents, but would also be open for existing residents to use. Due to its location and its relatively small scale, this benefit would be likely limited to those living close to the site, such that I give this limited weight in favour.

Highway Safety

76. The proposed Garstang Road traffic calming would primarily mitigate the development's own impacts, but would also have wider benefits, as I note traffic speeds were interested party points of concern. There would also be measures such as upgraded existing bus stops and a wider shared footway/cycleway along the Garstang Road frontage, and a £30,000 contribution towards the Guild Wheel Cycle Path for lighting and/or drainage and/or surfacing improvements towards supporting its increased use throughout the year by the new residents.

77. These physical measures and contributions would support the overall sustainability of the scheme, and again also be of benefit to existing residents. However, as these highway matters would predominantly be to mitigate the site's own impacts, I give limited weight in their favour as a benefit.

Education

78. The proposed contribution towards primary education would be in accordance with the development plan requirements, but would primarily be mitigation for the impact of the development itself. On this basis I give this very limited weight, insofar as improved school facilities would also benefit existing children.

Spatial Strategy

79. The proposal would fundamentally conflict with the spatial strategy for the area, as expressed by the CS Policy 1, the LP Policy EN1, and the BNP Policy RES1. The three development plan documents containing those policies pre-date numerous Framework revisions, and were only intended to cover the period up to 2026. However, despite the out-of-date CS Policy 4 housing numbers, the parties agree that the principle of Policy CS1 is consistent with the Framework.
80. Policy EN1 addresses all development, and although its justification text refers to the importance that the Areas of Open Countryside are protected from unacceptable development which would harm its open and rural character, the policy contains no reference that a lack of landscape harm should inevitably justify development. I find no inconsistency between this and the Framework refinements such as specifying areas as valued landscapes, which focus on visual and landscape character.
81. The BNP still holds weight, which adds additional development plan conflict than for the 2018 appeals, and also in comparison to the Land West of Garstang Road decision due to that site's smaller size. Its Policy RES1 refers to 'heavily restricted' which is not Framework terminology, but I find nothing intrinsic about this language to suggest a specific conflict of purpose. Rather, it refers back to other policies, and indicates that the strong constraints of those policies apply within the Open Countryside.
82. The appellant further asserts that the development plan is out-of-date because the Broughton settlement boundary does not reflect the 2017 bypass. However, it is almost inevitable that any bypass would go through open countryside as part of its inherent purpose, such that I see no reason why it should become the new settlement development boundary. The appeal site forms part of the countryside setting, with the traffic calming along Garstang Road indicating imminent arrival into the village.
83. In light of the 5YHLS being achieved I cannot see how the relevant and most important policies for this appeal are acting to constrain overall development. The spatial strategy is allowing the delivery of dwellings while directing their location. It thus significantly boosts the supply of homes to meet the area's identified housing need.

Overall

84. I have found a housing supply of 5.31 years, and accordingly, the proposal does not benefit from the Framework paragraph 11 presumption in favour of sustainable development.

85. I have given significant weight to the benefits from the provision of up to 95 new dwellings, and to the specific benefits from the proposed affordable housing for those most in need. I have also given significant weight to the package of economic benefits. I have given limited weight to benefits of biodiversity, public open space, traffic calming, and active travel measures, and very limited weight to improved school facilities.
86. This range of benefits, although significant, are comparable to those typically associated with new housing developments. Similar benefits would also be provided on sites which comply with the development strategy, in locations identified as being the most sustainable during the process of developing the development plan.
87. The Council has more than a 5YHLS, and I have determined that the development plan is not out-of-date for any other reason. On this basis, I find the fundamental conflict with the CS Policy 1, the LP Policy EN1, and the BNP Policy RES1, to substantially outweigh the significant weight I have given to the cumulative benefits, and any other matters, in accordance with the Framework.

Conclusion

88. In conclusion, the proposal would conflict with the development plan as a whole. There are no material considerations that indicate that a decision should be made otherwise. Therefore, the appeal is dismissed.

L N Hughes

INSPECTOR

ANNEX A: APPEARANCES

FOR THE APPELLANT:

Miss Melissa Murphy K.C	Landmark Chambers, Instructed by Gladman Developments Ltd
Mr Jason Tait	Director, Planning Prospects Ltd
Mr Chris Dodds	Associate Director, Planning Prospects Ltd
Mr Phil Wooliscroft	Partner, BTG Eddisons

FOR THE LOCAL PLANNING AUTHORITY:

Mr Josh Hellawell	Principal Planner
Mrs Carolyn Williams	Planning Policy Manager

INTERESTED PERSONS:

Cllr P Hastings	Chair, Broughton Parish Council
Mr R Heath	Broughton Parish Council
Nrs S Ashcroft	Resident
Miss B Jones	Resident

ANNEX B: DOCUMENTS ACCEPTED AT AND AFTER THE HEARING

1	Appellant	Location plan of previous Broughton residential permissions
2	Miss B Jones	Representation
3	Appellant	Rebuttal response to Miss B Jones representation
4	Appellant	Completed and signed S106 legal agreement dated 6 th May 2026