



Appeal Decision

Site visit made on 23 March 2026

by **E Fawcett BA (Jt Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th May 2026

Appeal Ref: 6003796

19 Pendle Street East, Sabden, Lancashire BB7 9EQ

- 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 and Mrs Whitehurst against the decision of Ribble Valley Borough Council.
 - The application Ref is 3/2025/0531.
 - The development proposed is new build single storey dwelling house within existing garden curtilage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As part of their submission, the appellant has provided an amended scheme which would replace the timber cladding on 2 elevations of the dwelling with render. It is not the purpose of the appeal process to evolve a scheme, and it is therefore important that what is considered by the Inspector is essentially the same scheme before the Council and interested parties at the application stage. I have nevertheless considered whether to accept the amended plans.
3. Having regard to case law, I conclude that, whilst the amendments do not constitute a substantial change to the scheme determined by the Council, I am mindful that those who should have been consulted on the changed development have not had the opportunity to make representations. I therefore cannot be certain that accepting the alternative proposal would not be prejudicial to interested parties. Furthermore, the appellant has made it clear that the original proposal remains the preferred option. I have therefore determined the appeal against the plans considered by the Council when it made its decision.

Main Issues

4. The main issues are:
 - whether the site is a suitable location for the proposed development having regard to the settlement strategy for the area;
 - whether the proposed development would provide acceptable living conditions for future occupants with regard to noise; and
 - the effect of the development on the character and appearance of the area, including the Forest of Bowland National Landscape.

Reasons

Location

5. The appeal site lies within the settlement boundary of Sabden and within the Forest of Bowland National Landscape (FBNL). The area's development strategy is set out in Key Statement DS1 of the Ribble Valley Core Strategy 2008 – 2028 (the CS). This focusses most new housing development to an identified strategic site and the principal settlements of Clitheroe, Longridge and Whalley, with growth directed to Tier 1 Villages, which are considered the most sustainable. Sabden is identified as a Tier 2 settlement, where development is expected to meet proven local needs or deliver regeneration benefits.
6. CS Policy DMG2 requires development in Tier 2 settlements to satisfy at least 1 of several criteria. Although the proposal would allow the appellants to downsize and remain in the community, providing a bungalow that could meet the needs of older persons, no substantive evidence has been provided to demonstrate a specific local housing need for this dwelling. In addition, no mechanism has been put forward to secure the home as local-needs housing or older person's housing. As a result, the proposal has not been shown to meet a local housing need or any of the other criteria in Policy DMG2.
7. CS Policy DMH3 sets further restrictions for new dwellings within the National Landscape. As the proposal relates to a new dwelling, and would not meet an identified local need, it would also conflict with the requirements of this policy. Whilst the scheme is for a self-build home, neither DMH3 nor DMG2 includes self-build as a criterion that would make development acceptable in this location.
8. Policy DMG3 of the CS supports development that is well related to the primary road network, can be accessed by sustainable transport modes and reduces the need for travel by private car. Sabden contains several local services and facilities including a shop, village hall, Post Office, primary school and public house, all within walking distance of the appeal site. However, beyond the village there are no suitable walking or cycling routes to nearby towns or villages due to rural road conditions and steep terrain.
9. A bus service operates between Burnley and Clitheroe, running approximately hourly between 0700 and 1800 Monday to Saturday, and between 1000 and 1800 on Sundays. Although the lack of evening services limits accessibility, the daytime service does offer an alternative to private car use and is within walking distance of the site. Together with the village services, this means future occupants would not be entirely dependent on private vehicles, though the limitations still result in conflict with Policy DMG3.
10. The appellant refers to a previous planning permission for 17 dwellings on land to the east of the appeal site, as well as the allocation of that land for housing in the development plan. Although only limited information has been provided, the Council has not disputed either the allocation or the earlier approval. However, this does not remove or outweigh the policy conflict identified in relation to the appeal proposal. It does, nonetheless, indicate that the Council has supported some housing growth within the village.

11. In conclusion, the site is not a suitable location for the proposed development, having regard to the settlement strategy for the area as conflict arises with CS Key Statement DS1 and Policies DMG2, DMG3 and DMH3.

Living Conditions

12. A noise impact assessment (NIA) was submitted with the planning application to identify noise levels at the application site and consider whether any noise impacts could be appropriately mitigated, primarily in relation to a nearby commercial premises, which includes a building sited close to the site's boundary. The Council's concerns relate to nighttime noise. Exposure to noise can cause annoyance and sleep disturbance, which affects quality of life and can cause impacts on health.
13. Table 5 of the NIA summarises the noise levels recorded overnight from Monday 29 September 2025 into the following day, showing a range of 35-75 dB $L_{AFmax, 15min}$. The assessment of internal noise levels within the proposed dwelling is based on the second highest recorded L_{AFmax} . The ProPG: Planning & Noise 'Professional Practice Guidance on Planning and Noise: New Residential Development (2017) (the ProPG) sets out that if the L_{AFmax} from individual noise events would not normally exceed 45 dB more than 10 times a night, this represents a reasonable threshold below which the effects of individual noise events on sleep can be regarded as negligible. Although the NIA does not explain why the second-highest L_{AFmax} value was selected, the appellant's evidence indicates that using this value would result in only a single nighttime event exceeding 45 dB L_{AFmax} within bedrooms.
14. The fourth highest recorded L_{AFmax} value has been used to assess bedroom noise levels with an open window. This figure is 15 dB below the highest recorded noise level. The appellant's evidence sets out that 3 events would exceed 55 dB L_{AFmax} in bedrooms with windows open. Approved Document O of the Building Regulations, relating to overheating, advises that bedroom windows are likely to be closed at night if internal noise levels exceed 55dB L_{AFmax} more than 10 times a night. However, it is clear that with windows open, the number of events exceeding 45 dB L_{AFmax} , the level given in the ProPG, would increase.
15. The overnight measurements were obtained from an unattended survey, meaning that there is no accompanying description of the noise climate. The NIA provides only a summary of the recorded noise levels and does not identify the timing or duration of the higher L_{AFmax} events. The report does not attribute these higher readings to any specific noise source, making the characteristics of the noise unclear, and it can therefore not be ascertained whether the recorded levels are representative of typical conditions across a full week.
16. The Planning Practice Guidance advises that some types and levels of noise will have a greater adverse effect at night as people tend to be more sensitive to noise when they are trying to sleep and background noise levels are generally lower. For non-continuous noise sources, the number of events, their frequency, and their pattern of occurrence are all relevant factors in assessing potential harm.
17. Based on the evidence provided, there remains significant uncertainty regarding several aspects of the overnight noise environment. Consequently, it has not been robustly demonstrated that future occupants would avoid experiencing an unacceptable level of noise pollution, with resulting harm to their quality of life and

potentially their health. The occupants of 19 Pendle Street East have not raised concerns about nighttime noise. However, the position of this property, including in relation to the nearby commercial premises and its location within a terrace, differs from the proposed dwelling, and therefore bedroom noise levels may not be comparable. Whilst the proposal may achieve some compliance with the ProPG when windows are closed, the ProPG does not constitute government guidance and does not replace or provide an authoritative interpretation of the law or national policy.

18. I therefore conclude that, in the absence of substantive evidence to demonstrate otherwise, the proposed development would fail to provide acceptable living conditions for future occupants with regard to noise. The proposal therefore conflicts with CS Policy DMG1 which, amongst other things, seeks to ensure that development is sympathetic to existing land uses.

Character and appearance

19. The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 85 of the Countryside and Rights of Way Act 2000, as amended by section 245 of the Levelling-up and Regeneration Act 2023, places a duty on relevant authorities to seek to further this purpose. Similarly, paragraph 189 of the National Planning Policy Framework (the Framework) requires great weight to be given to conserving and enhancing the landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.
20. The FBNL comprises a complex interplay of many different landscape types intrinsic to its overall landscape character, including wide open moorland, high fells, rolling pastoral farmland, woodlands and river valleys. Over one third is moorland, making up the wild open spaces and remoteness that are a strong characteristic of the FBNL. The limited tree cover across much of the area provides open expansive views that give the impression of an untouched natural landscape although it is the result of many human influences. Sabden is located close to the southern edge of the FBNL, benefitting from views of Pendle Hill which forms a discrete landscape feature, geologically linked to the rest of the FBNL, but separated from the main area by the Ribble Valley.
21. The appeal site comprises a long strip of land extending from an access road at the rear of a row of stone terraced houses on Pendle Street East, rising southwards to a public right of way at the edge of the village. Although the Council has questioned whether the land is lawfully part of the garden of No 19, its current character is domestic. It is mown, contains several outbuildings and domestic items, and is enclosed by a mix of fencing, trees and hedgerows. This appearance contrasts with the large open field immediately to the east and the farmland to the south that rises up towards a wooded hillside. A line of timber fencing along the southern boundary of the site and neighbouring plots reinforces this separation. As a result of the enclosed nature of the site and its strong relationship to the built form of the settlement, it makes a limited contribution to the special qualities of the FBNL.
22. The proposed dwelling would be sited some distance from the terraced dwellings on Pendle Street East. However, views of the building would be limited due to the presence of existing development to the west and north. The most open views

would be from the east across the adjacent field, but even here the dwelling would be seen in the context of other built features, including a single-storey building sited closer to the public right of way at the neighbouring property to the west. A larger mill building is also visible in the background. Whilst the proposed dwelling would not follow the development pattern of the terraced properties to the north, it would not appear in isolation. Furthermore, views from the public footpath would be limited due to the lower position of the dwelling.

23. The site is generally well contained by existing boundary treatments, although a section of the eastern boundary is more open and allows some views into the site. The lower part of this boundary is formed by a hedgerow, which provides a soft transition to the adjoining field. A similar hedgerow treatment could be extended along the remainder of the boundary and secured by condition, helping to screen the dwelling and associated domestic activity.
24. Although the proposal would not follow the design of the terraced dwellings to the north, its separation from them means that combined views would be limited. The use of timber cladding would therefore not appear discordant with the traditional stone buildings and the finish would not be dissimilar to domestic outbuildings in the vicinity or the appearance of buildings often seen in the rural landscape. The well contained nature of the site would limit views of the timber cladding with the slate roof likely being the most visible part of the building from the east. This is reflective of local building materials, so would be in keeping with nearby development in this regard and the dark colour would help it assimilate within the landscape.
25. Overall, the proposed development would have limited visual prominence and would remain contained within the existing plot and settlement boundary, with a clear separation from the rising open landscape to the south. Therefore, in the absence of harm, I am satisfied the proposed development would conserve the natural beauty of the FBNL and would be compatible with the statutory purposes of Protected Landscapes.
26. I conclude that the proposed development would not cause harm to the character and appearance of the area, including the National Landscape. It therefore complies with CS Key Statement EN2 and Policy DMG1 which, amongst other things, collectively seek to ensure that development is in keeping with the character of the landscape, reflecting local distinctiveness and is sympathetic in terms of its size, scale, massing, style and building materials.

Other Matters

27. The access to the appeal site is located within the Sabden Conservation Area (the CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The significance of the CA is derived from, amongst other matters, the village's industrial past, its rural setting and the diversity of mill worker's terraced housing. The access to the site would utilise existing roads between and to the rear of the terraced housing and no alterations are proposed to these. As a result, the character and appearance of the CA as a whole would be preserved. I note that the Council has raised no objections in this regard.

28. The appeal site is not located within the Green Belt, however harm has been identified in respect of the Council's settlement strategy. Whilst Green Belt policy may allow for limited infilling in villages, in these situations, development would still need to comply with the development plan which may include policies directing development to specific settlements or those with a certain level of services.

Planning Balance

29. The Council has confirmed that, since the determination of the planning application, it is now unable to demonstrate a 5-year supply of deliverable housing sites, with a figure of 3.45 years set out in a recent appeal decision. Paragraph 11(d) of the Framework explains that in these circumstances the policies which are most important for determining the application are out of date. Whilst the site is located within the National Landscape, I have not found harm in this regard and therefore it does not provide a strong reason for refusing the appeal. Consequently, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
30. The scheme would deliver a new dwelling within the settlement boundary and would represent an efficient use of land, a key policy to which paragraph 11(d)(ii) of the Framework requires particular regard to be given. It would also contribute towards the Council's housing supply and support the Government's objective to significantly boost the supply of homes, although this would be limited given that the proposal relates to a single dwelling. The proposal is also a self-build dwelling, the value of which is recognised by the Framework, and would be secured by a legal agreement. Given the level of housing shortfall, I give the contribution towards housing and self-build properties, and the efficient use of land, significant weight.
31. There would be some economic benefits during construction, however these would be short term. Further economic benefits would also arise from additional spending in the area by future occupants of the dwelling. Cumulatively, given the scale of development, the economic support to the area arising from the appeal proposal would be relatively small. I therefore attach limited weight in respect of the economic benefits. Although the proposal would not result in unacceptable harm in respect of highway safety, parking, and the character and appearance of the area, these considerations are neutral in the overall planning balance.
32. The proposed development would conflict with the spatial strategy set out in the development plan as the site lies within a Tier 2 village and the FBNL and it would not satisfy any of the criteria for new dwellings in these locations. Paragraph 11(d)(ii) also requires particular regard to be had to key policies for directing development to sustainable locations. However, there are a number of services within the village and a bus service giving access to a greater range of facilities in larger settlements, which does provide some alternatives to private vehicle use. I therefore give the conflict with the settlement strategy moderate weight.
33. With the lack of substantive evidence to demonstrate otherwise, the proposal would also fail to provide acceptable living conditions for future occupants and therefore raises a conflict with a further key policy in the Framework, identified in paragraph 11(d)(ii), in respect of securing well-designed places. Paragraph 187 also states that decisions should prevent new development from being put at

unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. I therefore afford this harm significant weight.

34. Taking into account the benefits of the proposal, I find that the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, particularly the key policies I have referred to above.

Conclusion

35. The proposal would conflict with the development plan as a whole, and there are no material considerations, including the provisions of the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, and having regard to all other matters raised, the appeal is dismissed.

E Fawcett

INSPECTOR