
Appeal Decision

Site visit made on 27 January 2014

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2014

Appeal Ref: APP/T2350/D/13/2210765

Great Mitton Hall, Mitton Road, Clitheroe BB7 9PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Kay against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2013/0793, dated 19 August 2013, was refused by notice dated 25 October 2013.
 - The development proposed is a new car port, boundary wall and external landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for a new car port, boundary wall and external landscaping at Great Mitton Hall, Mitton Road, Clitheroe BB7 9PQ in accordance with the terms of the application, Ref 3/2013/0793 dated 19 August 2013, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: As Existing Site Plan and Location Plan Dwg No: 2771/01/010; As Proposed Car Port Plans and Elevations Dwg No: 2771/01/103; As Proposed Site Plan Dwg No: 2771/01/100B; As Proposed Site Sections – Sheet 1 Dwg No: 2771/01/101; and As Proposed Site Sections – Sheet 2 Dwg No: 2771/01/102A.
 - 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) Before the development hereby approved becomes operative, visibility splays of 2 x 81m metres (measured along the centre line of the existing access to the property from the continuation of the nearer edge of the carriageway of Mitton Road) shall be provided at each side of the vehicular access point as shown on the As Proposed Site Plan Dwg No 2771/01/100B approved under condition 2 to this permission. No structure, object, plant or tree exceeding 1 metre in height shall be subsequently erected or allowed to grow within the visibility splays hereby approved.

Application for costs

2. An application for costs was made by Mr and Mrs Kay against Ribble Valley Borough Council. This application is the subject of a separate Decision.

Procedural Matter

3. At a late stage in the application process the appellant submitted amended plans to the Council and has indicated that they would like these to be used in the determination of the appeal. The plans realign a short section of the wall to allow a visibility splay of 2.0m x 81m to be provided to the south. I consider that no party would be prejudiced by my determining the appeal on the basis of the amended plans.

Main Issues

4. The main issues in the appeal are;
 - whether or not the proposal would preserve the setting of the nearby listed buildings;
 - the effect of the proposed development on the character and appearance of the surrounding area, including the nearby Area of Outstanding Natural Beauty (AONB); and
 - the effect of the proposed development on highway safety.

Reasons

Setting of Listed Buildings / Character and Appearance

5. Great Mitton Hall is a Grade II Listed building. The original part of the Hall is a 2 storey stone building to which a single storey extension was added more recently. The Hall stands within landscaped grounds on the top of an escarpment above the River Ribble and it is a prominent feature in the locality especially when viewed from the bridge over the river. Boundary treatments around the property vary but include a Leylandii hedge and picket fence along Mitton Road, a wooden fence at the top of the escarpment and a stone wall to the north.
6. To one side of the Hall lies the Grade I Listed All Hallows Church, and on the other side, across the road, is the Grade II Listed Aisled Barn that forms part of Mitton Old Hall Farm. Whilst its architectural and historic features make the Hall a heritage asset in its own right, the historic and visual connections between the three adjacent listed buildings adds to their significance and distinctiveness.
7. The proposed car port would be located on land that currently forms part of the garden area adjacent to the road. It would be set away from the front courtyard which, as identified in a previous appeal¹, forms an important part of the setting of the Hall. Moreover, its position would not impact upon the Copper Beech tree located in this area which is an attractive feature in the locality. The timber materials proposed on the carport and its open framed structure would reflect and complement its rural location.

¹ APP/T2350/D/12/2175885

8. The sloping nature of the land means that the car port will be set at a lower level than the main building and so will appear subservient in relation to it. Furthermore, its positioning would not interrupt or detract from the visual connections that exist between the three listed buildings. Views of the carport from the public realm would be limited and mainly only possible in the short range. Where views would be possible, including from close to the river, it would clearly be seen as ancillary structure and it would not appear as a strident or prominent feature. In this way, the car port would not undermine the setting of the listed buildings or adversely harm the character and appearance of the surrounding area.
9. Although hedges are a common feature in the area, the current Leylandii hedge along Mitton Road is a discordant feature when compared to the native woodland and hedges in the vicinity. Moreover, whilst hedges are particularly found surrounding fields in the area, walls of a variety of styles and heights are found around a number of the buildings within the surrounding hamlet.
10. The design of the proposed wall reflects that of the wall immediately to the north of the hall and around the adjacent churchyard, being constructed from stone with triangular shaped coping stones. The height of the wall would be slightly lower than the existing hedge and whilst the wall would be higher than the standard height of a dry stone wall, it would be comparable to the wall immediately to the north of the Hall. It would also reduce in height towards the vehicular access, as does this other wall. As a result, although clearly visible from the public realm, the wall would not appear out of keeping with the surrounding area or the nearby AONB.
11. Whilst I accept that the wall would make a stronger boundary between the Hall and the barn, its height is such that it would not result in the loss of the visual connections that exist between them. In addition, it would not impact on any views of the church from Mitton Road. Therefore, the proposed wall would not detract from the settings of the adjacent listed buildings.
12. Consequently I consider that the proposal would preserve the setting of the nearby listed buildings and would not materially harm the character and appearance of the surrounding area, including the AONB. As a result there would be no conflict with Policies ENV19, G1 and ENV2 of the *Ribble Valley Districtwide Local Plan (adopted June 1998)* (RVLP) which respectively seek to ensure that new developments preserve the setting of listed buildings, do not adversely affect the amenities of the surrounding area and protect, conserve and whenever possible enhance land adjacent to an AONB. Neither would it be contrary to the principles in the *National Planning Policy Framework* of sustaining and enhancing heritage assets.

Highway Safety

13. The existing vehicular access for the Hall is located at the northern end of the site. The hedge along the boundary currently restricts visibility for vehicles using this access. The Council's evidence indicates that following a site visit, given the specific circumstances of the site, it was considered that absolute visibility of 81m in either direction would be necessary. It was suggested that a reduction in the height of the wall would be necessary to achieve this. However, the revised plans have realigned the position of the wall slightly to enable a visibility splay of 2 m x 81 m to be provided from the vehicular access.

14. In the light of this I consider that the proposed development would not materially harm highway safety. Accordingly, there would be no conflict with Policy G1 of the RVLP which requires that a safe access should be provided for developments.

Conclusion and Conditions

15. For the reasons set out above, I conclude the appeal should be allowed.
16. In addition to the standard implementation condition, it is necessary for the avoidance of doubt, to define the plans with which the scheme should accord. In the interests of the character and appearance of the area and of protecting the setting of the listed buildings, a condition is required to control the external appearance of the development. For reasons of highway safety a condition is required relating to the provision of visibility splays.

Alison Partington

INSPECTOR