

## Appeal Decisions

Site visit made on 9 August 2016

**by Roger Catchpole DipHort BSc(hons) PhD MCIEEM**

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

**Decision date: 19 August 2016**

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### **Appeal A: APP/T2350/W/16/3148964**

#### **Great Mitton Hall, Mitton Road, Mitton, 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: 3/2016/0091, dated 22 January 2016, was refused by notice dated 22 March 2016.
  - The development proposed is a conservatory on the south east elevation of a modern extension.
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### **Appeal B: APP/T2350/Y/16/3148963**

#### **Great Mitton Hall, Mitton Road, Mitton, Clitheroe BB7 9PQ**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mr and Mrs Kay against the decision of Ribble Valley Borough Council.
  - The application Ref: 3/2016/0132, dated 22 January 2016, was refused by notice dated 22 March 2016.
  - The works proposed are a conservatory on the south east elevation of a modern extension.
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### **Decision**

#### *Appeal A*

1. The appeal is dismissed.

#### *Appeal B*

2. The appeal is dismissed.

### **Preliminary Matter**

3. As the proposal affects listed buildings I have had special regard to sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

### **Main Issues**

4. The main issues are whether the proposal would preserve a Grade II listed building, Great Mitton Hall, and any of the features of special architectural or historic interest that it possesses; and whether the proposal would preserve the setting of nearby listed buildings.
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## Reasons

5. Great Mitton Hall was listed in 1954 and was originally constructed in the 17<sup>th</sup> century. It comprises two stories with an attic and cellar. It is constructed from coursed rubble with a slate roof. A gabled, single storey extension projects at a right angle from one end of the south-western elevation. The extension is a modern addition which forms a partially enclosed courtyard. This elevation also accommodates the main entrance to the building via a single storey, gabled porch. Hooded mullion windows predominate and an impressive series of windows characterise the buttressed, south-eastern gable of the original building. These comprise a mullioned cellar window, a 14-light mullioned and transomed ground floor window, a 7-light first floor window and a 6-light attic window. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with the fenestration and architectural detailing of its south-western gable.
6. The appeal property is within the setting of a Grade I listed building, Church of All Hallows, and a further Grade II listed building, Aisled Barn, Mitton Old Hall Farm, 35 Metres West of Great Mitton Hall. The Church was listed in 1954 and was originally constructed in the late 13<sup>th</sup> century with an early 15<sup>th</sup> century west tower and a late 16<sup>th</sup> century north chapel. It is constructed from coursed, sandstone rubble with a stone slate roof. The Barn was listed in 1984 and dates from the 17<sup>th</sup> century and is also constructed from coursed, sandstone rubble with a slate roof. The close juxtaposition of these buildings, common materials and highly prominent position at the top of an escarpment have created an ensemble of considerable historic and aesthetic value. As noted by a previous Inspector<sup>1</sup>, 'the historic and visual connections between the three adjacent listed buildings adds to their significance and distinctiveness'. Given the above, I find that the special interest of the setting of these listed buildings, insofar as it relates to this appeal, to be primarily related to the close visual juxtaposition of the Church and appeal property when viewed from the southwest along Mitton Road and the valley of the River Ribble.
7. The proposal would lead to the construction of a neo-classical style conservatory on the southern elevation of the single storey extension to the original building. It would be located centrally and utilise the existing terrace as a foundation. A number of minor changes would be made to the existing fenestration of the extension and the structure would not extend above the ridge line. Consequently, there would be no loss of original fabric or any change to the original layout of the listed building. However, the introduction of this alien feature would diminish the dominance of the windows of the buttressed gable and undermine their functional role. This is because the conservatory would create a diversionary feature and introduce a new vantage point from which wider views of the landscape to the southwest would be gained. It would also significantly increase the extent of the reflective surfaces associated with the extension during the day as well as the prominence of its illumination at night. Whilst I accept that the latter could be controlled through an appropriate condition, this is not the case for the former. Even if less reflective glass was used the overall extent of the reflective surface would still remain unacceptable.

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<sup>1</sup> APP/T2350/D/13/2210765

8. Notwithstanding the modern origin of the extension, the proposed structure would introduce a highly incongruent feature that would lack sympathy with the simple architectural form and period detailing of the original building. This harm would also erode the setting of the church given the prominence of the conservatory within the asset grouping. Given the above, I find that the proposal would fail to preserve the special interest of the listed building as well as the setting of the nearby listed church. I consequently give this combined harm considerable importance and weight in the planning balance of this appeal.
9. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given the fact that the conservatory would be attached to a modern extension and contained within its form, I find the harm to be less than substantial in this instance. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellants have not suggested that any public benefits would arise in this instance.
10. Given the above, and in the absence of any defined public benefit, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building and the setting of the Grade I listed building, thus failing to satisfy the requirements of the Act and paragraph 134 of the Framework. This would conflict with key statement EN5 and policies DME4 and DMG1 of the Ribble Valley Borough Core Strategy 2008-2028 (2014) that seek, among other things, to protect, conserve and enhance heritage assets and their settings. Consequently, the proposal would not be in accordance with the development plan.

### **Conclusion**

11. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

*Roger Catchpole*

INSPECTOR