



Appeal Decisions

Hearing Held on 30 November 2020

Site visit made on 1 December 2020

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal A: APP/T2350/W/18/3214150

Great Mitton Hall, Mitton Road, Great Mitton BB7 9PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Kay against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2018/0474, dated 23 May 2018, was refused by notice dated 26 July 2018.
 - The development proposed is the erection of a single storey extension to the south of an existing modern extension, the reconfiguration of the existing patio and railings, the removal of a pointed arch doorway to the southern wall of the modern extension and its replacement with a window, and the re-painting of the existing rendered gable to the Hall.
 - This decision supersedes that issued on 25 November 2019. That decision on the appeal was quashed by order of the High Court
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Appeal B: APP/T2350/Y/18/3214151

Great Mitton Hall, Mitton Road, Great Mitton BB7 9PQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Kay against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2018/0468, dated 23 May 2018, was refused by notice dated 26 July 2018.
 - The works proposed are the erection of a single storey extension to the south of an existing modern extension, the reconfiguration of the existing patio and railings, the removal of a pointed arch doorway to the southern wall of the modern extension and its replacement with a window, and the re-painting of the existing rendered gable to the Hall.
 - This decision supersedes that issued on 25 November 2019. That decision on the appeal was quashed by order of the High Court.
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for the erection of a single storey extension to the south of an existing modern extension, the reconfiguration of the existing patio and railings, the removal of a pointed arch doorway to the southern wall of the modern extension and its replacement with a window, and the re-painting of the existing rendered gable to the Hall at Great Mitton Hall, Mitton Road, Great Mitton BB7 9PQ in accordance with the terms of the application, Ref 3/2018/0474, dated 23 May 2018, subject to the conditions in Conditions Schedule A below.

Appeal B

2. The appeal is allowed and listed building consent is granted for the erection of a single storey extension to the south of an existing modern extension, the reconfiguration of the existing patio and railings, the removal of a pointed arch doorway to the southern wall of the modern extension and its replacement with a window, and the re-painting of the existing rendered gable to the Hall at Great Mitton Hall, Mitton Road, Great Mitton BB7 9PQ in accordance with the terms of the application Ref 3/2018/0468 dated 23 May 2018 subject to the conditions in Conditions Schedule B below.

Procedural matters

3. Although not mentioned in the descriptions above, as part of the scheme the appellants confirmed they intended to paint the southern elevation of the modern extension in a colour to match that proposed for the Hall's gable. Mindful that this is how the works are presented on the submitted plans, I have assessed them on that basis and consider no one's position has been prejudiced as a consequence.

Main Issues

4. Main issues common to both appeals are whether the works would harm the significance of the Grade II listed Great Mitton Hall and preserve its special architectural and historic interest, and whether they would preserve the settings of the adjacent listed buildings. A further issue in relation to Appeal A is the effect of the development on the setting of the Forest of Bowland Area of Outstanding Natural Beauty (the AONB), and whether it would conserve its landscape and scenic beauty.

Reasons

The effect on the Hall

5. The Grade II listed Great Mitton Hall dates from 1600 or possibly earlier, and stands at the top of steep valley side overlooking the River Ribble to the south. The older section of the Hall may have been part of a larger building, but what remains now has a predominantly rectangular footprint (albeit with a tower feature in the south-east corner) and comprises 2 storeys with an attic and cellar. Its significance lies in part in it being a well-preserved example of a dwelling of a high status from this era. Its special architectural and historic interest is principally evidential and aesthetic, being demonstrated in its materials and design details as well as the manner in which it contains indications as to how the building has been altered over time. It also has historic links with the locally important Sherburne family.
6. Attached to the south-west corner of the older part of the Hall, and running at right angles from it, is a single storey extension that was granted planning permission and listed building consent in the 1990s (the existing extension). It is clearly a subservient element when set against the larger older portion of the house. Moreover, its south elevation is rendered while its windows have stone surrounds and mullions, and these appear to reflect the render and windows on the south-facing gable of the older part of the Hall. However, because of its bulk, form and arrangement the existing extension does not make a positive contribution to the significance of the listed building, as it appears as a modern addition that relates poorly to the Hall's historic form.

The bay window

7. The proposed single storey extension before me is to be a rectangular bay that would project out some 2m or so from the middle of the existing extension. Its windows would be of a design that strongly matched those on the existing extension and it too would be rendered.
8. It would be clearly visible when looking across the river by the Aspinall Arms. However, from that direction there would be little appreciation of its projecting nature and, while its shallower roof pitch may be perceptible, given its scale that would not be discordant. Therefore, from there this aspect of the works would have no effect on the significance of the listed building.
9. Crossing Mitton Bridge and going along the road up the valley side towards the appeal site, the change in angle means the projecting nature of the bay would become more apparent, and this would be most noticeable when closest in the Hall's grounds. In these views it could be seen to project beyond the current line of the southern elevation of the existing extension and the south-facing gable of the house, and would appear to be extending beyond the buttresses. From these angles, it would also be noticed that the bay's roof pitch would be shallower than that on the existing extension, which in turn is not as great as the pitch on the older part of the dwelling.
10. However, because of its design and its location in the centre of the southern elevation it would be very much visually integrated into the existing extension, which is a distinct and separate element to the older part of the Hall. Moreover, by being a few metres apart, it would be away from the older fabric. Although a departure from the current footprint of the existing extension, its limited scale and sympathetic nature mean the bay would not appear discordant in relation to that addition. Similarly, as it would be over such a small element the shallow roof pitch would not be inappropriate. Overall, from the road and the grounds the bay would not be bold enough and would not be sufficiently distinct to challenge the older part of the building. Furthermore, its integration into the existing extension means it would not aggravate any impact that element might already have as a result of its incongruity and conspicuousness.
11. In coming to this view, I have noted the appeal decisions from 2016 dismissing a proposal for a conservatory in a similar place. That proposal though was of a radically different style to the bay before me and was highly glazed, and so the impact was very different.
12. Therefore, for these reasons the bay would not cause harm to the Hall's significance, either in isolation or when taken with the existing extension.

Replacement of doorway

13. At the west end of the southern elevation of the existing extension is a doorway with a pointed arch. This relatively ornate feature, with its ecclesiastical connotations, appears dominant and striking, as it contrasts sharply with the simple domesticity of design elsewhere on this side of the existing extension. To my mind replacing it with a window that matched those adjacent would be beneficial, as it would better suit the subservience of the existing extension, reducing any challenge it may make to the older part.

14. The Council contended that this door's 'ecclesiastical' nature meant Great Mitton Hall reflected the tower and lower nave and chancel of the adjacent church, but I see no reason why that is beneficial. It was also said the vertical nature of the doorway acted as a necessary termination of the elevation. That though is not a view I share, considering the existing extension is not of sufficient length to require such a termination. However, even if it were so, I consider the doorway now present to be inappropriate because of its arched nature. While it was suggested that a condition could be imposed to require a doorway of different design and width to be put there instead, I had no such details before me and so could not be confident it would have sat comfortably on this building.
15. Consequently, I conclude this aspect of the works would not harm the significance of the listed building.

Railings

16. Remodelling the sinuous curving patio in front of the existing extension's southern elevation and replacing the ornate railings now present with ones of a simpler design would result in a patio form more suited to a building of this age. The railings would be visible from by the river and on the road up the hill, but as I understand the existing ornate railings could remain if I dismissed the appeals, I see no harm resulting from this aspect of the scheme.
17. The precise detailing of the railings and the spacings between each upstand have not been submitted but could be reasonably controlled by condition.
18. Consequently, I conclude the railings and patio alterations would not cause harm to the significance of the listed building.

Painting the southern elevation

19. At the moment the render on the south-facing gable of the older part and the southern elevation of the existing extension is painted white. I was told the paint now proposed (described as a buff) would be a colour that meant the render matched more closely the older walling that was not rendered.
20. The Council has not cited this aspect of the works in its reason for refusal and while the Lancashire Archaeological Advisory Service said render in the county was almost always white or unpainted this assertion was unsubstantiated. Overall, I have no basis to consider a suitably sensitive colour reflecting the appellants' intentions would be harmful or indeed surprising on this building.
21. The appellants further contended that repainting in this way would reduce the prominence of the Hall's gable and tone it more appropriately with the church. However, I see no adverse effect arising from any prominence of the gable at present, and I consider it is not a benefit to tone these 2 buildings together.
22. Overall, although there is no particular justification for this aspect of the scheme and no specific benefit arising, repainting the gable and the south elevation of the existing extension in this way would not be harmful, if the precise tone and colour of the paint was first approved by the Council.

Conclusions on the effect on Great Mitton Hall

23. Accordingly, I conclude the works, whether taken by themselves or considered cumulatively with the existing extension, would not cause harm to the

significance of Great Mitton Hall, and would not fail to preserve its special architectural or historic interest. As such, they would not conflict with Key Statement EN5 and Policy DME4 in the *Core Strategy 2008-2028: A Local Plan for Ribble Valley* (the Local Plan), which seeks to safeguard heritage assets, the *National Planning Policy Framework* (the Framework) or the Act.

The effect on the settings of adjacent listed buildings

24. The Hall is within the settings of the Grade I listed Church of All Hallows to the east, and the Grade II listed Aisled Barn on Great Mitton Farm just to the west. The church dates from the 13th Century whilst the barn was built in the 15th. The significance of these lies partly in the way they still represent attractive and cohesive examples of a church and an agricultural building from those periods, as is evidenced through matters such as their form, materials and detailing. When looking from the river the Hall, the church and the barn sit as an attractive grouping on the ridge top, with each contributing to and complementing the significance of the others because of their similar ages, materials and evident vernacular construction methods.
25. Given the scale of the railings, bay and door alteration and noting the strong association they would have with the existing extension, those aspects of the scheme would not cause harm to the settings of the Aisled Barn or the church.
26. Moreover, although I see no justification for the colour of the Hall's gable to tone with the stonework of the church, I consider the repainting would not be harmful. In any event, a distinct separation between the 2 buildings is apparent when looking from the south while, in more angled views, the gable and the church have the tower feature in the Hall's south-east corner in between. As such, this element of the works would not harm the setting of the church or, indeed, the barn
27. In the church's graveyard there are also the Grade II listed sundial and 14th Century cross. They are very much experienced in the context of the graveyard and so their settings would not be affected by the works. Mitton Bridge, which takes the road over the river, is also a Grade II listed building but the setting and experience of that is associated with the river crossing, and the distances involved and the elevated location of the Hall on the valley side mean the works would not affect its setting either.
28. Accordingly, I conclude the works would not fail to preserve to the settings of any listed buildings in the vicinity, and so would not conflict with Policy DME4 in the Local Plan, the Framework or the Act.

The effect on the AONB

29. The site is not in the AONB, but rather lies between one part to the west and another part to the east. The works would not detract from views within the AONB to the west as they would be facing away. They would also be some kilometres distant from the eastern portion of the AONB and, while the paint finish may be perceptible, I have no reason to consider it would be harmful, especially as its historical context would not be apparent.
30. Travelling westwards towards the AONB the works would be apparent going up the hill from Mitton Bridge, but given I consider them satisfactory I have no reason to find they would diminish the approach to the AONB. The distance involved, the intervening development and the fact that the works would be

substantially concealed from traffic travelling down the hill past the site, mean they would not harm the approach to the eastern section of the AONB.

31. Accordingly, I conclude the development would not fail to preserve the landscape and scenic beauty of the AONB, and so would not conflict with Local Plan Key Statement EN2 or the Framework.

Conditions

32. In order to safeguard the heritage value of the Hall, details of the materials, paint colour and railings should be submitted to the Council and approved in writing. However, I am not satisfied that an archaeological investigation is needed as the disturbance of anything other than made-up ground is likely to be minimal, and I have insufficient evidence to show that the work would be likely to affect bats.

Conclusions

33. For the reasons given above I conclude these 2 appeals should be allowed.

JP Sargent

INSPECTOR

CONDITIONS SCHEDULE – APPEAL A

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Unless otherwise amended under the conditions below, the development hereby permitted shall be carried out in accordance with the following approved plans: M18-07-01, M18-07-02 & M18-07-04 Rev03
- 3) The railings shall not be erected until details of their design and finish, as well as the separation distances between upstands, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No external painting hereby permitted shall be undertaken until details of the paint finish including its colour have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 5) No development above ground shall take place until precise specifications and samples of walling, roofing and window stone surrounds and the details of any surface materials to be used in the scheme, including their colour and texture shall have been submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details and samples.

CONDITIONS SCHEDULE – APPEAL B

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Unless otherwise amended under the conditions below, the works hereby permitted shall be carried out in accordance with the following approved plans: M18-07-01, M18-07-02 & M18-07-04 Rev03.
- 3) The railings shall not be erected until details of their design and finish as well as the separation distances between upstands have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 4) No external painting hereby permitted shall be undertaken until details of the paint finish including its colour have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 5) No works above ground shall take place until precise specifications and samples of walling, roofing and window stone surrounds and the details of any surface materials to be used in the scheme, including their colour and texture shall have been submitted to and approved by the local planning authority. The works shall be carried out in accordance with the approved details and samples.

APPEARANCES

FOR THE APPELLANT:

Mr C Copestake	Planning Consultant
Dr J Edis	Heritage Consultant
Mr J Hunter	Counsel

FOR THE LOCAL PLANNING AUTHORITY:

Mr A Dowd	Principal Planning Officer with the Council
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DOCUMENTS

- 1 Email from the appellants concerning a suggested condition (dated 15 December 2020)
- 2 Email from the Council concerning a suggested condition (dated 15 December 2020)