


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	BT	Date:	18/12/25	Manager:	LH	Date:	18/12/25
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Application Ref:	3/2025/0417			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	13/8/25	Site Notice:	11/7/25	
Officer:	BT			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Planning permission for proposed repair, internal and external alterations, amendments to outbuilding to listed building, new external garage, two air source heat pumps.
Site Address/Location:	The Court House, Gisburn Road, Bolton by Bowland, BB7 4NP.

CONSULTATIONS:	Parish/Town Council
Bolton-by-Bowland, Gisburn Forest & Sawley Parish Council:	Consulted 10/7/25 – no response received.

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objections subject to condition.
LCC Archaeology:	No objections.
Historic England:	No comments to offer.
Historic Amenities Societies:	The Victorian Society: No objections following the amendments made
RVBC Environmental Health:	No objections.
CONSULTATIONS:	Additional Representations.
None.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
Ribble Valley Core Strategy: Key Statement DS1: Development Strategy Key Statement DS2: Sustainable Development Key Statement EN2: Landscape Key Statement EN5: Heritage Assets Policy DMG1: General Considerations Policy DMG2: Strategic Considerations Policy DMG3: Transport & Mobility Policy DME3: Site and Species Protection and Conservation

Policy DME4: Protecting Heritage Assets
Policy DME5: Renewable energy
Policy DMH5: Residential and Curtilage Extensions

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF)

Relevant Planning History:

3/2025/0418:

Listed Building Consent for proposed repair, internal and external alterations, amendments to outbuilding to listed building, new external garage, two air source heat pumps (Ongoing)

3/2002/0872:

Removal of existing hedge and construction of 1.75m wall enclosing existing tennis court (Approved)

3/1995/0126:

Demolish existing timber shed and kennel, erect stone garden store (app. For listed building consent) (Approved)

3/1995/0125:

Demolish existing timber shed and kennel, erect stone garden store (Approved)

3/1983/0289:

Alterations to two existing windows, formation of one new window and demolition of three garages (Approved)

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a detached historic three storey property sited within the defined settlement of Bolton-by-Bowland within the Forest Of Bowland National Landscape and Bolton-by-Bowland Conservation Area. Access to the application property is from Gisburn Road from the Northern side of the village's Easternmost village green, with the application property sharing its access with the neighbouring property of The Green which is sited within grounds to the rear of The Courthouse. The application property sits within a sizeable curtilage area comprised of front and rear garden areas, with a tennis court occupying the Western portion of the property's grounds and workshop / store building sited to the rear of the property. The neighbouring properties of Greenside Cottage and Greenside Barn lie adjacent to the East the property with the site being bound on its Northern and Southern sides by Kirk Beck and the village's Easternmost village green respectively. The wider area surrounding the application site comprises a mixture of woodland, agricultural land and open countryside.

The Courthouse holds Grade II Listed Building status with the official Historic England listing description reading as follows:

'House, 1859 with earlier remains. Rubble, mainly limestone, with sandstone dressings, and stone slate roof. 3 storeys to left of porch, 2 to the right. Furrowed quoins. To the right of the porch is a 5-light C17th mullioned window with inner hollow chamfer and outer chamfer. To the right are 2 windows with glazing bars and chamfered stone surrounds. On the 1st floor are 3 large sashed windows with glazing bars in chamfered stone surrounds with hoods. Beneath the sills is a string course. To the left of the porch the windows are all C19th with furrowed tooling on chamfered stone surrounds and with mullions. On the ground floor are 3 tall 3-light windows. On the 1st floor are ones of 3 lights and 2 lights. On the 2nd floor

are ones of 2 lights and 3 lights. The gabled porch is of 2 storeys with a 2-light mullioned window of C19th type on the 1st floor. The door surround is chamfered in 2 orders with a pointed arch and square hood mould. Above is a plaque: 'HAL.ME 1859' The roof above the right-hand part of the facade has a square louvre with a weather vane. The right-hand gable has external stone steps to a 1st floor door similar to that to the porch. The left-hand gable has a shaped lintel re-set over a doorway, inscribed '1704 HMR.'

Proposed Development for which consent is sought:

Planning consent is sought for the following works:

- Removal of existing tennis court and fencing and creation of lawned area
- Construction of new driveway area and detached double garage
- Removal of existing timber access gate and erection of new timber access gates
- Alterations to existing workshop / store building to form utility / plant room
- Installation of two air source heat pumps
- Removal of modern ground floor shutter window from North-eastern elevation of property and infilling of opening with matching stonework

Impact upon Listed Building:

Given the proposal relates to a Grade II Designated Heritage Asset, special regard must also be given to the statutory duties imposed on the authority, pursuant to national legislation, particularly in respect of the preservation and enhancement of such assets.

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by s.58B (1) of Levelling-up and Regeneration Act 2023) is to preserve or enhance the special character of heritage assets, including their setting. As such, in determining applications that affect designated heritage assets, the authority must consider the duties contained within the principle Act which states the following;

Listed Buildings – Section 66(1) (as amended by s.58B of Levelling-up and Regeneration Act 2023):

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving or enhancing the building or its setting. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

Listed buildings - Section 16 (2) (as amended by s.58B of Levelling-up and Regeneration Act 2023):

In considering whether to grant listed building consent for any works to a listed building the local planning authority shall have special regard to the desirability of preserving or enhancing the building. Under s.58B(2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

Paragraph 212 of the NPPF states:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

In addition, Key Statement EN5 of the Ribble Valley Core Strategy states:

'There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings.'

Furthermore, Policy DME4 of the Core Strategy states:

'Alterations or extensions to Listed Buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported.'

Heritage impact is considered to be the potential level of harm upon the significance of a heritage asset caused by development proposals. The NPPF defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest can be archaeological, architectural, artistic or historic.

Statements Of Heritage Significance, Historic England (2019) defines these as follows:

'Archaeological Interest: There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.'

'Architectural And Artistic Interest: Interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.'

'Historic Interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.'

National Planning guidance requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting in order to allow the LPA to come to a judgment about the level of impact on that significance and therefore on the merits of the proposal.

A heritage statement has been provided in support of the application which summarises the significance of the application building as follows:

'The Old Courthouse is an example of a mid - 19th century building dedicated to serving as both a local courthouse and accommodation for the local police inspector...The building serves as an example of a rural law court, with associated police accommodation, where petty sessions cases were heard which dealt with minor criminal proceedings...two former cell doors have been retained to the ground floor of the property. There is also a royal coat of arms mounted over the fireplace within the former court room. The building has retained a few other features of interest including a 17th century five-light mullioned window, an early 18th century stone lintel inscribed '1704 HMR' and a 17th century timber balustrade with turned balusters as well as later 19th century fabric (internal and external) which appears to be contemporary with the 1859 build date.'

Accordingly, the above observations indicate that the significance of the application building is largely underpinned by its historic interest (evidence of historic legal practices) along with some archaeological and architectural interest (extant historic fabric & mullioned windows).

The proposed works of repair to the application property's roof, rainwater goods, external walls and windows would deliver a visual enhancement to the external appearance of the historic dwelling. In

addition, the proposal seeks to remove an incongruous modern window and shutter from the rear North-eastern elevation of the dwelling and infill the remnant opening with matching stonework which would deliver a further enhancement to the external appearance of the building.

The proposed garage would be located to the west of the listed building in the location of the current tennis courts. This is currently an open area of hardstanding which makes no contribution to the significance of the listed buildings or CA in its current form. The proposed garage would be screened by vegetation from The Green/road, and I don't feel there would be any impact on the character or appearance of the conservation area. A garage was sited historically closer to the listed buildings. However, there is no information on the proposed material for the garage doors. Given the proximity to the listed buildings I would recommend consideration is given to painted timber rather than metal or plastic.

The proposed gates are considered acceptable and will assimilate well with the character of the listed buildings.

The proposed ASHP have been relocated to the northern elevation of the outbuilding away from the dwelling which will have less impact than previously proposed. Whilst it would be preferable for full details of the ASHP to be provided with the application, in light of the revised siting the LPA is content for this to be secured by condition. The alterations to the outbuilding involve the provision of conservation rooflights, external door alterations and a new window installed in the west elevation. The submitted details show this to be a top hung casement but this is considered to be inauthentic and harmful to the building character. Subject to a suitably worded condition that secures an alternative design for the new window, which the applicant has agreed to, the proposal would cause a low level less than substantial harm to the significance of the listed building through limited loss of historic fabric of the outbuilding and installation of ASHPs and the visual impact this would have if installed.

In accordance with P215 of the NPPF the harm identified should be weighed against the public benefits of the scheme including removal of the ground floor modern roller shutter, removal of poor quality interventions to the outbuilding and general repair/maintenance to secure the future of the property. These public benefits are considered to outweigh the low level less than substantial harm identified. Therefore the development satisfies P215 of the NPPF.

Impact upon Character/appearance of Conservation Area:

The site is situated within the Bolton-by-Bowland Conservation Area. With reference to making decisions on applications for development in Conservation Areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

"...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

This guidance is reiterated in Key Statement EN5 of the Ribble Borough Valley Core Strategy which stipulates that all development proposals should respect and safeguard the character, appearance and significance of all Conservation Areas.

The *Bolton-by-Bowland Conservation Area Appraisal (2005)* identifies the village's numerous Listed Buildings as contributing towards the Conservation Area's special interest, with specific reference being made to St. Peter and Paul's Church, the Coach and Horses public house and also the application property. Further reference is made to Bolton-by-Bowland's two village greens (Stocks Green & the village green to the East of St. Peter and Paul's Church) and the meadow to the North of St. Peter and Paul's Church as contributing towards the special interest of the area. Numerous Key Views are identified on the Bolton by Bowland Conservation Area Townscape Appraisal Map with one of these being the North-eastwards view towards the principal elevation of the application property. The

Conservation Area Appraisal goes on to identify the continuing loss of original architectural details as being a threat to the area's historic character.

In this instance, the proposed works of repair to the application property's roof, rainwater goods, external walls and windows would deliver a visual enhancement to the external appearance of the historic dwelling. Similarly, the removal and replacement of the site's dilapidated timber access gate with new timber access gates and removal and replacement of the property's dated and redundant tennis court and fencing with a new lawned area and hardstanding would deliver a further visual enhancement to the character and appearance of the application site. Furthermore, the large majority of these enhancements would be publicly read in the context of the surrounding Conservation Area from Gisburn Road when facing towards the frontage of the application property and as such would subsequently deliver an enhancement to the character and appearance of the Bolton-by-Bowland Conservation Area. Moreover, the proposed garage would be a modestly sized structure with respect to its footprint and height and would be detailed in stone and slate to assimilate with the historic character of the application property and surrounding Conservation Area. Consequently, the proposed development would satisfy the requirements of Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact Upon Residential Amenity:

Paragraph 135 (f) of the National Planning Policy Framework states:

'Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'.

Furthermore, Policy DMG1 of the Core Strategy requires all proposals for development to consider the effects of development upon existing amenities.

In this instance, the proposed development seeks to introduce two air source heat pumps to the site which would be sited directly adjacent to the proposed North elevation of the existing workshop / store building to be converted. Technical data for the air source heat pumps has been provided in support of the application and reviewed by the Council's Environmental Health officer who has raised no issues with respect to noise impacts upon the site's neighbouring receptors from the air source heat pumps. In addition, the proposed garage building would be sited well away from the site's surrounding residential receptors therefore its addition to the site would not pose any issues with respect to loss of natural light or outlook.

Accordingly, it is not considered that the proposed development would be harmful to the amenity of any neighbouring residents and would therefore be compliant with the aims and objectives of Paragraph 135 (f) of the NPPF and Policy DMG1.

Visual Amenity/External Appearance:

Paragraph 135 (c) of the NPPF states:

'Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting'.

Policy DMG1 of the Ribble Valley Core Strategy provides additional general design guidance as follows:

'All development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style...particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.'

With respect to development within National Landscapes (previously known as Areas Of Outstanding Natural Beauty) Paragraph 189 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.'

Key Statement EN2 of the Core Strategy provides similar guidance:

'The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.'

In this instance, the proposed works of repair to the application property's roof, rainwater goods, external walls and windows would deliver a visual enhancement to the external appearance of the historic dwelling. In addition, the proposal seeks to remove an incongruous modern window and shutter from the rear North-eastern elevation of the dwelling and infill the remnant opening with matching stonework which would deliver a further visual enhancement to the external appearance of the application property.

The conversion of the existing workshop / store building to a utility and plant room would involve some external alterations to the curtilage listed building however the door and window openings proposed for the South-western elevation of the building would be formed through existing door and window openings and the new window opening proposed for the building's North-western elevation would be in keeping with both the proportions and design of the existing windows within the North-western gable end of the application property. Furthermore, the two new rooflights proposed would comprise a Conservation style design which would allow for seamless integration within the building's roofspace. As such, it is not considered that the works of conversion to the outbuilding would detract from its historic character. The two air source heat pumps would be modern additions to the grounds of the historic property however these would be modest features in terms of their cubic volume would remain predominantly screened from public view by virtue of their siting to the rear of the application property. As such, the addition of the proposed microgeneration equipment to the site is considered to be acceptable.

The addition of the proposed detached garage would introduce additional built form into the application site however the garage would be a modestly sized structure with respect to its footprint and height and would be detailed in stone and slate to assimilate with the historic character of the application property and surrounding area and would therefore read as an acceptable addition to the site. The application site currently accommodates worn and dilapidated features which at present include a timber access gate and redundant tennis court and fencing, all of which detract from the site's amenity value. Consequently, the replacement of these features with new timber access gates and a new lawn area and hardstanding would deliver a visual enhancement to the character and appearance of the application site. Furthermore, and as previously conveyed, the works of repair to the application property and remodelling of the site's access and grounds would be predominantly visible in the public realm.

Taking account of all of the above, it is considered that the proposed development as a whole would deliver a visual enhancement to the character and appearance of the application property, application site and surrounding National Landscape. The proposal would therefore satisfy the requirements of Paragraph 135 (c) and 189 of the NPPF and Key Statement EN2 and Policy DMG1 of the Core Strategy.

Archaeology:

The proposed development has been subject to review from Lancashire County Council's Archaeology team who have advised that formal archaeological fieldwork would not be justified in this instance given that archaeological deposits relating to the earlier building that was on previously site are likely to have been significantly disturbed and at least partially removed.

Highways and Parking:

The proposed development has been subject to review by Lancashire County Council Highways who have raised no objections to the proposed development with respect to access, parking or general highway safety. The LHA have recommended for the imposition of conditions with respect to the provision of parking and turning areas, construction management and delivery timings to the site in order to avoid conflicts with school traffic and pedestrians, all of which have been imposed on this consent. On this basis, it is not considered that the proposed development would have any undue impacts upon highway safety as such the proposal satisfies Policy DMG1 of the Core Strategy (highways).

Landscape/Ecology:

Protected Species

A bat scoping survey of the application property and workshop / store building was undertaken on 3/6/25, with emergence surveys subsequently undertaken on 12/6/25 and 3/7/25 which confirmed use of the application property's rear North-eastern roof slope by 2no. Soprano Pipistrelle bats as a day roost for foraging in the high value forage potential within the vicinity of the application site.

In this instance, the proposed works of repair to the roof structure of the application property would result in the loss of a confirmed bat roost therefore the proposed development could only be carried out under a relevant Natural England Protected Species Mitigation License.

In order for the Natural England license to be granted, Natural England requires 3 tests for the development to be met: (a) Preserving public health or public safety or other imperative reasons of overriding public interest; (b) there is no satisfactory alternative; and (c) the action will not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range. As competent authority the Habitats Directive places a duty on local planning authorities to consider whether there is a reasonable prospect of a license being granted and apply the three tests.

With regard to the first test, the proposed works of repair to the roof structure of the application property would address various defects and would also prevent further deterioration and water ingress into the property, thus safeguarding the historic fabric of a heritage asset which is considered to be in the public interest. As such, the proposal would meet the requirements of the first test.

In terms of the second test, leaving the roof structure of the application property in its existing form would fail to safeguard the heritage asset therefore there is not considered to be any satisfactory alternative.

The final test is an ecological one, which the submitted ecology survey suggests could be met, subject to careful planning and appropriate mitigation measures.

Accordingly, the proposed development would meet the requirements of all three tests therefore there is considered to be a reasonable prospect that Natural England would grant a license for the proposed development.

The provision of a Natural England License and incorporation of additional compensatory measures has been secured through the imposition of conditions.

BNG

The development is exempt from having to achieve the mandatory Biodiversity Net Gain requirement as it forms the basis of a householder planning application.

Other Matters:

Flood Risk

Recently updated flood risk mapping (NaFRA2 - National Flood Risk Assessment 2) identifies the application site as being at risk of flooding from surface water therefore a Flood Risk Assessment has been provided in support of the application. The submitted Flood Risk Assessment states the buildings and site to which this application relates are not affected by surface water flooding however analysis shows the presence of surface water flood risk in the area between the application property and workshop / store building. Notwithstanding this, the identified extent of surface water flood risk is relatively small in terms of its surface area and would not be subject to any of the works forming part of this application. Furthermore, the identified extent of surface water flood risk relates to a nominal 0.1% (1 in 1000) risk of annual flooding. As such, the proposed development raises no significant concerns with respect to flood risk.

Observations/Consideration of Matters Raised/Conclusion:

It is not considered that the development proposed would have any undue impacts upon neighbouring amenity and the development as proposed would deliver an enhancement to the historic character of the application property, Bolton-by-Bowland Conservation Area and visual amenities of the immediate and wider landscape. This enhancement outweighs the low level less than substantial harm identified and so the public benefit test is satisfied. Furthermore, the proposal does not raise any concerns with respect to highway safety, ecology or flood risk.

As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval.

RECOMMENDATION:	That planning consent be granted subject to the imposition of conditions.
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