
Appeal Decision

Site visit made on 8 March 2014

by Mrs A L Fairclough MA BSc(Hons) LLB(Hons) PGDipLP(Bar) IHBC MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 May 2014

Appeal Ref: APP/T2350/A/13/2209614

1, 2 and 3 Greendale View, Grindleton, Clitheroe BB7 4QY

- 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 John Fielding against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2013/0378, dated 3 April 2013, was refused by notice dated 24 July 2013.
 - The development is the proposed alteration of existing vehicular access, removal of existing concrete steps and formation of 5 'off street' car parking spaces (resubmission).
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Procedural Matters

1. Neither party's case depend on any material which has been superseded by the Government's Planning Practice Guidance, and so, although I have had regard to that guidance, it has not altered my conclusion.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the Grindleton Conservation Area (CA) and the setting of nearby listed buildings.

Reasons

4. The appeal site relates to land in front of Nos 1-3 Greendale View. Greendale View comprises a terrace of 4 dwellings, which are positioned on the east side of Main Street. They are set back from the street and are elevated above it. There is a retaining stone wall at the back edge of the footway with a hedge atop, a bus stop and pedestrian access via steps in front of Nos 2 and 3 Greendale View. The wall starts near the junction of Sawley Road and provides important definition to part of the street frontage on the eastern side of Main Street. The Grindleton Conservation Area Appraisal (GCAA) notes that boundary walls are distinctive features within the CA. I consider that the wall, including the form and use of traditional materials, is an important feature in the street scene. It contributes positively to the linear enclosed character of Main Street and the character and appearance of the general locality.

5. The proposed scheme includes the removal of a prominent elevated terraced garden area serving Nos 1-3 Greendale View. There is already a break in the wall with a small amount of hard standing to accommodate off-road parking for 2 cars at No 1. The proposed scheme would involve the further excavation and removal of earth of part of the remaining front garden of No 1 and the excavation and removal of a significant amount of earth in front of Nos 2 and 3 Greendale View. The excavated space would then be hard landscaped using natural material finishes. It would create an extensive area of hard landscaping with a new retaining wall set back into the site. The enlarged excavated space would allow vehicles to enter into the site and turn to park in 5 marked parking bays located in front of Nos 1-3 and set back from the existing front boundary wall which would be retained.
6. The proposed scheme would reduce the existing elevated front garden areas to Nos 1-3 to the extent that the dwellings would appear more prominent and dominant in the street scene. The new length of retaining wall would include indented areas for bin storage outside each of the properties. The wall, hard surfacing and some bins would be visible from Main Street. In my view the heavily engineered, modern intrusion of the appeal scheme would create a prominent and incongruous urban style of development in this village setting.
7. Notwithstanding the fact that the existing wall (and bus shelter) positioned at the back edge of the footway would be retained and that the existing vehicular access to No 1 would not be widened, the excavated hard landscaped land would be visible from Main Street and this would create an impression of a widening of the carriageway. This would be emphasised by the movement of vehicles into and out of the proposed parking area. As such the proposed scheme would undermine the tight narrow linear character of this part of Main Street.
8. Overall the proposed scheme would significantly harm the character and the appearance of the CA. This would conflict with saved Policy G1 of the *Ribble Valley District Wide Local Plan* (LP) dated 1998 and emerging Policy DMG1 of the *Core Strategy 2008 – 2028: A Local Plan for the Ribble Valley* (CS) both of which require that new developments should be sympathetic to existing land uses. It would also conflict with saved Policy ENV16 and emerging CS Policy DME4 which relate to conservation areas. Both require that new development reflects the character of the area in terms of scale and design.
9. Additionally the existing elevated gardens add softness to the setting of the nearby Grade II listed buildings known as Swindlehurst Farmhouse¹ and Townley House. Thus the removal the majority of these front gardens and the introduction of a stark hard landscaped area would harm the setting of the nearby listed buildings. I note that the appellant refers to the listed building description. For the avoidance of doubt, the statutory list description is not exhaustive and the listing includes the entire building and any curtilage structures. Moreover the setting of a listed building can often extend significantly beyond its boundary.
10. For the reasons set out above the appeal scheme would not accord with saved Policy EN19 which seeks to preserve the setting of listed buildings and emerging CS Policy DME4, which relates to listed buildings and states that development which cause visual harm to the setting of a listed building will be

¹ Also known as Cromwell Cottage.

resisted. Also the proposed scheme would conflict with CS Key Statement EN5 which requires careful consideration for any development proposals that adversely affect a designated heritage asset or its setting.

11. On that overall basis, harm would be caused to the significance of the conservation area and the listed buildings as a result of the proposal. Bearing in mind the provisions of the Planning (Listed Building and Conservation Areas) Act 1990, those are matters of considerable importance and weight.
12. In the language of the National Planning Policy Framework (The Framework) the harm the proposal would cause to the significance of the designated heritage assets would be less than substantial on the basis that the character and appearance of the CA would, in the main, be preserved and the architectural and historic qualities of the listed building would be left largely intact. Paragraph 134 of the *National Planning Policy Framework* (The Framework) states that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
13. I note the wall in front of Greendale View has already been breached by the creation of 2 parking spaces to No 1, pedestrian accesses to Greendale View and the insertion of a bus shelter in the relatively recent past. I consider that these are all negative features, in varying degrees, in terms of the character and appearance of the locality. However, as previously stated the elevated garden areas contribute positively to the character of the locality and the feeling of enclosure in the street scene. To my mind the presences of these negative features in the street scene do not justify the introduction of another negative feature.
14. The appeal scheme provides some public benefits including the ability for vehicles to exit and enter in the forward gear. With regard to vehicular entry and egress of the appeal site, currently the occupiers of No 1 have to reverse onto or off the drive. I note the Highway Authority does not object to the scheme and I have no reason to disagree with the Highway Authority on this point. Therefore, the ability for the occupiers to enter and exit in the forward gear is a public benefit.
15. In terms of parking, the appellant refers to the GCAA, which indicates that on-street parking is a negative feature in the locality. The removal of parking on Main Street would be a public benefit in terms of visual amenity. I acknowledge that the provision of 3 additional off road parking spaces would help clear several parked cars from the narrow Main Street. This is also highlighted in the GCAA and the document entitled Grindleton's Parish Plan 2008 (GPP). With regard to the GPP document, this has not been formally adopted by the Council and thus the recommendations within it can only be attributed limited weight. Additionally I note that the appeal scheme was not supported by the Parish Council. However, it would not provide a benefit to the wider area and significantly reduce car parking pressures on Main Street in the way a formal car park for residents and visitors to Grindleton as suggested in the GCAA. To my mind whilst the occupiers of Nos 1, 2 and 3 Greendale View would park their cars within the proposed scheme, other occupants in the locality could park their vehicles outside Greendale View on the carriageway. Thus the appeal scheme would not amount to a public benefit. In my view the

- appeal scheme would provide essentially a private benefit to the occupiers of Nos 2 and 3 who currently have no off street parking facility.
16. Therefore, I do not consider that the aforementioned public benefit would outweigh the less than substantial harm that would be caused to the significance of the designated heritage assets.
17. I note the appellant's reference to previous planning applications relating to Nos 1-4 Greendale View. Although permission has been given for a breach in the wall to provide pedestrian access to No 4, this is a minor breach and requires minimal excavation of the garden. With regard to other applications, the appellant asserts the setting of the listed buildings was not an issue in these cases. I do not have the full background of these other schemes. In any case I am required to determine each appeal on its merits in the light of current policy. I have done so in this case.
18. I conclude that the proposed development would not preserve or enhance the character or appearance of the CA. It would not preserve the setting of both Swindlehurst Farmhouse and Townley House. There would be conflict with the abovementioned saved LP and emerging CS Policies and, because the harm to significance would not be outweighed by public benefits, the Framework.
19. For the reasons given above, the appeal should be dismissed.

Mrs A Fairclough

INSPECTOR