



Appeal Decision

Site visit made on 23 September 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2025

Appeal Ref: APP/M2325/W/25/3368363

Stanley Lodge Barn, Salwick Road, Treales, Roseacre & Wharles, Preston PR4 3SN

- 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 P Marquis against the decision of Fylde Council.
 - The application Ref is 24/0374.
 - The development proposed is the change of use from an existing barn to one proposed residential dwelling including domestic access and curtilage.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from an existing barn to one proposed residential dwelling including domestic access and curtilage at Stanley Lodge Barn, Salwick Road, Treales, Roseacre & Wharles, Preston PR4 3SN in accordance with the terms of the application, Ref 24/0374 subject to the conditions in the attached schedule.

Main Issues

2. The main issues are: a.) whether the proposal comprises of the re-use or rehabilitation of an existing permanent and substantial building, and b.) the effect of the proposal on the character and appearance of the area.

Reasons

Whether re-use or rehabilitation of existing permanent and substantial building

3. The appeal barn is steel framed with concrete walls to the lower section and vertically hung timber cladding above. The pitched roof is finished in corrugated sheeting. The submitted Structural Engineers Report and further letter¹ state that the existing steel frame and concrete lower structure provide a sound structural basis for conversion. Whilst these were based on a visual inspection, they were undertaken by a qualified structural engineer in accordance with the relevant guidance. In relation to the foundations, although no intrusive investigations were undertaken, from a structural standing, the floor has been subjected to higher loading in its current agricultural use than that would be applied for a residential use. On this basis, I do not consider that a new reinforced floor is likely to be required.
4. The proposal would include the replacement of the existing cladding to the walls and the replacement of the roof covering, as well as the formation of balconies and

¹ ADS Consult (17 June 2024)

insertion of glazing and doorways. The Council considers that the development works proposed would effectively amount to a rebuild of the agricultural building.

5. Whilst the proposed works are extensive, they do not go beyond what might reasonably be described as a conversion. This is due to the retention of the existing steel frame, the concrete lower walling and the floor, albeit localised strengthening may be required as well as some new structural supports.
6. The elevations would have a different arrangement and appearance, but a certain extent of alterations to a building's outer fabric would inherently be required as part of a conversion from an agricultural building to a domestic dwelling. As such, and given the primary structure of the barn requires no significant structural changes to enable its conversion to a dwelling, I consider the proposal would not effectively constitute an entirely new build dwelling.
7. My attention has been drawn to an appeal decision² that referenced the Hibbitt³ case which considered the difference between a conversion and rebuilding. That case, however, involved the conversion of a building under Class Q of the Town and Country Planning (General Permitted Development) Order (England) (as amended) rather than a full planning application which is to be determined in accordance with the relevant provisions of the development plan.
8. The Council has stated that they have generally considered a building to be of a permanent and substantial construction where it requires limited elevational and roof works. However, what represents a conversion or rebuild/new build is a matter of planning judgement. My decision is based on the individual circumstances of this case, which given the evidence before me, would involve the development of an existing permanent and substantial building.
9. The Council and the appellant have referenced differing percentages on the extent of the original fabric to be retained, but whatever the precise numerical extent, as a matter of fact and degree, given the elements of the existing building to be retained and the extent of works proposed, the proposal would involve the re-use of an existing permanent and substantial building. It would include an enclosed courtyard to the south, but this does not alter my findings above in relation to the re-use of an existing building.
10. To conclude therefore, the proposal would comprise of the re-use or rehabilitation of an existing permanent and substantial building and as such, it would comply with Strategic Policy GD4 of the Fylde Local Plan to 2032 (Local Plan), which references the re-use or rehabilitation of existing permanent and substantial buildings as being an acceptable form of development in the countryside.

Character and appearance

11. The appeal site is situated in a rural area close to a group of buildings that have been converted to residential use. The topography in the area is generally flat which provides views over surrounding fields and open areas of land and contributes to the pleasant, rural character of the area.

² APP/M2325/W/20/3252774

³ Hibbitt and Another v Secretary of State for Communities and Local Government and Rushcliffe Borough Council [2016] EWHC 2853 (Admin)

12. The proposal, whilst being for a two-storey dwelling would retain the broad size and form of the existing building. The development would incorporate contemporary elements, such as large areas of glazing and balconies. Although such elements would result in the proposal having a differing appearance to the current building, the use also of timber cladding and grey roof panels would not be out of place in a rural setting and would overall ensure that the proposal would not appear overly suburban in this rural context.
13. Revised access arrangements are proposed which would enclose a field to the north of the proposed dwelling. It would also entail amendments to the roadside hedge, but as the development would provide a hedge in a setback position, I do not consider these changes would harm the rural landscape.
14. Concerns have been raised on the extent of the domestic curtilage which is proposed in a prominent position. The proposal would however see the replacement of a large concrete yard with a grassed area which although forming part of the curtilage, would provide a visual benefit in this rural setting. The vehicular parking area would be to the rear of the site and screened from the public footpath by a proposed fence.
15. Consequently, the proposed dwelling, whilst being in a prominent location and being highly visible from public vantage points, would for the aforementioned reasons remain in harmony with its rural surroundings, which most immediately to the south comprise of converted former agricultural buildings that are residential in character.
16. I therefore conclude that the proposed development would not have an unacceptable adverse effect on the character and appearance of the area. As such, it would comply with Strategic Policy GD7 and Non-strategic Policy H7 of the Local Plan, which seek, amongst other matters, a high standard of design that takes account of the character and appearance of the local area. It would also be compliant with Paragraphs 131, 135 and 139 of the National Planning Policy Framework (Framework), which seek, amongst other matters, development that is sympathetic to local character, including the surrounding built environment and landscape setting.

Other Matters

17. The proposal would not have a harmful effect on the Public Right of Way footpath which is subject to a separate legislative process. Reference has been made to unauthorised activity on the site, but this does not form part of the proposal before me which I have determined on its own merits.

Conditions

18. I have considered the suggested conditions, having regard to the six tests set out in the Framework. For the sake of clarity and enforceability, I have amended those suggested conditions as appropriate.
19. A condition is needed requiring a survey to establish whether habitats on the site are utilised by Barn Owls. Although an ecological survey and assessment has already been provided, this identified signs that barn owls roost at the barn and this condition which requires a further survey is therefore necessary in the interests of protected species. A condition requiring a method statement for the eradication of

Himalayan balsam is needed to address an invasive plant species. To secure ecological enhancements, a Habitat Management and Maintenance Plan is required. Although this would require reporting at certain intervals, it is necessary to secure the effective management of habitat features for a period of at least 30 years. Despite the proposed development comprising of a single dwelling, I do not consider the requirements of this condition to be disproportionate as the details to be submitted and agreed would be relative to the size of the development proposal. It is essential for these conditions to be pre-commencement to prevent harm to protected species, to prevent the spread of invasive species and to secure ecological enhancements.

20. I have attached a materials condition in the interests of ensuring the development's acceptable appearance in order to safeguard the area's character and appearance. Details of the foul and surface water drainage are required to address drainage matters and a condition relating to building works and vegetation clearance during the bird nesting season is also needed to prevent harm to nesting birds.
21. A condition removing permitted development rights is needed to ensure there is control on any further development to safeguard the area's character and appearance, and a condition relating to the existing and proposed accesses to the site in the interests of highway safety and the character and appearance of the area.
22. Although a condition requiring a full conversion specification has been suggested, it is clear from the submitted information what elements of the existing building are to be retained, and I do not therefore consider it to be necessary for further details such as a methodology for conversion to be provided.

Conclusion

23. I conclude that the proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be allowed.

F Rafiq

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Plan - Drawing no. 2-03-PP Rev B , Proposed Ground Floor Plan - Drawing no. 3-03-PP, Proposed First Floor Plan – Drawing no. 3-04-PP, Proposed Roof Plan – Drawing no. 3-05-PP, Proposed Front and Side Elevations – Drawing no. 4-03-PP, Proposed Rear and Side Elevations – Drawing no. 4-04-PP, Visibility Splay Drawing - T4469-H-01 Rev. P1, Fabric Elevation Overlay Plans 'Existing' & 'Proposed' - Drawing no. 3-06-PP and Fabric Overlay Plans 'Existing' & 'Proposed' - Drawing no. 3-07-PP.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans listed in condition 2.
- 4) No development shall take place until a further survey has been undertaken to establish what features/habitats on the site are utilised by Barn Owls and the results submitted to and approved in writing by the Local Planning Authority. If such a use is established, then no development shall take place until a comprehensive method statement indicating how Barn Owls are to be safeguarded during the construction period and how appropriate mitigation measures (including habitat compensation and enhancement) are to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority. The duly approved method statement shall be implemented in full accordance with the details, recommendations and timescales contained therein and any mitigation measures shall be fully implemented before the dwelling hereby approved is first occupied, and retained as such thereafter.
- 5) No development shall take place until a method statement detailing eradication or avoidance measures for Himalayan balsam has been submitted to and agreed in writing by the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full thereafter.
- 6) No development shall take place unless and until a 30 year Habitat Management and Maintenance Plan (HMMP) for all onsite habitat enhancements to be carried out in the course of the development that significantly increase the pre-development biodiversity value of the onsite habitat has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall contain:
 - a) Aims, objectives and targets for management, including habitat target conditions matching the Biodiversity Metric submitted with the application.
 - b) Descriptions of the management operations necessary to achieve aims and objectives.

- c) A works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.
- d) Details of monitoring needed to measure the effectiveness of management.
- e) Details of the persons responsible for implementation and monitoring.
- f) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.
- g) Provisions for reporting to the Local Planning Authority in years 1, 2, 5, 10, 20 and 30.

The duly approved HMMP shall thereafter be implemented in accordance the details, monitoring/reporting regime, remedial measures and timetable contained therein.

- 7) Prior to the first occupation of the dwelling, the new site access visibility splays, blocking up of the existing access, and the landscaping works to include the 3m set back of the existing hedge row from the edge of the carriageway as shown on the visibility plan (drawing no. T4469-H-01 Rev P.1) and site plan drawing (2-03-PP Rev B) shall be fully completed in accordance with that plan and maintained as such thereafter.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splay as shown on the visibility plan (drawing no. T4469-H-01 Rev P.1) and site plan drawing (2-03-PP Rev B) shall thereafter be kept free of any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.

- 8) No above ground works of development shall take place until a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the hierarchy of drainage options contained in the Planning Practice Guidance and, where relevant, shall demonstrate compliance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The scheme shall include:

- a) Separate systems for the disposal of foul and surface water.
- b) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
- c) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year, plus allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.

- d) Measures to ensure that the post-development surface water run-off rate will not exceed the pre-development green field run-off rate.
- e) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- f) Flood water exceedance routes, both on and off site.
- g) Details of water quality controls, where applicable.
- h) A timetable for implementation, including phasing as applicable.

The duly approved scheme shall be implemented before the dwelling hereby approved is first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

- 9) No building works or clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the revocation and re-enactment thereof, with or without modification), no development permitted by Schedule 2, Part 1, Classes A, B, C, D and E shall be carried out at the dwelling hereby approved.

End of conditions