

**Town and Country Planning Act 1990
(As Amended)**

Planning Statement

Planning and Listed Building Consent application for the erection of a single storey extension to the south of an existing modern extension to Great Mitton Hall; the reconfiguration of the existing patio and railings; the removal of the pointed arch doorway to the southern wall of the modern extension and its replacement with a window; and the re-painting of the existing rendered gable to the Hall.

Site: Great Mitton Hall, Mitton Road, Mitton, Clitheroe

Applicant: Mr and Mrs Kay

Our Ref: KAY159/1/PS

Document date: May 2018

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1. INTRODUCTION

- 1.1 This planning statement has been prepared to support a householder planning application and listed building consent application for the erection of a modest single storey extension to the south east of an existing modern extension at Great Mitton Hall, Mitton Road, Mitton, Clitheroe.
- 1.2 This statement, along with a supporting heritage assessment by Heritage Collective, will seek to justify the proposals against the relevant policies of the Development Plan and National Planning Policies, including the National Planning Policy Framework.
- 1.3 This planning application and listed building consent application is supported by the following plans and drawings produced by Pullman Associates Architects:
 - (a) M18-07-01 - Location and Site Plan
 - (b) M18-07-02 - Existing Floor Plans and Elevations
 - (c) M18-07-04 - Proposed Floor Plans and Elevations
- 1.4 In addition to the consideration of the application with regard to the provisions 1990 Town and Country Planning Act (as amended), the decision maker is required by sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting.
- 1.5 The supporting heritage assessment by Heritage Collective assesses the proposals in heritage terms against the statutory requirement of the 1990 Listed Buildings and Conservation Areas Act, as well as having regard to national policies contained within the National Planning Policy Framework and guidance by Historic England.
- 1.6 This statement will also address the previous appeal decision dated 19 August 2016 (appeal reference 3148964, which was dismissed), which considered an alternative proposal for a single storey extension, which comprised a neo-classical style conservatory.
- 1.7 In summary, this submission will seek to demonstrate that the proposals address the previous reasons for refusal of planning permission by the planning inspector, that paragraph 133 and 134 of the National Planning Policy Framework are not engaged; that the proposals would preserve the listed building for the purposes of the decision maker's statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; and that in accordance with section 38(6) of the 2004 Planning and Compulsory Purchase Act, planning permission and listed building consent ought to be granted.

2. SITE AND SURROUNDINGS

- 2.1 Great Mitton Hall was listed in 1954 and was originally constructed in the 17th 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. This extension was constructed after the building was listed, with the planning history records indicating that this extension was constructed during the 1990's.
- 2.2 The existing single storey extension is a modern addition which forms a partially enclosed courtyard to the west of the original hall. The south western elevation of the original hall which faces this courtyard also accommodates the main entrance to the building via a single storey, gabled porch.
- 2.3 Hooded mullion windows predominate the original building 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.
- 2.4 Great Mitton Hall is also located within the setting of a Grade I listed building - the Church of All Hallows to the north east, and a further Grade II listed building - an Aisled Barn at Mitton Old Hall Farm, 35 Metres West of Great Mitton Hall on the opposite side of Mitton Road. The Church was listed in 1954 and was originally constructed in the late 13th century with an early 15th century west tower and a late 16th 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 17th century and is also constructed from coursed, sandstone rubble with a slate roof.
- 2.5 The single storey extension to the south western corner of Great Mitton Hall is a modern structure that is not of historic interest or significance. The stonework has sought to replicate the irregular coursing of the hall, however the windows, whilst comprising stone surrounds and mullions, have larger and more modern glazed apertures when compared to those on the original hall. This modern extension is not part of the historic fabric of the building, is not of special architectural or historic interest and is not of heritage significance.
- 2.6 The Hall, along with the neighbouring church, sit in a prominent position, elevated above the River Ribble to the south, with both buildings being visible from Mitton Road.

3. PLANNING HISTORY

3.1 Great Mitton Hall has been subject to a number of applications for planning and listed building consent. These are summarised below.

- (a) 3/2016/0091 - Application for full planning permission for a proposed conservatory on the south-east elevation of the modern extension - refused 22 March 2016 - appeal dismissed 19 August 2016
- (b) 3/2016/0132 (linked to 3/2016/0091 above) - Application for listed building consent for a proposed conservatory on the south-east elevation of the modern extension - refused 22 March 2016 - appeal dismissed 19 August 2016
- (c) 3/2015/0083 - Application for full planning permission for the extension of a stone boundary wall - approved 04 June 2015
- (d) 3/2013/0793 - Application for full planning permission for a proposed new car port, boundary wall and external landscaping - refused 25 October 2013 - appeal allowed 27 January 2014
- (e) 3/2011/0849 - Application for full planning permission for proposed new detached garage, boundary wall, gates and hard landscaping - refused 22 March 2012
- (f) 3/2009/0624 - Application for full planning permission for the conversion of an existing residential garage to form office/study accommodation. Resubmission - approved 10 September 2009
- (g) 3/2009/0054 - Application for listed building consent for proposed new garage and conversion of garage to office/study. New stone boundary wall - approved 19 June 2009
- (h) 3/2009/0055 - Application for full planning permission for a proposed new garage and conversion of garage to office/study - refused 19 May 2009
- (i) 3/2006/0907 - Application for full planning permission for the removal of electric pole and stay, erection of garden room with glazed link to dwelling. Re-submission - refused 20 December 2006
- (j) 3/2006/0908 - Application for listed building consent for the removal of electric pole and stay, erection of garden room with glazed link to dwelling. Re-submission - refused 20 December 2006
- (k) 3/2006/0172 - Application for listed building consent for a proposed orangery - refused 26 April 2006
- (l) 3/2006/0173 - Application for full planning permission for a proposed orangery - refused 26 April 2006
- (m) 3/2004/0686 - Retrospective planning application for a fence along the boundary wall with the church - refused 02 September 2004
- (n) 3/2003/0383 - Application for the erection of a greenhouse to side garden - refused 24 June 2003

- (o) 3/1998/0043 - Application for listed building consent to demolish existing single storey garage, erect replacement larger single storey extension/change of use to provide a facility for medical examinations - approved 31 March 1998
- (p) 3/1998/0048 - Application for full planning permission for a single storey extension to accommodate reception area, consulting room and garage - approved 31 March 1998
- (q) 3/1996/0208 - Application for full planning permission for the enlargement of existing garage to form billiards room and build detached double garage - approved 07 November 1996
- (r) 3/1996/0209 - Application for listed building consent for the restoration, renovation, conversion of garage to billiards room and erect detached double garage - approved 07 November 1996

3.2 Of most relevance to this proposal are the most recent planning and listed building consent applications (3/2016/0091 and 3/2016/0132), and the subsequent appeal decision, where planning and listed building consent were refused for the erection of a proposed conservatory roughly in the same position. The previous appeal decision is attached at **Appendix 1**. Some of the key conclusions of the Inspector are provided below:

- (a) the special interest of the listed building, insofar as it related to the appeal proposal, was found to be primarily associated with the fenestration and architectural detailing of its south-western gable.
- (b) with regard to the location of the site within the setting of the listed barn and the listed church, the Inspector found that the special interest of the setting of these listed buildings, insofar as it related to the appeal proposal, 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.
- (c) the appeal proposal would lead to the construction of a “neo-classical” style conservatory, however there would be no loss of the original fabric or any change to the original layout of the listed building.
- (d) the introduction of a neo-classical style conservatory would be an alien feature that 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 the Inspector concluded that the illumination could be controlled through the imposition of an appropriate condition, the overall extent of reflective surface would remain unacceptable.
- (e) the proposed conservatory would be a highly incongruent feature that would lack sympathy with the simple architectural form and period detailing of the original building, which would erode the setting of the church given the prominence of the conservatory within the asset ground.

- (f) whilst the Inspector identified harm, given that the proposed conservatory would be attached to the modern extension, the Inspector found such harm to be less substantial, and that such harm would not be outweighed by the public benefit.

3.3 Section 4 of this statement will outline the details of the new proposal, which has been designed to address the concerns of the Inspector outlined above.

4. THE PROPOSAL

4.1 The main elements of the proposed extension are as follows:

- (a) A small extension to the south side of the existing modern extension to the hall;
- (b) Reconfiguration of the existing patio and railings to the south of the modern extension to make them less evidence in long views;
- (c) Removal of the pointed arch in the south wall of the modern extension to the hall;
- (d) Painting the white render on the south gable of the Hall so that it harmonises tonally with the church;
- (e) Removal of a coniferous tree to the south side of the hall in order to improve its appearance and setting.

4.2 The proposed extension would not require any historic fabric to be removed, and would not affect the historic fabric of the building in any other way.

4.3 In terms of appearance, the roof to the proposed extension has been designed as a monopitch so that it consists of a single plane following the pitch of the existing modern extension as closely as possible, in order to keep the appearance of the new roof subtle.

4.4 The materials to be used in the proposed extension would be similar to the materials used in the construction of the existing buildings and the windows for the proposed extension would take their cue from the existing windows on either side of the proposed extension.

4.5 The removal of the pointed arched opening from the south wall of the existing modern extension and its replacement with a new window to match others on the same elevation would improve the overall character of the Hall by:

- (a) removing a feature that is not original or authentic;
- (b) providing consistency to the fenestration of this elevation;
- (c) reducing the architectural confusion that currently exists on the southern elevation. The pointed opening is more characteristic of the Church than the Hall, and being located at the western end of the modern extension, it visually muddles the distinction that should really exist between the Hall as a domestic building and the Church as a place of worship.

4.6 The reconfiguration of the patio railings would simplify this aspect of the Hall without affecting any historic fabric so that it becomes a less evidently modern feature.

4.7 The gable end of the hall has already been rendered and painted white, providing a stark and white feature that draws the eye away from the Church from more distant views from the south. By toning down the existing stark white colour to a stone colour, this would tonally balance the Hall with the adjacent Church, which would provide a more sensitive solution when compared to what exists at present.

- 4.8 Just for information, the occupants of the Hall are simply seeking a small extension to the building as a pleasant place within which to sit and make the most of the views available of the surrounding landscape.

5. THE DEVELOPMENT PLAN

5.1 The adopted Development Plan for the area comprises the Ribble Valley Borough Council Core Strategy 2008 - 2028: A Local Plan for Ribble Valley ("the CS"). The CS was adopted in 2014 and is considered to be an up-to-date plan as it was examined and adopted with regard to National Policy contained within the Framework.

5.2 Relevant policies for the proposed development are set out below:

5.3 Key Statement EN5: Heritage Assets states that there will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits. This will be achieved through:

- (a) Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.
- (b) Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.
- (c) Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.
- (d) Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place. The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment

5.4 Policy DMG1: General considerations states that in determining planning applications, all development must:

DESIGN

1. be of a high standard of building design which considers the 8 building in context principles (from the CABI/English heritage building in context toolkit).
2. be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
3. consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.
4. use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within policy dme5, has been incorporated into schemes where possible.

5. the code for sustainable homes and lifetime homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.

ACCESS

1. consider the potential traffic and car parking implications.
2. ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
3. consider the protection and enhancement of public rights of way and access.

AMENITY

1. not adversely affect the amenities of the surrounding area.
2. provide adequate day lighting and privacy distances.
3. have regard to public safety and secured by design principles.
4. consider air quality and mitigate adverse impacts where possible.

ENVIRONMENT

1. consider the environmental implications such as SSSIs, county heritage sites, local nature reserves, biodiversity action plan (bap) habitats and species, special areas of conservation and special protected areas, protected species, green corridors and other sites of nature conservation.
2. with regards to possible effects upon the natural environment, the council propose that the principles of the mitigation hierarchy be followed. this gives sequential preference to the following: 1) enhance the environment 2) avoid the impact 3) minimise the impact 4) restore the damage 5) compensate for the damage 6) offset the damage.
3. all development must protect and enhance heritage assets and their settings.
4. all new development proposals will be required to take into account the risks arising from former coal mining and, where necessary, incorporate suitable mitigation measures to address them.
5. achieve efficient land use and the reuse and remediation of previously developed sites where possible. Previously developed sites should always be used instead of greenfield sites where possible

INFRASTRUCTURE

1. not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need. in assessing this, regard must be had to the level of provision and standard of public open space in the area, the importance of playing fields and the need to protect school

playing fields to meet future needs. Regard will also be had to the landscape or townscape of an area and the importance the open space has on this.

2. have regard to the availability to key infrastructure with capacity. Where key infrastructure with capacity is not available it may be necessary to phase development to allow infrastructure enhancements to take place.

3. consider the potential impact on social infrastructure provision.

OTHER

1. not prejudice future development which would provide significant environmental and amenity improvements.

5.5 Policy DME4: Protecting Heritage Assets states that in considering development proposals the council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings. Criteria 2 is most relevant to the determination of this planning application, which states that 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. Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.

5.6 Policy DMH5: Residential and Curtilage Extensions states that proposals to extend or alter existing residential properties must accord with policy dmh1 and any relevant designations within which the site is located.

6. OTHER MATERIAL CONSIDERATIONS

- 6.1 A key material consideration in this case is the National Planning Policy Framework (“the Framework”).
- 6.2 Paragraph 14 of the Framework requires that applications that accord with the development plan should be approved without delay.
- 6.3 Section 7 of the Framework requires good design. Paragraph 56 states that the Government attaches great importance to the design of the built environment, and that good design is a key aspect of sustainable development.
- 6.4 Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes, however it is proper to seek to promote or reinforce local distinctiveness.
- 6.5 Paragraph 61 states that planning policies and decisions should address connections between people and places and the integration of new development into the natural, built and historic environment.
- 6.6 Section 12 sets out the Governments policy for conserving and enhancing the historic environment.
- 6.7 Paragraph 126 states that LPAs should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment.
- 6.8 Paragraph 128 states that in determining applications to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 6.9 Paragraph 131 states that in determining applications, LPAs should take account of:
 - (a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - (b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - (c) The desirability of new development making a positive contribution to local character and distinctiveness.
- 6.10 Paragraph 132 states that 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. The more important the asset, the greater the weight should be.
- 6.11 Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, LPAs should refuse consent, unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) The nature of the heritage asset prevents all reasonable uses of the site; and
- (b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) Conservation by grant-funding or some form of charitable public ownership is demonstrably not possible; and
- (d) The harm or loss is outweighed by the benefit of bringing the site back into use.

6.12 Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

7. ASSESSMENT

- 7.1 The key issue in the determination of this application for planning and listed building consent is whether or not the proposed extension would preserve or enhance the listed building (Great Mitton Hall), and whether or not the proposal would harm the setting of other nearby heritage assets.
- 7.2 To support the application, this submission is accompanied by a heritage assessment by Dr Jonathan Edis of Heritage Collective, who is a qualified heritage expert.
- 7.3 Of relevance to the determination of this application is the 2016 appeal decision. At that time, the appeal considered the erection of a neo-classical style conservatory, roughly in the same location as the current proposal.
- 7.4 At that time, the Inspector considered that the special interest of the Hall, insofar as it related to the appeal proposal, was found to be primarily associated with the fenestration and architectural detailing of its south-western gable.
- 7.5 With regard to the location of the site within the setting of the listed barn and the listed church, the Inspector found that the special interest of the setting of these listed buildings, insofar as it related to the appeal proposal, 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.
- 7.6 Although the introduction of the neo-classical style conservatory was considered by the Inspector to be an “alien feature” the Inspector found that the harm that would arise would be less than substantial.
- 7.7 In terms of the current proposal, the supporting heritage assessment states that:
- (a) No historic fabric would be removed or affected. The wall structure and roof structure of the modern extension that the proposal would be attached to is of modern construction and character;
 - (b) The appearance of the new roof to the extension has been designed to be as subtle as possible;
 - (c) The materials of the proposed extension would be commensurate with the surrounding materials so that it blends in with minimal visual impact;
 - (d) The windows of the proposed extension would take their cue from existing windows either side;
 - (e) The proposal incorporates other beneficial elements including;
 - (i) The removal of a pointed arch opening from the south of the existing extension, reducing architectural confusion and providing consistency to the fenestration;
 - (ii) Re-painting the existing rendered gable of the main hall to tone down the stark white colour.

- 7.8 The heritage assessment then goes on to assess the level of harm (if any) that would arise in relation to the special interest of the Hall. The heritage assessment confirms that the proposal as now designed, along with the other proposed improvements would not cause any harm to the heritage asset within the meaning in paragraphs 132 - 134 of the Framework, and that the special interest of the Hall would be preserved for the purposes of the decision maker's duty under section 16(2) of the Listed Buildings and Conservation Areas Act.
- 7.9 With regard to any potential change within the setting of the other designated heritage assets (the listed barn and the listed church), the heritage statement confirms that the proposals would result in positive change, in particular in relation to the Church.
- 7.10 With regard to the proposals' effect on the significance of nearby listed buildings, the Heritage assessment confirms that there would be no effect on the historic skyline, nor would there be any interference with any significant views. In addition, the setting of the Church as a result of the proposals would be improved.
- 7.11 The proposals address the previous conclusions of the Inspector in the following ways:
- (a) by not impacting upon the visual juxtaposition of the church and the Hall;
 - (b) by not introducing an alien or diversionary feature;
 - (c) by not increasing the extent of reflective surfaces or increase prominence by way of illumination at night;
 - (d) by providing an extension with simple architectural form and detailing that reflects the character of the hall; and improving the appearance of the existing modern extension to remove the current visual confusion with the church.
- 7.12 In addition, the proposals seek to soften the stark white tone of the existing render to the gable, and also seek to reconfigure the existing patio and railings to make them less evident in long range views. The proposals therefore address the concerns of the previous Inspector and the associated improvements to the existing Hall and modern extension would address the Inspector's conclusions further.
- 7.13 As a result, there would be no harm, and there would therefore be preservation for the purposes of the decision maker's duty under the relevant legislation, and paragraphs 133 and 134 are not engaged.

8. CONCLUSION

- 8.1 This planning statement has been prepared to support a householder planning application and listed building consent application for the erection of a modest single storey extension to the south east of an existing modern extension at Great Mitton Hall, Mitton Road, Mitton, Clitheroe.
- 8.2 This statement, along with a supporting heritage assessment by Heritage Collective, has justified the proposals against the relevant policies of the Development Plan and National Planning Policies.
- 8.3 This planning application and listed building consent application is supported by the following plans and drawings by Pullman Associates Architects:
- (a) M18-07-01 - Location and Site Plan
 - (b) M18-07-02 - Existing Floor Plans and Elevations
 - (c) M18-07-04 - Proposed Floor Plans and Elevations
- 8.4 In addition to the consideration of the application with regard to the provisions 1990 Town and Country Planning Act (as amended), the decision maker is required by sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting.
- 8.5 The supporting heritage assessment by Heritage Collective assesses the proposals in heritage terms against the statutory requirement of the 1990 Listed Buildings and Conservation Areas Act, as well as having regard to national policies contained within the National Planning Policy Framework and guidance by Historic England.
- 8.6 This statement has also addressed the previous appeal decision dated 19 August 2016 (appeal reference 3148964, which was dismissed), which considered an alternative proposal for a single storey extension which comprised a neo-classical style conservatory.
- 8.7 In summary, this submission has demonstrated that the proposal would:
- (a) not impact upon the visual juxtaposition of the church and the Hall;
 - (b) not introduce an alien or diversionary feature;
 - (c) not increase the extent of reflective surfaces or increase prominence by way of illumination at night;
 - (d) provide an extension with simple architectural form and detailing that reflects the character of the hall; and improves the appearance of the existing modern extension by removing the current visual confusion with the church;
 - (e) soften the stark white tone of the existing render to the gable of the Hall;
 - (f) reconfigure the existing patio and railings to make them less evident in long range views.

- 8.8 As a result, paragraph 133 and 134 of the National Planning Policy Framework are not engaged, and the proposals would preserve the listed building for the purposes of the decision maker's statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; and that in accordance with section 38(6) of the 2004 Planning and Compulsory Purchase Act, planning permission and listed building consent ought to be granted.

Carl Copestake, BA (hons), Dip UPI, MRTPI

Partner

Knights Professional Services Limited

Alan Corinaldi-Knott, MTCP, MRTPI

Associate

Knights Professional Services Limited

May 2018

APPENDIX 1

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

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.
-

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.
-

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 17th 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 13th century with an early 15th century west tower and a late 16th 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 17th 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 Inspector¹, '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.

¹ 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