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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | **WH** | | | **Date:** | | **21-08-23** | | **Manager:** | | **LH** | **Date:** | **29/9/23** |
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| **Application Ref:** | | | 2023/0404 | | | | | | |  | | | |
| **Date Inspected:** | | | 12-07-23 | | | **Site Notice:** | | 14-06-23 | |
| **Officer:** | | | Will Hopcroft | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | **APPROVAL** | | | |
|  | | | | | | | | | | | | | |
| **Development Description:** | | | | Garden fence with two vertical slat panels topped with narrow open criss cross trellis. Height 1.8m. Fitted with ground secured fence posts, one bolt into house wall and one bolt into outhouse wall. | | | | | | | | | |
| **Site Address/Location:** | | | | 10 Talbot Street, Chipping | | | | | | | | | |
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| **CONSULTATIONS:** | | | | **Parish/Town Council** | | | | | | | | | |
| No response. | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| None required. | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | **Additional Representations.** | | | | | | | | | |
| The Council received 1no. letter of objection, raising a number of issues relating to impact on access and ownership disputes. However, as this application can only assess the impact to the fabric of the Listed Building they are not considered material to this application. | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1: Development Strategy  Key Statement DS2: Sustainable Development  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)  Chipping Conservation Area Appraisal | | | | | | | | | | | | | |
| **Relevant Planning History:**  **2023/0108:**  Listed Building Consent - Proposed removal of sand and cement pointing on front and rear of property. Reinstate lime mortar to original specification. Resubmission of 3/2022/0714 – Approved with Conditions  **2022/0714:**  Proposed removal of sand and cement pointing on front and rear of property. Reinstate lime mortar to original specification, clean stonework, repair date stone, and insulate ceiling in front bedroom – Refused | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The site is comprised of a mid-terrace dwelling off Talbot Street, Chipping. The dwelling is accessed immediately off the public highway and has an element of curtilage to the rear that is accessible via a side entrance.  The dwelling, along with its neighbour no. 10 Talbot Street, is Grade II Listed and is prominently sited within Chipping Conservation Area. The site is within the immediate setting of a number of listed buildings including ‘12 and 14, Talbot Street’ (Grade II; ’2 cottages, probably formerly one house, late C17th’), ‘Stable and barn south-west of Talbot Hotel’ (Grade II), ‘Talbot Hotel’ (Grade II), ‘The Village Tuck Shop’ (Grade II; ‘House and shop, late C18th’) and ‘Post Office and John Brabin's House’ (Grade II\*; ‘House and shop, 1668’).  The list description is as follows:  *‘Pair of houses, early C19th. Sandstone rubble with slate roof. 2 storeys, each house of one bay, with the doors adjoining between the bays. The windows have plain stone surrounds. Those to No. 8 are sashed with glazing bars. No. 10 has a similar window on the ground floor and a horizontal sliding sash with glazing bars on the 1st floor. The doors have plain stone surrounds, that to No. 10 having a worn re-set shaped lintel with '1672' re-cut. No. 8 has a second door at the far right, probably leading to a yard’* | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The proposal seeks Listed Building Consent for the erection of a 1.8m garden fences, with two vertical slat panels topped with a narrow open trellis. It is fitted to the ground via secured fence posts, to the Listed Building via a single bolt and to the outhouse wall via a single bolt. A gate is also incorporated allowing access to the rear curtilage of the adjacent terraced residence. | | | | | | | | | | | | | |
| **Principle of Development:**  As the proposed works fall within the bounds of Listed Building Consent, it is only possible to assess the proposal on whether it would harm the significance of the Grade II Listed Building.  It is noted that – whilst the erection of a fence is generally considered Permitted Development under Part 2, Class A of the GPDO – this provision *excludes* the erection of a fence within the curtilage of a Listed Building. As such Officers consider that, whilst Listed Building Consent is being granted, the fence as existing also requires an application for planning permission. | | | | | | | | | | | | | |
| **Impact upon Listed Building**  Officers consider that the impact of the erection of the fence to the rear of the Listed Building will have a less than substantial impact on the significance of the Listed Building, as its height and inclusion of some ornate detail does draw the eye from the rear elevation of the historic buildings and disturb some existing historic fabric where it is connected to the Listed Building with a singular bolt, however as this is easily reversible, as the rear courtyard where the fence is sited is full of modern domestic paraphernalia, and as a boundary fence is a common sight in a domestic setting, the level of harm is considered to be low. NPPF paragraph 202 requires that less than substantial harm be weighed against any public benefits of the proposal. In this case the benefits of affording suitable levels of privacy for the applicant and adjacent owner/occupier is considered to justify the low level of harm upon the Listed Buildings and their setting. Given the above, it is considered that proposal is compliant with regard to CS Policy DME4, EN5, the guidance found within Chapter 16 of the NPPF and the Planning (Listed Building and Conservation Areas) Act 1990. | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  Having regard to the duty at section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving ‘great weight’ to the conservation of the designated heritage asset (NPPF paragraph 199) and in consideration to NPPF paragraph 197 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness) and Ribble Valley Core Strategy Key Statement EN5 and Policies DME4 and DMG1 the development is acceptable. | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | |  | | | | | | | | | | |
| That Listed Building Consent be granted. | | | | | | | | | | | | | |