



Appeal Decisions

Site visit made on 25 June 2013

by Wenda Fabian BA Hons Dip Arch IHBC

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

Decision date: 2 July 2013

Appeal A: APP/T2350/A/12/2185263/NWF 28 Church Street, Ribchester, Preston PR3 3YE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Ms J Vickers against Ribble Valley Borough Council.
 - The application Ref 3/2012/0478/P, is dated 8 May 2012.
 - The development proposed is: Rebuilding of extension – variation in footprint, ridge line and roof pitches. Reinstall traditional doors, windows and rainwater goods. Introduce rooflights to upper and lower pitches. Alterations to internal layout including bringing vacant roof space back into use as habitable rooms.
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Appeal B: APP/T2350/E/12/2185264/NWF 28 Church Street, Ribchester, Preston PR3 3YE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mrs J Vickers against Ribble Valley Borough Council.
 - The application Ref 3/2012/0479/P is dated 8 May 2012.
 - The works proposed are: Rebuilding of extension – variation in footprint, ridge line and roof pitches. Reinstall traditional doors, windows and rainwater goods. Introduce rooflights to upper and lower pitches. Alterations to internal layout including bringing vacant roof space back into use as habitable rooms.
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Decision

1. The appeal is dismissed and planning permission and listed building consent are refused for: Rebuilding of extension – variation in footprint, ridge line and roof pitches. Reinstall traditional doors, windows and rainwater goods. Introduce rooflights to upper and lower pitches. Alterations to internal layout including bringing vacant roof space back into use as habitable rooms.

Main Issues

2. Main issues in both appeals are whether the proposal would preserve the architectural and historic interest of the listed building and preserve or enhance the character and appearance of the Ribchester Conservation Area.
3. Further issues in Appeal A are:
 - i) the effect of the proposal on the living conditions in terms of the privacy of adjacent residential occupants of Old Church and No 27 Church Street; and

- ii) whether the proposal would accord with development plan policies which aim to: safeguard archaeological remains on the site; prevent flood risk; and safeguard the habitat of protected species.

Reasons

Appeal A and B – effects on the listed building and the conservation area

4. The appeal property is a handsome narrow two storey house, part of an unequally sized pair, Nos 28 and 29, (one bay and three bays) that is listed, Grade II. The pair dates from 1745, as embossed on the original lead rainwater hoppers, and is built of brick with fine dressed stone details including rusticated quoins, moulded architrave surrounds at window and door openings as well as a stone plinth, string band and eaves cornice. It opens directly onto the footway on Church Street, part of the original Roman route in the town, and is prominently located close to the heart of the Ribchester Conservation Area.
5. The Conservation Area Appraisal notes that two out of three of the oldest brick buildings in the town date from 1745 and states there is only a scattering of some twenty or so pre-19th century buildings. As such, together with No 29 the adjoining part of the pair, the appeal listed building has a substantial degree of significance and plays an important role in the historic character and appearance of the conservation area, which is also a designated historic asset of high significance.
6. The National Planning Policy Framework (the Framework) sets out 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. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Significance can be harmed or lost through alteration of the heritage asset. Where substantial harm would result, consent should be refused. These principles are also embodied in policy ENV20 of the Ribble Valley Districtwide Local Plan.
7. Part of the importance of a listed building lies in the legibility of its original pattern of use – through its plan layout. According to the appellant's Statement of Significance, the pair of buildings may formerly have been in use as a public house, with No 28 a subsidiary part of the overall property and it remained so when converted to a dwelling. The statement does not record when the building was divided to form two dwellings, but I do not doubt that the plan layout and use of the building have altered with time, prior to its listing in 1966 when it was recorded as two separate dwellings. However, whilst the statement notes that the interior has been fully modernised and contains very few historically or architecturally significant elements, the plan form and its origins have not been analysed. Although the Framework requires that applicants provide sufficient information regarding the effect of the proposal on the significance of the heritage asset to enable the potential impact to be understood, little evidence has been provided as to the evolution of the current plan form.
8. Internally the plan layout would be further substantially re-configured by the proposal, with the existing staircase removed entirely from the main original part of the house. A new staircase position would be created within the rebuilt extension and the proposed enlarged first floor rear form. A new attic staircase

would also be formed at first floor level to access a new attic level bedroom and bathroom. Whilst these interventions have been carefully designed and would make good use of the available space to maximise the provision of modern accommodation, they would further distort the original plan form and obscure an appreciation of the historic pattern of use.

9. I note that the existing connection into the ground floor extension would be blocked and re-provided via an existing blocked up opening. I also agree with the appellant that the staircase is modern in its styling and the bottom dog-leg landing arrangement may not be the original one – but I have seen little evidence to convince me that this is not the original staircase position, or that the historic significance of the plan and structure of the building have been properly analysed, as required by development plan and national policy, so as to justify this fundamental alteration and provide sufficient information on which to base a decision.
10. In visual terms, no three dimensional context drawings have been provided and only very limited information is provided to show the surroundings. The proposed removal of the current modest first floor bathroom projection and its replacement with an extension above the whole of the existing flat roofed ground floor accommodation would fundamentally alter the building massing here by substantially expanding its overall bulk at the upper part of the rear of the house.
11. It would produce a long bulky rear extension that, whilst of a vernacular design, would have a mostly modern form, with narrow proportions at first floor over a wide ground floor element roofed by an a-symmetric form with a long continuous roof pitch at one side. With this configuration, the size and form of the extension would be disproportionate and alien to the original building. It would project substantially further at this level than the other more modest rear projections in this short terrace and would have the effect of unbalancing the overall form of the building. It would cover a large part of the upper rear elevation so that, while much lower than the main rear roof, the original form of the building would be distorted and the proposed extension would become the most prominent element at this point.
12. Importantly, it would hide the remaining part of an original rear first floor window opening, including the undressed projecting rough stone lintel at this point, which it seems to me may be one of the earliest parts of the building. This element was not identified within the submitted Statement of Significance and this further reduces my confidence in this document.
13. In addition, although the footprint of the building would be essentially unchanged, the proposed first floor part of the extension would be very close to other buildings around it here, especially Old Church and No 27 Church Street and this would produce a crowded more urban environment.
14. Turning to the proposed attic conversion I agree with the Council that the proposed array of new roof lights here, their regimented distribution across the roof and the large size of those on the proposed extension would, taken as a group, be visually intrusive in this historic context. I am not convinced by the Statement of Significance that there was previously habitable accommodation at this level, but there may have been. Certainly three walls have historic lime plaster finishes and I also note the blocked connecting door through to No 29 at this level.

15. Were an attic conversion to proceed it would be important to preserve this evidence of the former pattern of use as well as some of the purlins, which appear original. Similarly, although the submitted drawings are not sufficiently detailed to be clear on this point, it seems that the proposed new attic staircase would be positioned against an existing dividing wall, with the new partition alongside an existing window opening. Setting aside the number of rooflights proposed, which could be reduced and more organically arranged, an attic conversion would be a modest intervention that, with control of details via a condition, would be acceptable in itself.
16. Also, the proposed reinstatement of traditional doors, windows and rainwater goods authentic to the origins of the listed building is a positive aspect of the proposal. In view of the six over six pattern of the sliding sash windows at No 29, the adjacent part of the listed building, I do not share the appellant's view that an eight over eight pattern would be appropriate in No 28 (despite this being present at No 30), but agree that this aspect could be controlled by a condition requiring window details, as suggested.
17. Despite these positive aspects, I conclude that taken together the proposed extension and internal alterations would be so far-reaching as to fail to preserve the special architectural and historic interest of the listed building and the historic character and appearance of the Ribchester Conservation Area. This would be contrary to LP policies ENV16 which seeks to safeguard conservation areas and ENV20, as set out above.
18. The appellant suggests that the proposals are necessary to secure the optimum viable use of the building and secure its long term future. I note that previous attempts to market it have been unsuccessful. Nevertheless, I am unconvinced that either the requirements of modern domestic use or the results of the previous unauthorised alterations could not be successfully addressed and the building satisfactorily modernised and restored without such fundamental alterations. I note the examples of other similar proposals including attic conversion elsewhere in the town, but have assessed this case on its site specific merits.

Appeal A

19. The introduction of a window in the side gable at second floor level could potentially lead to a loss of privacy for the adjacent house at No 27. However, whilst no opportunity exists at present for such overlooking, the proposed window would be narrow and the neighbouring rooflights are also small, such that any overlooking would be extremely limited and, with the likely intermittent use of these attic rooms, any loss of privacy would not be unduly significant. A new rear window at first floor in the proposed extension would be much closer to Old Church than the existing rear window. The separation distance to its upper windows, the high enclosing walls to its outdoor amenity space and the restricted viewing angles here would also minimise any significant overlooking.
20. I conclude that the living conditions in terms of the privacy of adjacent residential occupants of Old Church and No 27 Church Street would not be harmed. The proposal would accord with LP policy G1, which seeks to safeguard such interests.

21. The proposed rebuilt ground floor and upper level extension would be built off the existing footings with only a very small increased area to infill an indent. Few details have been provided, but it is reasonable to suppose that any additional excavation would be minimal and would be so close to where excavation has previously occurred as to make the likelihood of disturbing archaeological remains remote and I accept the appellant's view that this aspect could reasonably be secured by a condition requiring a scheme of investigation.
22. As there would be only an insignificant increase in the building footprint, I see little reason why the proposal would result in an increased risk of flooding in the area.
23. During my site visit I saw no evidence by way of droppings or any other detritus that the roof space provides a habitat for protected species such as bats and I note the conclusion of the Bat Survey provided by the appellant that there is a low risk of their presence. On this basis this aspect also could be satisfactorily ensured by a condition.
24. I conclude that the proposal would comply with LP policies ENV14, G1 and ENV7 which aim to safeguard archaeological remains on the site, prevent flood risk and safeguard the habitat of protected species.
25. My neutral conclusions on these other main issues do not weigh in favour of the proposal. The Council's handling of the application is not a matter for my consideration.
26. Taking all other matters raised into account, I find substantial harm in respect of the first main issues and the appeal should be dismissed.

Wenda Fabian

Inspector

