


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	MC	Date:	02/07/2025	Manager:	LH	Date:	4/7/25
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Application Ref:	3/2025/0341			 Ribble Valley Borough Council <hr/> www.ribblevalley.gov.uk
Date Inspected:	28/05/2025	Site Notice:	28/05/2025	
Officer:	Kathryn Hughes			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Regularisation of unauthorised removal of first floor front timber bay window and replacement with upvc window and metal balustrade.
Site Address/Location:	Tillotsons Arms, 18 Talbot Street, Chipping, PR3 2QE

CONSULTATIONS:	Parish/Town Council
<p>Chipping Parish Council recognise that the window and metal balustrade was implemented without planning permission however had an application been made, the parish Council would have supported the application.</p> <p>They note the wooden bay window was in a poor state of repair and did not enhance the street scene and consider the window and balustrade replacement are sympathetic with the rest of the property and improves the street scene. As such Chipping Parish Council supports the application to regularise the works carried out.</p>	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
Historic England:	No comments made.
CONSULTATIONS:	Additional Representations.
No additional representations received.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
<p>Ribble Valley Core Strategy:</p> <p>Key Statement DS2: Sustainable Development Key Statement EN2: Landscape Key Statement EN5: Heritage Assets</p> <p>Policy DMG1: General Considerations Policy DMG2: Strategic Considerations Policy DME4: Protecting Heritage Assets Policy DMB1: Supporting Business Growth and the Local Economy Policy DMB3: Recreation and Tourism Development</p> <p>Planning (Listed Buildings and Conservation Areas) Act National Planning Policy Framework (NPPF)</p>
<p>Relevant Planning History:</p> <p>3/1993/0485</p>

DISPLAY OF EXTERNALLY ILLUMINATED SIGNS

Approved with Conditions

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application site is the Tillotson's Arms which is an established public house located in the Tier 2 Village of Chipping. The site is also located within the Chipping Conservation Area and the Forest of Bowland National Landscape.

The building is two storeys and adjoins the Grade II* Listed Post Office & John Brabin's House and there are a number of further Grade II Listed Buildings within the vicinity of the site, including The Village Tuck Shop, Talbot Hotel, 8 & 10 Talbot street and 12 & 14 Talbot Street.

Proposed Development for which consent is sought:

The public house originally had a first-floor bay window feature which has been removed and replaced with black uPVC double doors and a metal railing to form a Juliet balcony in 2022. This application seeks retrospective planning permission to regularise the removal of the front timber bay window feature and retain the existing uPVC window with metal balustrade.

Principle of Development:

The principle of the external alterations would be acceptable in principle subject to the development being in accordance with all other relevant policies outlined in the Ribble Valley Core Strategy.

Visual Impact and Impact on Designated Heritage Assets:

With regards to visual amenities:

Key Statement EN2 of the Ribble Valley Core Strategy states:

"The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area."

"As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials'."

Ribble Valley Core Strategy Policy DMG1 provides specific guidance in relation to design and states:

"All development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style [and] 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."

This Policy also states that:

"All development must protect and enhance heritage assets and their settings."

In addition, Ribble Valley Core Strategy Policy DMG2 states that:

“In protecting the designated Area Of Outstanding Natural Beauty the council will have regard to the economic and social well being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting. The AONB management plan should be considered and will be used by the council in determining planning applications”.

Policy DMB3 also states that:

“In the Forest of Bowland Area of Outstanding Natural Beauty the following criteria will also apply:

- 1. The proposal should display a high standard of design appropriate to the area.*
- 2. The site should not introduce built development into an area largely devoid of structures (other than those directly related to agriculture or forestry uses).*

In the AONB it is important that development is not of a large scale. In the AONB and immediately adjacent areas proposals should contribute to the protection, conservation and enhancement of the natural beauty of the landscape.”

With regards to heritage considerations, The LPA must accord with their duties at section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which state:

Key Statement EN5 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:

- 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.*
- Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.*
- 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.*
- 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.”*

With Policy DME4 stating, in respect of development within conservation areas or those affecting the conservation areas, listed buildings or their setting, that development will be assessed on the following basis:

“2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST

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.”

Planning (Listed Building and Conservation Areas) Act 1990:

Given the proposal relates to a Grade II Designated Heritage Asset, special regard must also be given to the statutory duties imposed on the authority, pursuant to national legislation, particularly in respect of the preservation and enhancement of such assets.

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by s.58B (1) of Levelling-up and Regeneration Act 2023) is to preserve or enhance the special character of heritage assets, including their setting. As such, in determining applications that affect designated heritage assets, the authority must consider the duties contained within the principle Act which states the following;

Listed buildings - Section 16 (2) (as amended by s.58B of Levelling-up and Regeneration Act 2023):

In considering whether to grant listed building consent for any works to a listed building the local planning authority shall have special regard to the desirability of preserving or enhancing the building. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

National Planning Policy Framework (December 2024):

The National planning Policy Framework (NPPF) sets out further duties in respect of determining proposals that affect heritage assets stating that ‘in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’.

The Framework sets out further duties in respect of considering potential impacts upon designated heritage assets with Paragraphs 207 – 221 reading as follows:

212: 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

214: Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total 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 not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

215: 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, where appropriate, securing its optimum viable use.

216: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

217: Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

218: Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

219: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

220: Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

221: Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

The Chipping Conservation Area Appraisal notes the building to be a building of townscape merit, however at the time of writing the appraisal, the building was noted as a feature which negatively constitutes to the conservation area due to its painted cream colour with garnish green quoins which was considered to blight the setting of the adjacent listed buildings.

Assessment of Impacts:

The submitted Heritage Statement indicates that the building was constructed in the mid 1800's and was originally called the Buck Inn and it is believed that the timber bay window was added in the 1950's. As such, it is not considered that the timber bay window is a historical feature of the building. In addition, no reference is made specifically to the first-floor bay window within the Chipping Conservation Area Appraisal.

The Heritage Statement indicates that the wood surrounding to the window was rotten and glass had cracked from the vibration of lorries/tractors. As such, it is not considered that the loss of the first-floor bay window

would negatively impact on the visual amenities of the village and would preserve the character and appearance of the Chipping Conservation Area and the Forest of Bowland National Landscape.

The Council consider that the removal of the bay window has had a positive impact on the setting of the adjacent listed buildings they can be appreciated more easily as they are now slightly more visible within the street scene.

Having regard to the design/appearance and materials of the inserted new window/doors and metal railings, the window size is at odds with the adjacent first floor window and the insertion of the curved metal railings draws some attention to the feature. UPVC is not usually considered an appropriate material within the Conservation Area and it is therefore considered that its size, design and material has resulted in a low level of less than substantial harm to the Chipping Conservation Area, however when weighed against the public benefit of the removal of the unsafe bay window which was not a historical feature nor was it noted as contributing positively to the Conservation Area, the level of harm is considered to be no more than the pre-existing level. In addition, the darker colour windows are considered to draw less attention of the building and feature, which is considered to help reduce its visual impact within the street scene and improve upon the setting of the adjacent listed buildings.

As such, taking account of the above matters, on balance, the proposal is considered to accord with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy, Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.

Impact Upon Residential Amenity:

Policy DMG1 of the Ribble Valley Core Strategy states that all development must:

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

The insertion of the window/doors and railing would have no greater impact than the level of overlooking to the occupiers of neighbouring properties than the existing bay window. As such, the development is considered to accord with Policy DMG1 of the Ribble Valley Core Strategy.

Highways and Parking:

The proposal would not affect the existing parking arrangement and no additional or reduction in parking spaces would occur. This is considered to be acceptable.

Landscape/Ecology:

With regards to Biodiversity Net Gain, the works relate to an existing roof structure and would fall within the de minimis exemption as they would not impact on any priority habitats and would impact on less than 25 square metres of on-site habitat.

No other ecological impacts have been raised.

Other Matters:

The site is at risk of surface water flooding. However, the development is retrospective and has not introduced any further built form or resulted in a change to the vulnerability classification of the site. As such, this would not affect the scheme.

Observations/Consideration of Matters Raised/Conclusion:	
<p>The retention of the existing door/window and railings are considered to result in a low level of less than substantial harm to the Chipping Conservation Area, however it is considered that on balance, the level of harm is no greater than pre-existing level resulting from the timber bay window. In addition, concerns were raised regarding the safety of the window and as such, its retention is considered to be acceptable and would have a neutral impact on the character of the street scene and the Forest of Bowland National Landscape. The harm identified to the Conservation Area is considered to be outweighed by the benefits identified above and the proposal accords with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy and the requirements of Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the National Planning Policy Framework.</p>	
RECOMMENDATION:	
<p>That planning consent be granted subject to the imposition of conditions.</p>	