

RIBBLE VALLEY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Appeals by Mr & Mrs K Kay against the refusal by Ribble Valley Borough Council of planning permission and listed building consent for proposed erection of a single storey extension to the south of an existing modern extension. Reconfiguration of existing patio and railings. Removal of pointed arch doorway to the southern wall of the modern extension and replacement with a window. Re-painting of existing rendered gable to the Hall at Great Mitton Hall, Mitton Road, Mitton, Clitheroe, BB7 9PQ

Planning Inspectorate Reference: APP/T2350/Y/18/3214150 and APP/T2350/Y/18/3214151

LPA Reference: 3/2018/0474/P & 3/2018/0468

NGR: 371526 438924

I apologise for the format of the Borough Council's statement which is due to workload and annual leave. The Borough Council would like to supplement the application file report (submitted with the appeal questionnaire) with the following considerations to the Appellant's statement and suggested conditions if the appeals were to be allowed:

Considerations to the Appellant's statement

Paragraph 3.2 – the Borough Council would suggest that the planning history be read in its entirety including Society for the Protection of Ancient Buildings (a statutory consultee) objection to the original extension and Planning Inspector opinion as to the most prominent elements of the site, characteristics of the historic buildings and relationship to the Forest of Bowland AONB.

Paragraph 4.5(b) – the Borough Council considers that the existing door's vertical emphasis helps provide some termination to the horizontally elongated modern extension (already contrasting markedly with adjoining intentionally vertically emphasised architecture including the Grade I listed Gothic church). Furthermore, the modern window array will noticeably compete with the special interest of the Hall gable's mullion and mullion and transom windows.

Paragraph 4.5(c) and Paragraph 8.7(d) – the Great Mitton Hall list description identifies "*The south-west wall has a single-storey gabled porch near the centre having a re-used outer doorway, probably C14th, with pointed head and with a roll moulding with fillet*".

Paragraph 4.7 and Paragraph 8.7(d) – the Lancashire Archaeological Advisory Service consider wall repainting to be a ‘major change’. It comments that render on historic buildings in the county is almost always either unpainted or painted white (sometimes with black detailing) and an alternative colour is likely to appear surprising. Furthermore, *“by being white, the gable end allows a clear distinction between the hall and the structure of the church beyond it when viewed from the road and the bridge and if they were the same colour may tend to lose their distinct identities”*.

Paragraph 7.1 – the Borough Council considers the duties at section 16 and 66 of the Act to be the most important determinants in this case. NPPF Annex 2: Glossary identifies listed buildings to be Designated Heritage Assets. The Borough Council is mindful of the impact of cumulative change:

“The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies ... Conversely, positive change could include the restoration of a building’s plan form” (‘Managing Significance in Decision-Taking in the Historic Environment’, Historic England, 2015).

Paragraph 7.6 and letter of 9 October 2018 at Appendix 1 – loss of significance to the listed building and the setting of the other listed buildings in the ensemble has been demonstrated by the Borough Council in consideration to section 16 and 66 of the Act.

Paragraph 7.9 – the discordant appearance of proposed development and close proximity/relationship to the AONB was a material consideration in the Planning Inspector’s decision on APP/T2350/D/12/2175885 (3/2011/0849). The Borough Council considers the proposal now under consideration to be in a more prominent location in respect to views from the river valley below. Core Strategy Key Statement EN2: Landscape identifies the importance of protecting, conserving and enhancing the landscape and character *“of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty”*. The Forest of Bowland AONB Management Plan (April 2014 - March 2019) identifies the importance of the historic built environment to this character (*“The landscape’s historic and cultural associations ... The distinctive pattern of settlements ... Collectively these historic and cultural elements of the environment serve to enrich the landscape’s scenic quality, meaning and value”*).

The Borough Council has considered the Appellant’s Full Statement of Case. However, in giving considerable importance and weight to the duties at section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving ‘great weight’ to the conservation of the designated heritage assets (NPPF paragraph 193) and in consideration to Key Statements EN2 and EN5 and Policies DME4, DMG1 and DMG2 of the Ribble Valley Core Strategy, the Borough Council maintains its strong opinion that listed building consent and planning permission should be refused. The Inspector is therefore respectfully asked to dismiss the appeals.

Suggested conditions

If the appeals were to be allowed, the Borough Council would agree to the following conditions:

No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation, recording and reporting. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the local planning authority. The programme of works should include: a formal archaeological watching brief during all ground disturbance. All archaeological works should be undertaken by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologists.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site. (The Lancashire Archaeological Advisory Service identify that insufficient consideration has been made to buried remains and archaeological deposits).

No part of the development hereby granted consent shall take place until a survey for the presence of bats has been carried out and the details of which (including any mitigation measures required) submitted in writing to and approved by the local planning authority.

Reason : To ensure that there are no adverse effects on the favourable conservation status of a bat population. To comply with Policy DME3 of the Ribble Valley Core Strategy Adopted Version. (The Borough Council considers that insufficient information has been submitted in respect to the potential impact of development on protected species).

Precise specifications and samples of walling, roofing and window stone surround materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

Reason : In order to safeguard the special architectural and historic interest of the listed building.

Adrian Dowd BSc (Hons) MA (URP) MA (Arch Cons) RTPI IHBC

Principal Planning Officer

Ribble Valley BC

