

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	MC	Date:	16/06/2026	Manager:	LH	Date:	16/6/26
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Application Ref:	3/2026/0360			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	19/05/2026	Site Notice:	19/05/2026	
Officer:	MC			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Listed Building Consent for proposed repairs to chimney.
Site Address/Location:	Lower Dutton Cottage, Gallows Lane, Ribchester, PR3 3XX

CONSULTATIONS:	Parish/Town Council
No response received.	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
Growth Lancashire:	The Heritage and Conservation Officer considers that proposed development described above will cause no discernible level of harm or loss of significance to the heritage asset. They recommend a condition for a Level 3 survey of the roof's interior of the historic sections of the building.
CONSULTATIONS:	Additional Representations.
No additional representations received.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
Ribble Valley Core Strategy: Key Statement EN5: Heritage Assets Policy DMG1: General Considerations Policy DME4: Protecting Heritage Assets Planning (Listed Buildings and Conservation Areas) Act National Planning Policy Framework (NPPF)
Relevant Planning History: No relevant planning history.

ASSESSMENT OF PROPOSED DEVELOPMENT:
Site Description and Surrounding Area: Lower Dutton Cottage is a two storey stone built house which dates from the 17 th Century. The site is located within the Open Countryside, approximately 2km from the settlement of Ribchester.

The list entry states:

SD 63 NE DUTTON GALLOWS LANE

8/108 Lower Dutton Cottage 11.11.1966 (formerly listed as House occupied by Miss Bailey in Gallows Lane, Lower Dutton)

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House, late C17th. Sandstone rubble with slate roof. L-plan, with wings running west and south. 2 storeys. Windows are mullioned and double chamfered. The west wing has a 3-light window on each floor, the ground-floor window having a drip course which continues over the door architrave to its right. The left-hand gable has a chimney. The south, gable, wall of the south wing has a 5-light window with hood on the ground floor and a similar 4-light window on the 1st floor. The left-hand (west) wall of this wing is blank except for a modern window with plain reveals on the 1st floor. The east wall of the house has a blocked doorway, with, towards the north, a 2-light window with hood on the ground floor and a similar 3-light window on the 1st floor. Interior. There is a small cupboard with a C17th door in the rear wall of the west wing and there is said to be a spice cupboard in the south wing.

Listing NGR: SD6608736107

Proposed Development for which consent is sought:

This application seeks listed building consent for proposed repairs to the existing chimney following storm damage.

Impact upon Listed Building:

The building is Grade II listed and in assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of designated heritage 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 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 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.

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.

Assessment of Impacts:

The Heritage and Conservation Officer has provided comments on the scheme and they note that the significance of the building largely relates to its historic and architectural interest of its L-shaped form, and construction and detailing which are illustrative of 17th century dwellings in the area. They consider that the construction and detailing of the two chimneys to the property contribute positively to the architectural interest of the property and relate also to the internal plan layout and interior fittings (including a spice cupboard) which are noted in the List Entry.

The proposal is for the repair of the external fabric of the west gable chimney. The supporting statement outlines that the sandstone is “severely degraded / perished” to the chimney which was impacted by storm damage earlier this year and historically by moisture entrapment as a result of past repairs in modern

materials which have accelerated its decay. The report provides justification for the works with regard to the ongoing deterioration of the chimney and potential risk of impacts from falling masonry from the chimney to the roof and historic flues.

From review of the photographs the cracking, missing sections of stone to the stack and weathering details are evident, together with previous repairs in cement mortars / renders, the Heritage and Conservation Officer agrees are likely to be contributing to the deterioration of the stonework. They consider that the proposed method of repair and materials set out on in Section 5.0 of the Design, Access and Heritage Statement is acceptable, though they recommend that the chimney is not limewashed (a possibility of using a limewash is noted on page 4) since the it does not appear to have been previously limewashed – though further onsite work may find otherwise.

With regard to the proposed lime mortar mix, they consider that an NHL3.5 for the stack and NHL5.0 for the flaunching would be acceptable and would be a betterment to the existing cement mortar. The proposed pointing styles is considered acceptable, though they recommend that in the work should be protected from the elements (at least 3 weeks with a double layer of damp hessian).

They consider that the replacement of the chimney pot would be acceptable only where the existing pot is beyond repair, in which case, replacement with a pot of the same profile and dimensions would be acceptable. The proposed Code 5 leadwork is considered to be acceptable with use of traditional methods of lead wedges and pointing in lime mortar. In addition, they recommend use of a patination oil on completion to avoid carbonate staining to the slates. With regard to the replacement of any stone sections and the chimney pot, the approach proposed in the supporting document is one of *minimum intervention* replacing only the material, with matching materials and profiles, which is deteriorate beyond being capable of re-use. They consider that this approach is represents good conservation practice, though are aware that the potential to re-use the chimney pot and individual sections of stone will be able to be determined only when the render / existing flaunching and mortar is removed.

The photographs illustrate the perished extents of the stone and they consider that replacement of the perished sections in sandstone to match the existing, with matching profiles is acceptable. Since it is unknown if the chimney pot requires to be replaced, they recommend that details of the condition of the existing pot and proposed new pot, prior to fixing should be confirmed, which could be secured via a suitably worded planning condition.

An updated Design, Access and Heritage Statement has now been provided which notes the use of patination oil on the new leadwork (p.4), weather protection to the lime mortar/pointing works (also p.4), and the removal of reference to the possible application of limewash (p.5). These revisions address the minor amendments noted in the Heritage and Conservation Officers previous comments.

With regard to the possible use of a lime render finish/weathercoat to the chimney on completion of the repairs, the statement now notes that this would be subject to further inspection during the dismantling works. Where evidence of a previous render coating is found, the application of a traditional three-coat lime render is proposed. The Heritage and Conservation Officer has no in principle objection to this and they also note the additional text on p.3 and p.5 of the revised Design, Access and Heritage Statement regarding the minimum-intervention approach to the replacement of historic fabric, which is welcomed.

The method statement has been updated following comments from the Heritage and Conservation Officer to include protective hessian if lime render is identified as being required through further site investigation, or where the applicant/agent considers render necessary for weatherproofing the chimney. A specification of this can be secured by way of planning condition prior to its installation.

Subject to a suitably worded Condition securing the replacement of the existing chimney pot only where its condition is beyond re-use, and details of the lime rendering being secured, they consider that the proposal would meet the statutory test 'to preserve', causing no harm to the significance of the listed building.

Having regard to the above, the proposal would meet the statutory duties to preserve and accords with the objectives of Chapter 16 of the National Planning Policy Framework and is considered to accord with Policies DMG1 and DME4 and Key Statement EN5 of the Ribble Valley Core Strategy.

RECOMMENDATION:	That listed building consent be granted subject to the imposition of appropriate conditions.
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