



Appeal Decision

Site visit made on 9 June 2025

by **J D Clark BA (Hons) DpTRP MCD DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th June 2025

Appeal Ref: APP/T2350/D/24/3357501

Bramley Farm House, Clerk Hill Road, Sabden, Lancashire BB7 9FQ

- 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 Mr John Jackson against the decision of Ribble Valley Borough Council.
 - The application Ref is 3/2024/0653.
 - The development proposed is demolition of existing detached garage and garden office. New two-storey side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description on the appeal form and the decision notice differs from that on the planning application form which I have quoted above. These state 'Proposed demolition of existing detached garage and garden office. Construction of detached two-storey building to side with glazed link to farmhouse and single-storey extension to rear of farmhouse. This does not alter the substance of the proposal but clarifies the development proposed. I have assessed the appeal on this basis.
3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024. Any reference to the Framework in this decision is to the most recent version and its new chapter and paragraph numbers.

Main Issues

4. The main issues are the effect of the proposal on: -
 - the character and appearance of the existing property and the surrounding area; and
 - protected species, in particular bats.

Reasons

Character and Appearance

5. The appeal site is located within the Forest of Bowland Natural Landscape (formerly Area of Outstanding Natural Beauty) and comprises a detached house and a detached garage together with its gardens and a detached outbuilding in its rear garden, referred to as a garden office. The proposal would replace the detached garage with a two storey building linked to the farmhouse. A single

storey extension would also link to the new building. The proposal would extend the existing house providing a new kitchen /dining, utility, WC and staircase to two new en-suite bedrooms.

6. The farmhouse and garage are constructed in natural stone under slate roofs. The extension/new building would be faced with stone at its lower level, timber cladding above that, bronze aluminium windows and a black metal roof. The appellant describes the concept behind its design and I appreciate the approach which is intended to reflect a new phase in the farmhouse's history. It's design as a separate building with a separate but lightweight link would utilise a palette of materials found in the area, whilst creating a modern addition to the traditional farmhouse. The single storey extension would also follow this concept.
7. However, the proposal would be a substantial and over dominant addition to the farmhouse. Whilst the single storey extension would be to the rear of the house and so less obvious from outside the site, the new building would be disproportionate to the house, adding a large and incongruous extension that would be at odds with the traditional scale and form of the farmhouse. Whilst I appreciate the concept of a modern addition, the height, massing and overall scale of the new building would diminish the character and appearance of the original house.
8. I saw the arrangement of buildings at Bramley Farm on the opposite side of the road. However, the arrangement of buildings, including the relationship between the stone farmhouse and the timber agricultural building set at right angles to it, differ in that the complex of buildings opposite relate to a farm and the buildings are functional agricultural ones whereas the appeal site is domestic. There is no apparent relationship between Bramley Farm House and Bramley Farm, although there may have been in the past, therefore, reflecting the scale and proportions for this domestic extension would not respect the character and appearance of the appeal house as it stands today.
9. Furthermore, the appellant states that the proposal would represent a 24% increase in the size of the dwelling, although this is not substantial in the context of the appeal site overall, it is based on the footprint of the existing house, garage and garden office. This does not take into account that the proposed new building would be considerably taller than the existing garage and therefore its impact so much greater. Moreover, due to its bulk and massing and overdominance, I do not consider that the proposal would be of a design that would be truly outstanding or innovative, as suggested by Paragraph 139 of the Framework.
10. Turning to the wider area, the site is within an area designated as a National Landscape, where in paragraph 189, the Framework establishes that great weight should be given to conserving and enhancing landscapes and scenic beauty. The topography in the area is that of rolling hills, and the proposal would be seen against a backdrop of rising land. However, the appeal site is on a higher level than the road and the farm opposite and although the new building would be set back from the front of the house, it would be highly visible and prominent due to its scale and massing. The single storey extension would not have the same impact on the wider landscape but the development overall would.
11. Consequently, the proposal would have a harmful effect on the existing property and the character and appearance of the surrounding area. This would conflict

with Core Strategy¹ Key Statement EN2 which seeks to protect, conserve and enhance the Forest of Bowland Area of Outstanding Natural Beauty. Along with Policy DMG1, these require development to be in keeping with the character of its landscape, reflecting local distinctiveness, vernacular style, scale, style features and building materials.

Protected Species/Bats

12. A Preliminary Roost Assessment has been carried out for the garden office at the rear of Bramley farmhouse. This building is described as being built about four years ago and the assessment found no evidence of it being used by bats. A Daytime Bat Survey identified the presence of bats in the detached garage and recommended dusk emergence surveys. A Bat Emergence and Re-Entry Survey (BERS) identified a number of commuting common pipistrelles and evidence of roosting brown long eared bats which indicates occasional use of the loft of the garage as a feeding/night roost. This would be destroyed when the building was demolished. Nesting birds were also found which would be disturbed.
13. Amongst other things, mitigation, including pre-commencement inspection, the provision of a bat box and the avoidance of unnecessary lighting is suggested. For nesting birds, in addition to avoiding works during the nesting season and inspection of the site before demolition, two Swallow cups and an integrated Swift box should be provided.
14. I have had regard to Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations). As the competent authority, I have had regard to the requirements of the associated Directive and any likelihood that the proposal that might lead to the deterioration or destruction of the breeding sites and resting places of European Protected Species (EPS) under Article 12(1)². This includes bats and the places they roost, irrespective of whether or not they are present at the time the development is carried out. Given the mitigation measures recommended I have no reason to consider that Article 12(1) would be contravened.
15. The BERS report further recommends that an application for a European Protected Species License (EPSL) to Natural England will be required to legally permit the proposed works. Furthermore, due to the number of roosts and species present, the site is eligible for a Bat Mitigation Class Licence (BMCL). A BMCL application requires surveys to be undertaken within the most active bat season, planning permission must have been granted and all relevant wildlife related conditions discharged prior to submission.
16. The issue of such licenses is the sole responsibility of Natural England. The Council consider that a license will be unlikely although there is no indication that Natural England have been consulted on the planning application or this appeal. In considering whether or not the development is likely to be licensed, the views of Natural England are determinative. Although no such views seem to have been sought by the LPA, given that I have found harm under my first issue, I have not sought Natural England's views in relation to this appeal. In any event, I have no reason to doubt that a mitigation license would not be issued on the basis of the

¹ Ribble Valley Borough Council – Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version. Adopted 16/12/2014.

² Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Directive).

evidence before me. Furthermore, it is not for me to determine whether the legal tests for a licence would be met as this would duplicate the function of another regulatory body and would be contrary to the well-established principle that non-planning regimes are assumed to operate effectively.

17. Consequently, the proposal would not conflict with Core Strategy Policy DME3 or the aims to protect habitats and biodiversity as set out in Chapter 15 of the Framework.

Other Matters

18. The appellant states that a single storey rear extension of the size and location as the proposed extension could be constructed utilising Permitted Development rights. Whilst this may be the case, the single storey rear extension is part of the total development attached to the proposed two storey building via a glazed link. Given that this is only part of the proposal, it provides a fall-back for this element only. The harm I have found relates to the proposal in its totality. My decision on this appeal does not preclude the appellant exercising permitted development rights.
19. The appellant also refers to the single storey extension having a sedum roof to enhance sustainability and biodiversity. I also note that the proposal would incorporate sustainable construction techniques and the Framework, in Chapter 14, encourages proposals that incorporate energy efficiency and help meet the challenges of climate change. However, whilst these are material considerations, the Framework also recognises the importance of protecting landscapes and avoiding harm due to adverse visual impacts. The proposal fails on this latter point.

Conclusion

20. Whilst I have not found harm in relation to my second issue, I have found harm with regard to my first issue. Therefore, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal should be dismissed.

J D Clark

INSPECTOR