

# Appeal Decision

Site visit made on 13 August 2024

**by H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 2 October 2024**

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**Appeal Ref: APP/T2350/Y/24/3341288**

**29 Church Street, Ribchester, Preston PR3 3YE**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
  - The appeal is made by Mr Thomas Ives against the decision of Ribble Valley Borough Council.
  - The application Ref is 3/2023/0577.
  - The works proposed are for a rear porch.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. As the proposal relates to a listed building located in a conservation area, I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. A revised National Planning Policy Framework (Framework) was published in December 2023 after the Council made its decision. I have had regard to the revised Framework in reaching my decision.
4. The Decision Notice for the associated application for planning permission ref: 3/2023/0576 was submitted with the appeal. However, no planning appeal was submitted for this application. Therefore, the appeal against a refusal to grant listed building consent is proceeding alone for application ref: 3/2023/0577. I have dealt with the appeal on this basis.

## Main Issue

5. The main issue is whether the proposal would preserve a Grade II listed building, or any features of special architectural or historic interest which it possesses.

## Reasons

### *Special interest and significance*

6. The appeal property, 29 Church Street (No 29), forms part of a Grade II listed<sup>1</sup> building dating from 1745. The building is now a pair of separate houses, but the submitted Historic Buildings Assessment, dated October 2009, states that, historically, it was part of a larger property which seems to have formed a pair of houses internally. Reference is also made to the building's use as a public house at some time in the past. The neighbouring residential property, 28 Church Street, forms part of the listed building, and 30 Church Street abuts the north gable of No 29.
7. The front elevation of No 29 is constructed of Flemish bond brickwork with sandstone dressings and a slate roof, which emphasises the status and quality of the building. In contrast, the rear elevation is formed of coursed stone and has a plainer appearance.
8. No 29's rear elevation's fenestration is staggered and irregular, featuring mainly slender timber framed windows with stone lintels. The existing timber rear door also has a stone lintel. With no external projections, the rear elevation maintains a strong, flat, and understated appearance.
9. The evidence indicates that the building has undergone a succession of changes, including the addition of a single-storey rear extension. However, during my site visit it was apparent that this rear extension had been removed.
10. Pertinent to the appeal, the rear elevation has a modest form and simple design. In this respect, the status differentiation between the polite front elevation and the plain, more utilitarian rear elevation of the building is evident. Thus, overall, it remains an attractive historic residence typical of the local vernacular building styles.
11. I acknowledge that no aspect of the rear of the property is detailed in the listing description. However, listings are primarily for identification purposes and do not provide an exhaustive or complete description of the special interest of a listed building.
12. Given the above, I find that the special interest and significance of this heritage asset largely derives from its historic and architectural interests. These are drawn from its modest form and design to its rear elevation, constructed in the local vernacular coursed stone tradition, and its more striking brickwork design and sandstone dressings to its front elevation. It is also from its illustration of a pair of historic houses, as well as the historic fabric and features that survive from the physical origins of the historic building.

### *Proposal and effects*

13. The proposed porch would be constructed of oak timber with a slate pitched roof. Whilst the slate roof would be reflective of materials used on the listed building, the thick oak timber framing would not. Its positioning would

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<sup>1</sup> List Entry Number: 1072259 – 28 and 29 Church Street, Grade II listed.

obscure the attractive horizontal stone lintel above the rear door and the adjacent ground floor window. The ornate frame design and pitched roof would suggest a grand entrance, inconsistent with the simpler rear elevation. Moreover, the proposal's materials and design are more reflective of a rural farmhouse or barn rather than a polite Georgian residence. As an addition it would jar with the age and typology of the property and disrupt the identified status differentiation between the front and rear elevation.

14. Thus, the proposal would introduce a discordant feature that would draw attention away from the historic features of the building's rear elevation to the detriment of the designated heritage asset. It would undermine the authenticity and integrity of the asset and confuse the onlooker as to the building's narrative.
15. The appellant states that the proposed porch could be removed from the listed building with minimal evidence of its presence, requiring just fixing to the existing rear wall and flashing to seal the roof against the wall. However, I find the information regarding how the proposed porch would be attached to the rear wall is lacking in detail. Therefore, I cannot be certain that the proposal would not permanently damage the building's historic fabric. In any event, even if it was in this sense 'reversible', the identified harm would still occur whilst the porch was in situ.
16. Drawing the above together, I find that the proposal would not preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses. In doing so it would harm the significance of this designated heritage asset.

#### *Public Benefits and Balance*

17. With reference to paragraphs 207 and 208 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and fairly localised nature of the proposal, I find that the harm to the significance of the designated heritage asset assessed above would be 'less than substantial' but nevertheless of considerable importance and weight. Paragraph 208 of the Framework requires this harm to be weighed against the public benefits of the proposal including, where appropriate, securing the asset's optimum viable use.
18. In this case, economic benefits would be delivered through the manufacturing and construction phase of the proposed porch along with the general investment into the property. I also acknowledge that the proposal would provide weather protection for the existing external rear door. Nevertheless, I am not persuaded that similar benefits could not be achieved by a proposal which would be less harmful to the significance of this designated heritage asset.
19. Additionally, no compelling evidence is before me which confirms that the property would not be usable or viable as a dwelling or that its future would be at risk if the appeal was to fail and the works as proposed were not implemented. In these respects, the identified harm to the significance of the listed building has not been clearly and convincingly justified.

20. On balance, taking the public benefits together as a whole, I conclude that they would not be of sufficient weight to outweigh the harm identified to the significance of the designated heritage asset.
21. I therefore conclude that the proposal would not preserve the listed building, or any features of special architectural or historic interest which it possesses. It would therefore fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. Listed building appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004. Consequently, they do not need to be determined in accordance with the development plan although relevant provisions can nevertheless be material considerations. In this respect it would also conflict with Key Statement EN5 and Policy DME4 of the Ribble Valley Borough Council Core Strategy 2008 – 2028 (adopted 2014) (Core Strategy). These policies, amongst other things, seek to ensure development conserves and enhances heritage assets and their settings.

### **Other Matters**

22. The appeal property is located within Ribchester Conservation Area (CA). Mindful of the statutory duty under section 72(1) of the Act, I have paid special attention to the desirability of preserving or enhancing its character or appearance. The CA, which includes Church Street, is characterised by narrow, closely developed streets and mainly two storey terraced houses. There is a prevalent use of local building stone. The special interest and significance of the CA mainly stems from the varying ages and architectural styles of its buildings that reflect the evolution of the village.
23. The appeal listed building largely retains its overall external historic character and detailing and therefore makes a positive contribution to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.
24. Given the limited scale of the proposed porch and its siting to the rear of the property, the proposal would preserve the character and appearance of the CA as a whole and would not harm its significance as a designated heritage asset. I note the Council raised no concerns in this respect either.
25. The appellant states that the appeal property was listed with a rear extension significantly larger than the proposed porch and has had structures to the rear since at least 1838. Nevertheless, these structures were not present on site during the time of my site visit and there is no substantial or compelling evidence before me to indicate that they contributed to the historic or architectural significance of the listed building.
26. Indeed, paragraph 5.4 of the submitted Historic Building Assessment, dated October 2009, refers to the rear extensions shown on photos 9 and 10 and states "neither of these additions enhances the appearance of the rear elevation, which is cluttered and irregular." Paragraph 6.2 states that the "single storey extension is detrimental to the building's character and means that the stair window is partly blocked." The evidence also indicates that No 29 has stood free from rear extensions since 2010. As such, I am unable to draw any meaningful comparisons with the appeal proposal.

27. On this basis, while I acknowledge the presence of previous extensions/additions, they do not justify the proposal before me.
28. The appellant has directed me to planning history for the appeal property relating to development at the rear of the site where permission was previously granted for rear extensions, most notably applications refs 3/2010/0090 and 3/2014/0789. While I have not been presented with the full details of these developments, I note that it relates to proposed extensions that have not been implemented on site. In any event, each proposal should be considered on their individual merits. Consequently, this consideration does not alter my decision.
29. My attention is also drawn to development at the rear of 28 Church Street, where rear extensions have been built. The extent of the original building at that site is unclear, and I have not been presented with sufficient details to make a suitable comparison. Whilst the appellant suggests that these structures have Listed Building Consent, the Council states that they do not. As such, I cannot be certain that the circumstances are similar to the proposal before me. In any event, each proposal should be considered on its individual merits. Consequently, this consideration does not alter my decision.
30. The appellant states that the Council's determination that the proposal would not enhance the building goes beyond that of the Ribble Valley Core Strategy and therefore should not form part of the decision. However, Paragraph 203 of the Framework is clear that decision makers, when determining applications, should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.' Key Statement EN5 and Policy DME4 of the Core Strategy are broadly consistent with the Framework. For the reasons given, the proposal would not sustain or enhance the heritage asset.

### **Conclusion**

31. For the reasons given above, and considering all other matters raised, the appeal is dismissed.

*H Smith*

INSPECTOR