


| Report to be read in conjunction with the Decision Notice. | | | | | | | | |
|--|----------|----|-------|---------|----------|----|-------|----------|
| Signed: | Officer: | LH | Date: | 4/12/25 | Manager: | KH | Date: | 05/12/25 |

| | | | | |
|-----------------------------|-----------|--------------|----------|---|
| Application Ref: | 2025/0590 | | |  Ribble Valley Borough Council www.ribblevalley.gov.uk |
| Date Inspected: | 16.09.25 | Site Notice: | 16.09.25 | |
| | | | | |
| DELEGATED ITEM FILE REPORT: | | | | APPROVAL |

| | |
|--------------------------|---|
| Development Description: | Listed Building Consent for patch pointing to all elevations using NHL 3.5 ensuring sound mortar is preserved in situ; hand- paint all gutters and downpipes in black; replace upvc gutter to the East elevation of rear extension with black aluminium half-round gutter; install 3 no. new fireplaces to all habitable rooms on the ground floor, inc. two reception rooms and kitchen (2 of which are retrospective); dismantle large chimney stack on west elevation extension down to eaves level; and replace all timber windows to the 1950's rear extension (retrospective) |
| Site Address/Location: | Kirk House Malt Kiln Brow Chipping PR3 2GP |

| | |
|------------------------------|---------------------|
| CONSULTATIONS: | Parish/Town Council |
| No representations received. | |

| | |
|--|---------------------------------------|
| CONSULTATIONS: | Highways/Water Authority/Other Bodies |
| n/a | |
| CONSULTATIONS: | Additional Representations. |
| No third party representations received. | |

| |
|--|
| RELEVANT POLICIES AND SITE PLANNING HISTORY: |
| Ribble Valley Core Strategy: Key Statement EN5: Heritage Assets Policy DMG1: General Considerations Policy DMG2: Strategic Considerations Policy DME4: Protecting Heritage Assets Planning (Listed Buildings and Conservation Areas) Act National Planning Policy Framework (NPPF) |
| Relevant Planning History: 2021/0724: Application for listed building consent for the retention of unauthorised replacement of 1950s windows and doors, wood burner installations, roof repairs, and felt replaced with new felt – Pending 6/10/376: Extensions and Alterations – Approved (1954) |

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to Kirk House, a residential property which is a Grade II Listed Building (list entry number 1147319). The three-storey property was built in 1793 and is typical of the Georgian period of architecture. It was built as a merchant style house resided in, until recently, by the owners / people associated with the adjacent Kirk Mill.

The application site is located within the Kirk Mill Conservation Area. Other Listed Buildings in the vicinity include Kirk Mill, the Mill Pond and Grove House.

Proposed Development for which consent is sought:

In respect of the works proposed to the building these are best summarised as follows:

External Works:

- patch pointing to all elevations using NHL 3.5 ensuring sound mortar is preserved in situ;
- hand- paint all gutters and downpipes in black;
- replace upvc gutter to the East elevation of rear extension with black aluminium half-round gutter;
- dismantle large chimney stack on west elevation extension down to eaves level
- and replace all timber windows to the 1950's rear extension (retrospective)

Internal Works to the Building:

- install 3 no. new fireplaces to all habitable rooms on the ground floor, inc. two reception rooms and kitchen (2 of which i.e. the kitchen and middle reception room are retrospective)

Impact upon Listed Building(s) and Setting:

In assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of such assets. In this respect, at a local level, Key Statement EN5 and Policy DME4 are primarily, but not solely, engaged for the purposes of assessing likely impacts upon designated heritage assets resultant from the proposed development.

Key Statement EN5:

In this respect 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.*

Policy DME4:

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

1: CONSERVATION AREAS

Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.

In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.

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.

Policy DMG1:

Policy DMG1 is also engaged in concert with Key Statement EN5 and Policy DME4 insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:

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 CABE/English Heritage building on 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.*

AMENITY

1. *Not adversely affect the amenities of the surrounding area.*

ENVIRONMENT

3. *All development must protect and enhance heritage assets and their settings.*

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 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 212 – 220 reading as follows:

Considering Potential Impacts:

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.

Assessment of Impacts:

The proposed development including removal of a C20 chimney that does not contribute to the building's significance, will preserve the building's special interest. The replacement of modern windows to the 1950s extension, has caused no discernible level of harm or loss of significance to the heritage asset, being well-designed replacements of C20 casements in a 1950s extension that do not contribute to character.

The replacement of a modern wood burner and over mantle in the lounge, with a more traditional, sympathetic surround suitable for the age and style of the house, and replacement wood burner, would have a positive impact and causes no harm to significance. The opening up of the fireplace in the kitchen to reveal its original stone surround and proportions has had a positive impact and preserves the special interest of the listed building. The other replacement fireplace also preserves the building's special interest.

Pointing with lime, replacement of PVC gutters in aluminium painted to mimic cast iron will also be sympathetic to the buildings character and will cause no harm.

Conclusion:

As such, taking account of the above matters, it is not considered that the proposed development raises any significant direct conflict(s) with Key Statement EN5 or Policies DMG1 and DME4 of the Ribble Valley Core Strategy, nor any significant measurable conflicts with the aims, objectives and requirements of Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 nor Paragraphs 212 to 220 of the National Planning Policy Framework. Particularly in relation to potential adverse impacts on a Grade II Designated Heritage Asset or its setting.

Observations/Consideration of Matters Raised/Conclusion:

As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval.

RECOMMENDATION:

That Listed Building Consent be granted subject to the imposition of conditions.