

**TOWN AND COUNTRY
PLANNING ACT 1990 – SECTION 78**

**APPEAL BY
MR & MRS KAY**

**REFUSAL OF PLANNING PERMISSION FOR
CARPORT, BOUNDARY WALL AND
LANDSCAPING AT GREAT MITTON HALL,
GREAT MITTON, LANCASHIRE**

STATEMENT OF CASE

Local Authority Ref: 3/2013/0793

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Ref: 2771/1
December 2013

INTRODUCTION

1. This Statement relates to the appeal against Ribble Valley Borough Council's refusal of planning permission for a new carport, boundary wall and external landscaping at Great Mitton Hall, Great Mitton.
2. Great Mitton Hall is a Grade II listed building (see Appendix I) located on the southern edge of the hamlet of Great Mitton, immediately to the east of Mitton Road (B6246). The Church of All Hallows (which is listed Grade I – see Appendix I) lies to the north-east of the Hall and is accessed from Church Lane to the north. To the north of the Hall is the building that accommodates the Hillcrest Tea Rooms, which has a frontage to Mitton Road. To the west the Hall it is separated from Mitton Road by a high Leylandii hedge; and there is also a section of timber picket fence which provides additional enclosure and screens an existing well at the entrance to the property. On the west side of Mitton Road is the 'Aisled Barn' at Mitton Old Hall Farm (listed Grade II – see Appendix I). To the south of the Hall the land falls away towards the River Ribble and Mitton Bridge (listed Grade II – see Appendix I). Great Mitton is situated to the south of the Forest of Bowland, which is an Area of Outstanding Natural Beauty. The Hall lies approximately 600m south of the AONB.
3. The existing two storey section of the Hall dates back to the 17th century and has a single storey extension to the west which was constructed in the 20th century. This extension was constructed as a garage and consulting room but was converted into an office/study by previous owners of the property (see paragraph 4 below).

PLANNING HISTORY

4. The recent planning history of the site is noted below.
 - 3/1998/0043 and 0048 Construction of single storey extension to accommodate reception room, consulting room and garage. Planning permission and listed building consent granted.
 - 3/2003/0383 Erection of greenhouse. Planning permission refused.
 - 3/2004/0686 Retention of fence at boundary of hall and church. Planning permission refused.
 - 3/2006/0172 and 0173 Erection of orangery. Planning permission and listed building consent refused.
 - 3/2006/0907 and 0908 Removal of electricity pole and erection of garden room. Planning permission and listed building consent refused.
 - 3/2007/0582 Modification of Condition 2 of planning consent 3/1998/0048 to convert consulting rooms to domestic use. Planning permission approved.
 - 3/2009/0054 Proposed new garage and conversion of garage to office/study, plus new stone boundary wall. Listed building consent approved.

- 3/2009/0055 Proposed new garage and conversion of garage to office/study. Planning permission refused.
- 3/2009/0624 Conversion of existing residential garage to form office/study. Planning permission approved
- 3/2011/0849 Construction of detached garage, boundary wall, gates and hard landscaping. Planning permission refused and subsequent appeal dismissed.

THE PROPOSAL

5. The proposal that is the subject of this appeal is to erect a carport (open on all four sides) to accommodate two vehicles, remove a substantial length of Leylandii hedge along the west boundary finishing in line with the south elevation of the Hall and to replace it with a 1.6m high stone boundary wall. The stone wall would be detailed to match other walls around the site, with pointed copings. The existing hedge is currently maintained at a height of approximately 1.8m high. The vehicular access from Mitton Road would remain as existing. A new pedestrian access is proposed through a gate in the new stone boundary wall, adjacent to the existing vehicular access. The current driveway would be extended within the site, from the edge of the Hall to the location of the proposed carport.
6. In view of the dismissal of an appeal against refusal of a previous application for the erection of a garage, boundary wall and gates (see paragraph 4 above), careful consideration was given to the Inspector's decision letter (included as Appendix 2). The Inspector's assessment of the contribution that the courtyard makes to the significance of Great Mitton Hall (see paragraph 8 of decision letter in Appendix 2) was partly responsible for the location of the proposed carport to the south, away from the courtyard. In addition, the Inspector's concern about the relationship of the garage and the wall when viewed from Mitton Road (see paragraph 9 of decision letter in Appendix 2) has been addressed by separating the proposed carport and stone wall. Also, the height of the proposed stone wall is lower than the height of the existing hedge and at its northern end its height is reduced to avoid any obstruction of views towards the Church of All Hallows (see paragraph 9 of decision letter in Appendix 2). It is also no longer proposed to introduce new gates, which would have reduced existing views of the Church; the existing gate is to be retained. As a result, of these changes it is considered that all the concerns expressed by the Inspector who considered the previous appeal have been overcome.
7. The application was refused on the 25th October 2013 with the following two reasons for refusal:
 1. The proposal would be unduly harmful to the setting of the listed buildings (characterised by the close and harmonic juxtaposition of the church, hall and aisled barn) and the character of the area immediately adjacent to the Forest of Bowland Area of Outstanding Natural Beauty because the roadside walling and car port would be conspicuous, incongruous and visually intrusive. This is contrary to Ribble Valley Districtwide Local Plan Policies ENV19, G1 and ENV2, National Planning Policy Framework Paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness) and Paragraph 132 (great weight to conservation) and Core Strategy Regulation 22 Submission Draft Post Submission Version (including proposed main changes) Policies DME4, DMG1 and DMG2.

2. The proposal would be detrimental to highway safety because the 1.6m high walling would not provide adequate visibility for drivers of vehicles entering and leaving the site. This is contrary to Ribble Valley Districtwide Local Plan Policy G1 and Core Strategy Regulation 22 Submission Draft Post Submission Version (including proposed main changes) Policy DMG1.

THE APPELLANT'S CASE

8. Within the reasons for refusal there are three issues that the Council considers to be of relevance to the proposals that are the subject to this appeal. These are identified below and discussed in the following paragraphs:
 - Impact on the setting of the listed buildings (Hall, Church and Aisled Barn)
 - Impact on the adjacent AONB
 - Impact on highway safety

Impact on the setting of the three listed buildings

9. The following paragraphs assess the setting of the three listed buildings in accordance with the English Heritage guidance, *The Setting of Heritage Assets* (see Appendix 3), and provides an assessment of the impact of the proposed development upon the setting and significance of the three designated heritage assets. Although setting is not restricted to views or visual appreciation, in this instance it appears to be the visual impact of the proposed carport that is of concern to the Council and no other aspects of setting are therefore considered to be relevant.
10. The hamlet of Great Mitton comprises the following buildings: Great Mitton Hall; the Church; Vicarage; Hillcrest Tea Rooms; The Three Fishes Restaurant; and the Aisled Barn and its associated structures. A brief history of the Hall and Church is provided within the Design and Access Statement and is therefore not repeated here. One important feature of the historic development of the hamlet is the alteration in the line of the road. Prior to the construction of the present bridge over the River Ribble in the early nineteenth century the road ran to the east of the church (probably having crossed the river by a ford to the east of the present position of the bridge). The construction of the bridge and the associated re-alignment of the road to run between the Hall and the Aisled Barn began to disrupt what is presumed to have been a close functional relationship between these two structures and altered the historic approach to the Hall (the original approach to the Hall is likely to have been from the north). The demolition of the section of the Hall closest to the Barn and the subsequent construction of extensions to both the Hall and the Barn has further weakened this visual relationship. Nevertheless, the Hall and Barn are visually and historically related to each other as the key structures within a wider group of buildings. The location of the proposed carport was carefully selected to reinforce this grouping, whilst allowing the carport to be clearly subordinate to the historic structures.

Great Mitton Hall

11. Great Mitton Hall is a two-storey historic house (being the remnant of a much larger building that extended towards the line of the present road), with a modern single-storey extension at its south-west corner, creating an L-shaped plan. It is listed Grade II (see Appendix 1). The two storey element is orientated north-east/south-west, at an angle to the road. The Hall sits on the

edge of the hamlet of Great Mitton, at the top of the escarpment that overlooks the River Ribble to the south.

12. Whilst all the buildings within the hamlet form part of the wider setting to the Hall it is considered that only the Church, the Hillcrest Tea Rooms, and the Aisled Barn contribute positively to its significance. In addition, the entrance courtyard and gardens of the Hall also make some contribution (albeit limited) to the significance of the Hall. It is considered that the present line of Mitton Road makes a very limited (if any) positive contribution; in many ways it detracts from the historic significance of the Hall (see paragraph 10 above).
13. The proposed carport would be located adjacent to Mitton Road, to the south-west of Great Mitton Hall and its modern single storey extension. This location was chosen because it was considered to be the least significant area within the curtilage of the listed building, being an area that is almost entirely related to the modern extension and with little relationship with the historic elements of the Hall. It is also a location which allowed for vehicle access to the proposed carport without affecting the tree in the centre of the courtyard. The carport would be away from the courtyard area at the front of Great Mitton Hall and would be seen as an ancillary outbuilding set within the existing garden area. The carport has been designed as an open timber framed structure that reflects the rural character of the area. Due to the topography of the site, the proposed carport would be set at a lower level than the existing building and would be viewed as subservient to the Hall. The proposed roof covering of timber shingles would contribute to the lightweight appearance of the carport.
14. The proposed boundary wall (replacing a length of the existing 1.8m high hedge) has been designed to reflect the character of the area, which includes many stone walls. It is noted that the Council has suggested that the proposed wall (at 1.6m) is uncharacteristically high. However, within Great Mitton there are a number of stone walls of different heights, materials and construction. Immediately to the north-west of the Hall is a 1.5metre high mortared stone wall topped by copings; part of this wall defines the curtilage of the Hall, but does not fall within the ownership of the appellant. On the opposite side of Mitton Road, adjacent to the Aisled Barn, is a red brick wall topped by stone copings, which varies in height from 1.3m to 2.0m. Adjacent to The Three Fishes Restaurant (to the north-west of the Hall) there are a variety of mortared stone walls that range from 1.0m to 2.m in height.
15. The proposed carport would have limited impact on the appreciation of Great Mitton Hall from within its curtilage, being located adjacent to the modern extension and well away from the courtyard. Public views of the carport would be possible from a number of locations along Mitton Road, but these would be limited as result of the proposed 1.6m high stone wall and the remainder of the hedge along the boundary to Mitton Road (that is to be retained). It is important to note that public views are restricted to those along the public highways and there are few footpaths adjacent to the highway. These views are analysed in the following paragraphs.
16. Long distance views towards Great Mitton Hall from the south, beyond the River Ribble, are restricted by the trees that line Mitton Road and intervening buildings. As a result, only medium distance views are possible from the south, generally from Mitton Bridge and its immediate surroundings (see CGI. 1 in Appendix 5). The proposed carport would be seen from this location but it would be appreciated as a small, lightweight, ancillary structure that would not impact upon the setting of the Hall. From positions further north along the road (closer to the Hall) views are initially limited as a result of the intervening dense belt of trees on the east side of Mitton Road.

This would particularly be the case in the summer months when the trees are in leaf but, even in winter, the tree branches would provide substantial screening.

17. Moving north, it is not until one is immediately adjacent to the curtilage of Great Mitton Hall that short distance views towards the Hall and the proposed carport would be possible. As a result of the existing 1.8m high hedge that runs adjacent to Mitton Road these short distance views are restricted to the upper floor and roof of the Hall. Slightly more of the Hall would be seen over the proposed stone wall, which would be lower than the hedge. The proposed carport would be predominantly screened by the stone wall and would not restrict any key views towards the Hall (see CGI. 2 in Appendix 5). In all these views the historic elements of the Hall would be visible above and beyond the roof of the proposed carport. The Hall is most clearly seen in views from Mitton Road through its entrance gate; in these public views the proposed carport would not be visible.
18. Long distance views from the north towards the Hall and the proposed carport are restricted by the undulating topography and the intervening buildings and trees. From the junction of Mitton Road with the B6243 (immediately adjacent to the Forest of Bowland Area of Outstanding Natural Beauty) only the roof of the Hall is visible and it will not be possible to see the proposed carport from this distance. Closer to the Hall, along Mitton Road, medium distance views to the upper floor of the Hall are possible above and between the intervening buildings. The proposed carport would not be seen in these views, although the proposed stone wall adjacent to the entrance gate to the Hall would be visible (see CGI. 3 in Appendix 5). Within the hamlet, at junction of Mitton Road and Church Lane, views to the Hall and the proposed carport would be limited as a result of the curve of the highway and the slope down towards the River Ribble. However, once past the Hillcrest Tea Rooms, the Hall and proposed carport will be seen together in the same view (see CGI. 4 in Appendix 5). However, from this direction, the proposed carport would be clearly seen as being at a lower level than the Hall, which (together with its small size) would ensure it is visually subservient. In addition, in these views it would be predominantly screened by the proposed 1.6m high stone wall.

Church of All Hallows

19. The Church is located to the south-east of the junction of Mitton Road and Church Lane, within its own churchyard. It is listed Grade I (see Appendix 1). The Church tower rises above the surrounding buildings and is visible in long distance views from the north and south. The location of the Church within the hamlet contributes positively to its significance and there is a historic association between the Church and the Hall, and (to a lesser extent) with the Aisled Barn.
20. Medium distance views from the south towards the Church are possible from Mitton Bridge but in these views the proposed carport would be seen as a small ancillary structure set a significant distance away from the Church (see CGI. 1 in Appendix 5). Closer to the Hall, the Church is largely screened by the Hall itself and views of the tower above the roof of the Hall would not be affected by the proposed carport or stone wall (see CGI. 2 in Appendix 5). The only direct view to the Church from Mitton Road is through the entrance gate of the Hall but the proposed carport would not be seen in this view and the proposed stone wall would not screen any part of the Church. As a result, the extent of the Church that could be seen in this view would not change.
21. Long distance views from the north towards the Church along Mitton Road are restricted. From the junction of Mitton Road with the B6243 (immediately adjacent to the Forest of Bowland Area

of Outstanding Natural Beauty) views to the Church tower are possible but it will not be possible to see the proposed carport in these views (see CGI. 3 in Appendix 5). At the junction of Mitton Road and Church Lane views to Church are possible over the single storey detached garage at the Hillcrest Tea Rooms, but due to the curve of the highway and the slope down to the River Ribble views to the proposed carport are limited. Once past the Hillcrest Tea Rooms it would be possible to see the Church and the proposed carport in the same view (see CGI. 4 in Appendix 5). However, the proposed carport would be a considerable distance away from the Church, beyond the Hall and would be seen as small structure ancillary to the Hall.

22. The proposed carport would not be visible in views from the Church or its graveyard, being concealed by Great Mitton Hall.

Aisled Barn

23. The Aisled Barn is located off the west side of Mitton Road, set back from the highway. It is listed Grade II (see Appendix I). The historic element of the building is orientated in a north/south direction and there are a number of later extensions at its south-east corner that form an L-shaped footprint. There is a historic association between the Aisled Barn and the Hall, and (to a lesser extent) with the Church, which contributes positively to its significance.
24. Views to the Aisled Barn are generally restricted by the surrounding buildings and vegetation. From Mitton Bridge views towards the Barn are not possible due to the intervening trees and vegetation. Similarly, views towards the historic element of the Barn from Mitton Road adjacent to the curtilage of Great Mitton Hall are limited as a result of the later extensions to the barn that abut the western side of Mitton Road. From a position adjacent to the gate of Great Mitton Hall it is possible to see the upper sections and roof of the historic element of the Barn over the high brick wall. However, from this viewpoint it will not be possible to view the proposed carport and the Barn together.
25. Long distance views from the north towards the Barn are restricted by the undulating topography and the intervening buildings and trees. Limited views towards the Barn are possible from the junction of Mitton Road and Church Lane, although the building is largely screened by trees. Views from this location to the proposed carport would be very limited as a result of the curvature of the highway and the slope down towards the River Ribble. Once past the Hillcrest Tea Rooms it would be possible to see the Barn, the Hall, the Church, and the proposed carport in the same view (see CGI. 4 in Appendix 5). However, given the small scale of the structure and its location, it is not considered that the proposed carport would adversely impact upon the relationship between the three historic buildings. As the proposed wall would replace the existing (higher) hedge, it is also considered that this element of the proposed development would not adversely affect the relationship between the historic buildings.
26. There would be limited views of the proposed carport from the historic element of the Aisled Barn or its immediate surroundings. In particular, the proposed carport and wall would not impinge on views between the Barn and the Hall.

Conclusions

27. As a result of this analysis of the views to and from the three listed buildings (the Hall, Church and Aisled Barn), together with the discrete location of the proposed carport and its small size, it is considered that this element of the proposed development would not harm the significance of

these listed buildings. In addition, as a result of the height of the proposed stone wall (which is lower than that of the existing hedge) and its appropriate design and materials, it is considered that this element of the proposed development would not harm the significance of these listed buildings.

Impact on the adjacent AONB

28. As indicated at 2 above, the boundary of the Forest of Bowland Area of Outstanding Natural Beauty is located approximately 600 metres from Great Mitton Hall. No potential views of the proposed carport and stone wall from the AONB have been identified. If any such views exist, the proposed carport would be seen as one small element within the varied group of buildings of Great Mitton. It is also considered that the proposed stone wall is an entirely appropriate element within this landscape, particularly within a settlement. Similarly, it is not considered that either element of the proposed development harms any views towards the AONB, nor would they constitute conspicuous, incongruous, or visually intrusive elements within the landscape (as contended by the Council in its first reason for refusal – see paragraph 6 above).
29. In particular, it is considered that the stone wall is more appropriate to the wider character of the area than the existing hedge (which it would partly replace). It is noted that the Council officers' delegated report states in the first paragraph under 'Comments/Environmental/AONB/Human Rights Issues/Recommendations' that, *'... unfortunately the open setting has been compromised in recent years by landscaping works including the planting of fast growing Leylandii trees along the site boundary ...'* As a result of the variety of existing walls within Great Mitton (see 14 above), it is considered that the proposed stone wall would enhance this area adjacent to the AONB. This is one of the objectives of Policy ENV2 of the Local Plan.

Impact on highway safety

30. The Council's second reason for refusal states that the proposed 1.6m high walling would be detrimental to highway safety as it would not provide adequate visibility for drivers of vehicles entering and leaving the site (see paragraph 7 above).
31. Whilst the application was being determined, a consultation response from Lancashire County Council (LCC) was received regarding highway issues. As a result, direct contact was made with the case officer at Ribbles Valley Borough Council and with the relevant highway's officer at LCC. The case officer was also aware (as a result of an e-mail) that, once LCC had clarified the extent of the visibility splay that was considered necessary, the proposed drawings would be amended to re-align a short section of the proposed wall so that it was no longer within the visibility splay. This would remove the objection from LCC. Following clarification of the visibility splay by LCC on 22nd October 2013, revised drawings indicating that the proposed wall was no longer within the visibility splay were submitted to the case officer (on the 25th October 2013). However, the decision notice was dated 25th October 2013. This was extremely surprising and frustrating as the target decision date was the 31st October 2013 and the Council's case officer knew that the appellant would be submitting revised drawings to overcome the highway objection.
32. It also noted from the Council officers' delegated report that in the further consultation response from LCC it was stated that there was no objection to the proposed wall subject to two conditions, namely:

- i) Maintenance of a clear visibility splay; and

- ii) The wall to be reduced to no more than 900mm in height (above the crown level of carriageway of Mitton Road).

- 33. This further consultation indicates that the highway issue was capable of being resolved by the imposition of a condition and should not have been a reason for refusal. However, it is considered that these two conditions effectively duplicate each other. The provision of a clear visibility splay negates the need for control of the height of the wall, and a lower wall negates the need for a clear visibility splay. It is therefore considered that only one of these conditions would be required to ensure highway safety.
- 34. However, the revised drawings (2771/100B and 102A) which were submitted to the Council on 25th October 2013 (see paragraph 31 above) are included at Appendix 4. These drawings show a 2.0m x 81m visibility splay to the south and therefore overcomes LCC's highway objection. It is requested that the appeal be determined on the basis of the revised drawings. This would avoid the need for a condition relating to highway safety.

CONCLUSION

- 35. In view of the above it is considered that the proposed development accords with Policies G1, ENV2, and ENV19 of the Ribble Valley Districtwide Local Plan and with Policies DMG1, DMG2, and DME4 of the Council's draft Core Strategy. It is therefore respectfully requested that this appeal be upheld.

COST CLAIM

- 36. Having regard to the provisions of Circular 03/2009 (as amended in December 2012) an application for a partial cost award is made on behalf of the appellant. This is in respect of the second reason for refusal (see paragraphs 30 to 33 above).
- 37. This cost claim is on the basis that Ribble Valley Borough Council was aware, at the time of finalising the delegation report, that the highway issue could be resolved by the imposition of a condition. As a result, it should not have been the subject of a reason for refusal. In addition, the Council was aware that revised proposals would be submitted to re-align a short section of the proposal wall to take it clear of the required visibility splay. Therefore, it is considered that under paragraphs B16 and B25 of the Circular, Ribble Valley Borough Council has acted unreasonably and this has led to unnecessary costs for the appellant.
- 38. On the basis of the considerations set out above, a partial costs against the Council is requested.

Appendix I

List Descriptions

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: THREE FISHES INN

List Entry Number: 1072186

Location

THREE FISHES INN

The building may lie within the boundary of more than one authority.

County: Lancashire

District: Ribble Valley

District Type: District Authority

Parish: Great Mitton

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 16-Nov-1954

Date of most recent amendment: 20-Feb-1984

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 183267

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

GREAT MITTON
SD 73 NW

12/95 Three Fishes Inn
(formerly listed as
Three Fishes Hotel)
16.11.1954
GV II

Public house, early-to-mid C19th. Pebbledashed rubble with modern tile roof. 2 storeys. Main part of building of 3 bays having sashed windows with plain stone surrounds. Between the 1st and 2nd bays is a door with plain stone surround. Above are 3 re-set medieval carved stones. The lower one has 3 blank cinquefoiled ogee arches in relief, with panel tracery above. The stone above has 3 carved fishes overlapping in a triangular pattern. The upper stone has a shield carved with a lion, within a cinquefoiled ogee arch. The right-hand part of the building, probably once a barn and stable, has a wide opening, now glazed, with stone surround and segmental head. Above is a sashed window with plain stone surround. Further right are a door with plain stone surround and a modern window with plain reveals. Above are 2 circular pitching holes, now glazed, with plain stone surrounds. No chimneys now remain, except for a truncated chimney cap on the left-hand gable.

Listing NGR: SD7143639007

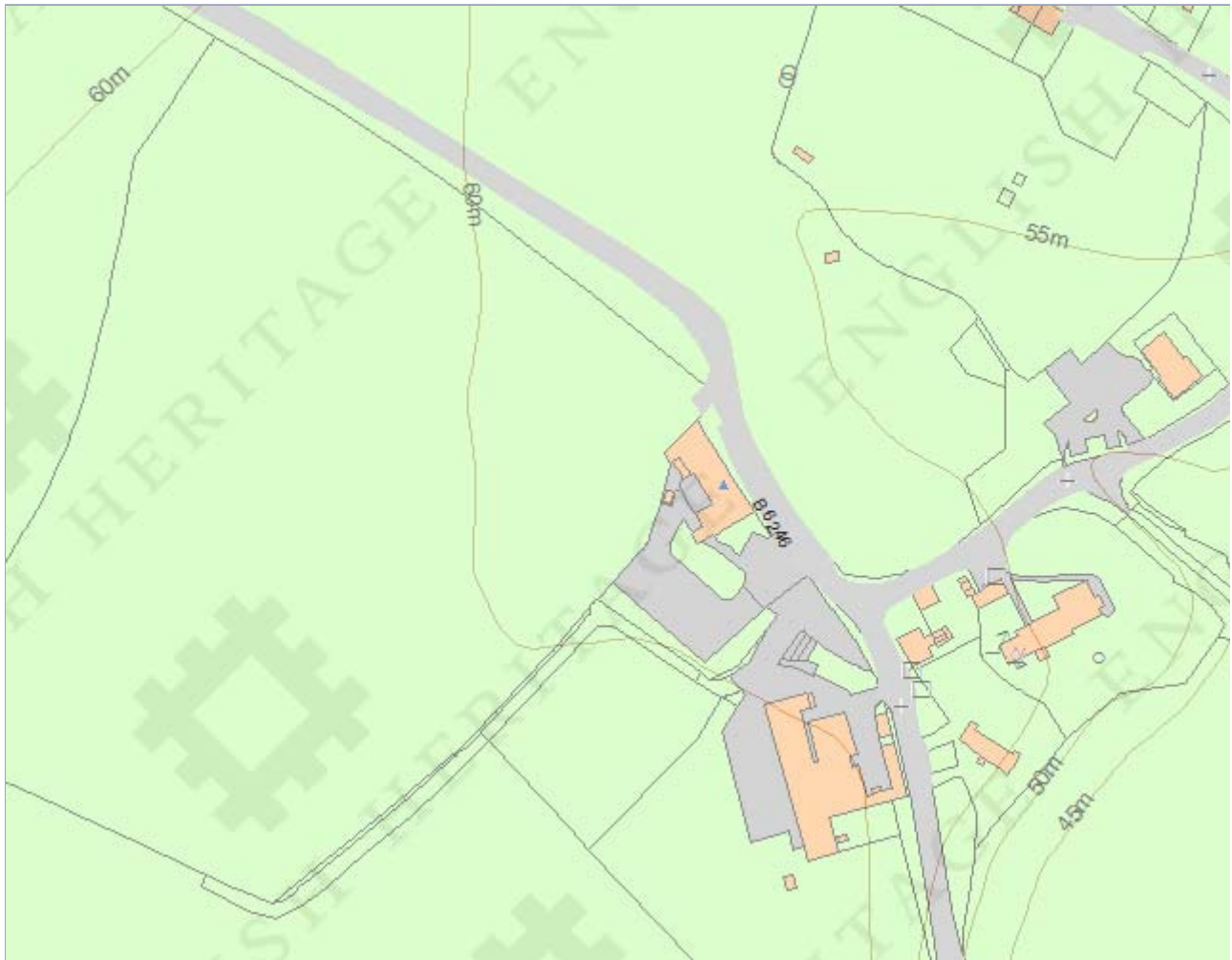
Selected Sources

Legacy Record - This information may be included in the List Entry Details.

Map

National Grid Reference: SD 71434 39016

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List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: GREAT MITTON HALL

List Entry Number: 1163479

Location

GREAT MITTON HALL

The building may lie within the boundary of more than one authority.

County: Lancashire

District: Ribble Valley

District Type: District Authority

Parish: Great Mitton

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 16-Nov-1954

Date of most recent amendment: 20-Feb-1984

Legacy System Information

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Legacy System: LBS

UID: 183259

Asset Groupings

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List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SD 715 389 GREAT MITTON

SD 73 NW

12/87 Great Mitton Hall (previously
listed as Mitton Old Hall)
16.11.1954
GV II

House, c.1600. Rubble, pebbledashed towards south-west, with steep slate roof. 2 storeys with attic and cellar. Original windows mullioned with outer chamfer and inner hollow chamfer. 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. Above is a coping with finial. To the right is a gabled single-storey extension with the remains of the hood to a blocked window on the 1st floor. To the left is the line of what appears to be a demolished wing, implying that the porch is an addition. At the left is an enlarged 3-light window with hood. On the 1st floor is a 5-light window with hood. The left-hand gable has a chimney with brick cap Gable copings, the left-hand one with finials. The left-hand (north-west) gable has a hood remaining on the 1st floor and an attic window with hood and with one light remaining. The right-hand gable is buttressed and has a mullioned cellar window, a 14-light mullioned and transomed ground-floor window, a 7-light 1st floor window and a 5-light attic window. The north-east wall has a turret at its left-hand end, gabled with a coping and finial. Chamfered lights at intermediate levels suggest that it may once have contained a stair. It has a 2-light window with hood on the 1st floor and a similar blocked window to the attic. Its right-hand return wall has a wooden door surround with triangular head, probably re-set. A Buckler drawing of 1809 shows a doorway in the left-hand return wall, now blank. Near the centre of this facade is a gabled dormer with blocked window and hood, and with a small chimney cap. At the right on the ground floor is an original window with one mullion remaining. Above is a 4-light window with hood, with a 3-light window

to its left. There are a number of blocked window openings, but the 4 remaining windows are C19th with chamfered stone surrounds. The door has a chamfered stone surround with hood. Interior not accessible at time of survey but said to contain no features of particular interest.

Listing NGR: SD7152538923

Selected Sources

Legacy Record - This information may be included in the List Entry Details.

Map

National Grid Reference: SD 71525 38923

The below map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1163479.pdf](#)



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List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: CHURCH OF ALL HALLOWS

List Entry Number: 1163432

Location

CHURCH OF ALL HALLOWS

The building may lie within the boundary of more than one authority.

County: Lancashire

District: Ribble Valley

District Type: District Authority

Parish: Great Mitton

National Park: Not applicable to this List entry.

Grade: I

Date first listed: 16-Nov-1954

Date of most recent amendment: 20-Feb-1984

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 183252

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

GREAT MITTON

SD 73 NW

12/80 Church of All Hallows
(formerly listed as
Church of St Michael)
16.II.1954-
GV I

Church, late C13th with early C15th west tower and late C16th north chapel. Sandstone rubble with stone slate roof. Comprises a west tower, nave, narrower chancel, north chapel, and south porch. The 3-stage tower has diagonal buttresses, and an embattled parapet. The bell openings have pointed heads with hoods, and 2 cinquefoiled lights with panel tracery. The west window has 4 cinquefoiled lights, panel tracery, and a hood. The west doorway is wide and moulded with a pointed head and hood. The nave windows are chamfered in 2 orders and are of 2 lights with Y-tracery and pointed heads. In the north wall there are 2 to the east of the door. To the west is a 2-light window of C18th type, with a window with plain reveals above lighting the gallery. The door is chamfered with a pointed head. The south wall has one original window to the west of the porch and 2 to the east, the right-hand one being reconstructed. To the west of the porch is a window with plain reveals lighting the gallery. The porch has a wide chamfered outer doorway with hood. The inner doorway is moulded, with a pointed head and with a hood with head stops. The south chancel wall is peddledashed. To the right of the priest's door are 2 windows matching the early ones to the nave. To the left is a window with mullion and transom, trefoiled heads to the upper lights and a trefoil under a pointed head. The doorway has a pointed head and 3 orders of sun quadrant moulding. The east window is of 5 lights and intersecting tracery. The north-east, or Shireburne, chapel is of ashlar, with one bay to the east and 2 to the north. The windows have Tudor-arched heads, ogee heads to the lights, and panel tracery. The west wall has a moulded doorway with Tudor-arched head. Above is a wall tablet with attached columns enclosing a coat of

arms and date '1594'.

Interior. The nave has a west gallery with panelled timber front. The open roof is possibly early C17th and has 9 trusses with arch-braced collars and short king posts braced to the ridge. Between the purlins and principals are carved brackets, possibly a C19th addition. The chancel arch has 2 orders of sunk quadrant moulding. On each side of the opening are attached shafts with capitals. The chancel screen incorporates some medieval woodwork, possibly from Sawley Abbey, including an incomplete C15th inscription. Much of the decoration is an imitation in cast iron or terra cotta. In the chancel are triple sedilia and a piscina, moulded and with trefoiled heads. The chancel is divided from the Shireburne chapel by 2 pointed arches of 2 chamfered orders carried on octagonal piers. Beneath the arches is a wooden screen with turned balusters, the upper parts of the openings being filled by carved tracery with an ogee under, possibly C15th and re-used. The nave pews incorporate old woodwork, including initials and a date '1628'. The pulpit incorporates some C17th carving. In the chapel the main memorials are as follows. An alabaster chest tomb of Sir Richard Shireburne (d. 1594) and his wife Maude, with recumbent effigies and with the sides of the chest decorated by figures and by coats of arms. By Roilly of Burton (Church Guide). A wall monument to Richard Shireburne (d. 1667). Kneeling figures face one another across a prayer desk within an architectural frame with paired columns and an entablature supporting a cartouche. Recumbent effigies of Richard Shireburne (d. 1667), Richard and Isabel Shireburne (d. 1689 & 1693), and Richard Shireburne (d. 1690), all with lengthy inscriptions. Commissioned by Isabel Shireburne c.1690 and carved by Edward Stanton. A wall monument to Richard Shireburne (d. aged 9 in 1702) by William Stanton. Figure of boy against reredos background, with cherubs. Rupert Gunnis, Dictionary of British Sculptors 1660-1851, 1953.

Listing NGR: SD7154638964

Selected Sources

1. **Book Reference** - *Author:* Rupert Gunnis - *Title:* Dictionary of British Sculptors 1660-1851 - *Date:* 1953

Map

National Grid Reference: SD 71547 38965

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List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: MITTON BRIDGE (THAT PART IN THE FORMER CLITHEROE RURAL DISTRICT)

List Entry Number: 1317642

Location

MITTON BRIDGE (THAT PART IN THE FORMER CLITHEROE RURAL DISTRICT)

The building may lie within the boundary of more than one authority.

County: Lancashire

District: Ribble Valley

District Type: District Authority

Parish: Little Mitton

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 29-Dec-1952

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 183408

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SD 73 NW LITTLE MITTON

SD 715 387

10/89 Mitton Bridge (that part in the former
29-12-1952 Clitheroe RD)

GV II

Bridge over the River Ribble, probably early C19th. Sandstone ashlar.
3 segmental arches with rounded cutwaters. Solid parapet with string and
weathered coping. The southern parapet is inscribed 'LITTLE MITTON LANCASHIRE.
GREAT MITTON YORKSHIRE'. Part of this bridge is in Great Mitton parish (q.v.).

Listing NGR: SD7159538714

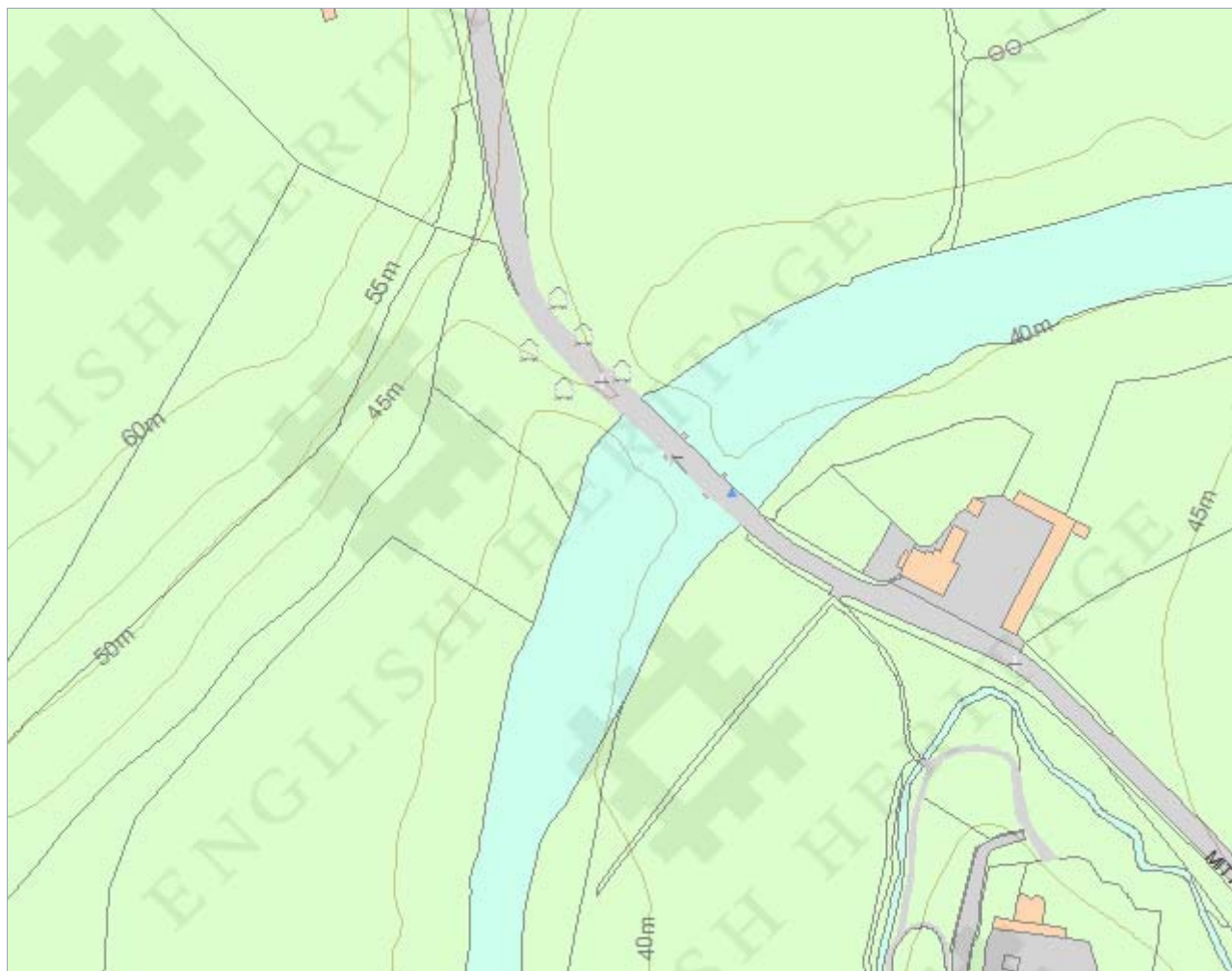
Selected Sources

Legacy Record - This information may be included in the List Entry Details.

Map

National Grid Reference: SD 71595 38714

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List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: MITTON BRIDGE (THAT PART IN THE FORMER BOWLAND RURAL DISTRICT)

List Entry Number: 1318227

Location

MITTON BRIDGE (THAT PART IN THE FORMER BOWLAND RURAL DISTRICT)

The building may lie within the boundary of more than one authority.

County: Lancashire

District: Ribble Valley

District Type: District Authority

Parish: Great Mitton

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 16-Nov-1954

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 183263

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

GREAT MITTON
SD 73 NW

12/91 Mitton Bridge (that part in the
16.11.1954 former Bowland Rd)

GV II

Bridge over the River Ribble, probably early C19th. Sandstone ashlar. 3 segmental arches with rounded cutwaters. Solid parapet with string and weathered coping. The southern parapet is inscribed 'LITTLE MITTON LANCASHIRE. GREAT MITTON YORKSHIRE'. Part of this bridge is in Little Mitton parish (q.v.).

Listing NGR: SD7156938738

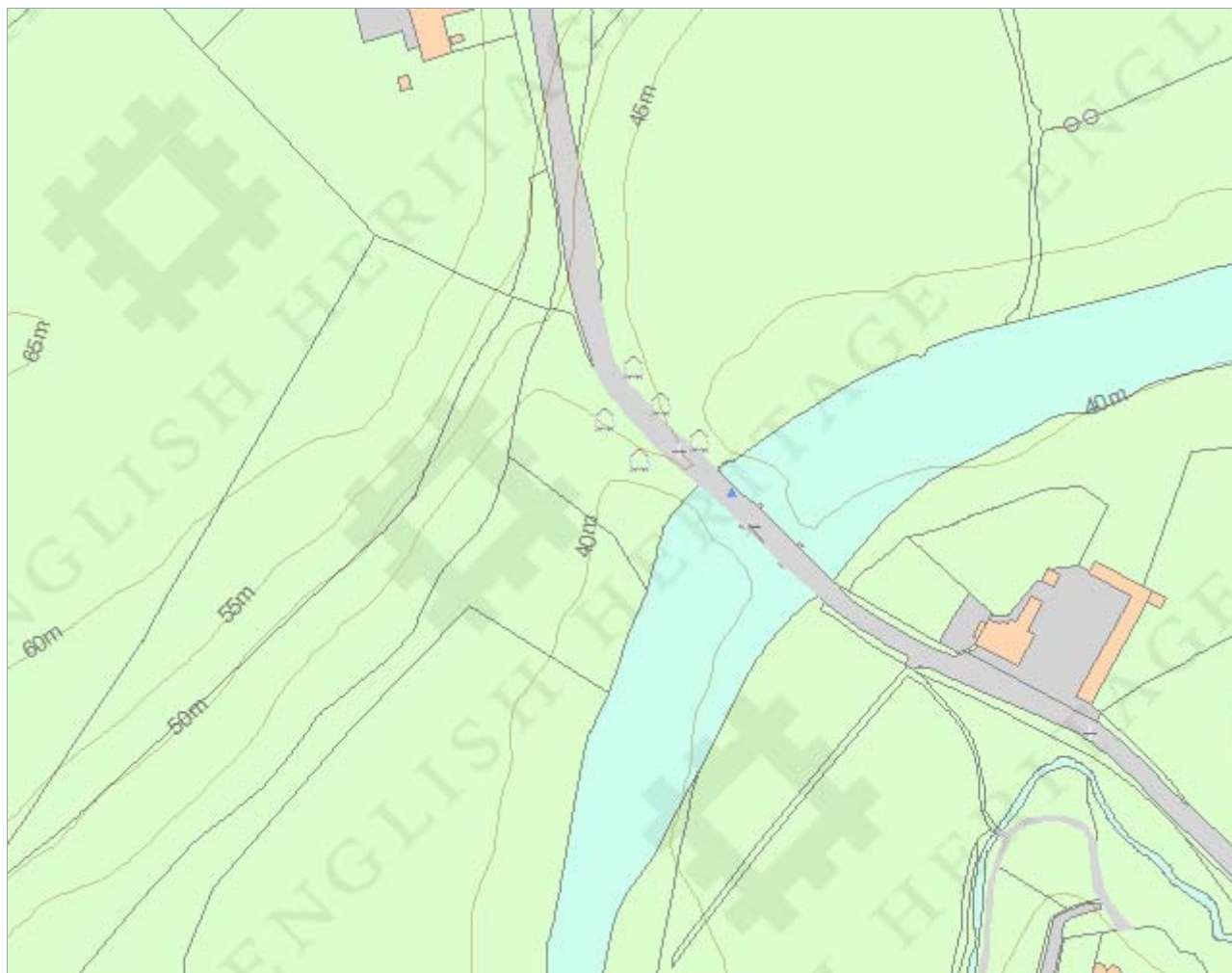
Selected Sources

Legacy Record - This information may be included in the List Entry Details.

Map

National Grid Reference: SD 71569 38738

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List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: AISLED BARN, MITTON OLD HALL FARM, 35 METRES WEST OF GREAT MITTON HALL

List Entry Number: 1072182

Location

AISLED BARN, MITTON OLD HALL FARM, 35 METRES WEST OF GREAT MITTON HALL

The building may lie within the boundary of more than one authority.

County: Lancashire

District: Ribble Valley

District Type: District Authority

Parish: Great Mitton

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 20-Feb-1984

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 183260

Asset Groupings

This List entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

GREAT MITTON
SD 73 NW

12/88 Aisled Barn, Mitton Old
Hall Farm, 35 Metres west of
Great Mitton Hall

-

GV II

Aisled barn, possibly c.1600. Sandstone rubble with slate roof. The stone walls are probably reconstructed. The east wall has openings with plain reveals and a door of C19th type with plain stone surround at the right. The wide entrance is recessed and opens directly into the nave. The north gable has 3 windows with plain stone surrounds and a pitching door above with similar surround. Inside are 5 aisle trusses forming 6 bays. Each truss has a king post rising from a tie beam and braced to the ridge (some of the braces are now missing), only the outer trusses having queen struts. The purlins are trenched over the backs of the principals. The aisle posts are braced to the arcade plates and to the tie beams, all the braces being curved. Only the east aisle has aisle ties with principles, the ties being mortised into the aisle posts. The western aisle is narrower and the lack of peg or mortise holes in the aisle posts suggests that it did not originally have aisle ties, a tie attached to the northern truss being a later addition. The arcade plates have short scarf joints, edge-halved with bridled butts. The soffits of the aisle ties on the east side, at their outer ends, have lap joints cut in an 'X' pattern. The lack of any other associated mortises suggests that they sat on a timber wallplate of an earlier stone wall.

Listing NGR: SD7147638911

Selected Sources

Legacy Record - This information may be included in the List Entry Details.

Map

National Grid Reference: SD 71474 38915

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Appendix 2

Inspector's decision letter



Appeal Decision

Site visit made on 4 July 2012

by A L Fairclough BSC(Hons) MA LLB (Hons) PGDipLP IHBC MRTPI

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

Decision date: 21 August 2012

Appeal Ref: APP/T2350/D/12/2175885

Great Mitton Hall, Mitton Road, Mitton, Clitheroe, Lancashire, 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 K Kay against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2011/0849 was refused by notice dated 22 March 2012.
 - The development proposed is proposed new detached garage, boundary wall, gates and hard landscaping.
-

Procedural Matters

1. During the course of consideration by the Council, amended drawings were received. It is on the basis of the amended drawing reference 3758/4/2b (stamped as received by the Council on 7 February 2012) that I determine the appeal.
2. Since the refusal of planning permission, the National Planning Policy Framework (the Framework) has been published, cancelling, amongst other things, *Planning Policy Statement 5: Planning for the Historic Environment* (PPS5). I have dealt with the appeal on the basis of the Framework and note that none of the policies referred to in the Ribble Valley Districtwide Local Plan (LP), adopted in 1998, are at odds with the general approach therein

Decision

3. The appeal is dismissed.

Main issues

4. Great Mitton Hall is a Grade II Listed Building. It is positioned on an escarpment above the nearby River Ribble and is adjacent to several other buildings including All Hallows Church, a Grade I Listed Building, and across the road from the 'Aisled Barn' at Mitton Old Hall Farm which is also a Grade II Listed Building. Also it is situated adjacent to the Forest of Bowland, which is an Area of Outstanding Natural Beauty (AONB).
5. On this basis the main issue to be considered is the effect of the proposed development on the setting of the nearby listed buildings and the character and appearance of the locality, including the AONB.

Reasons

6. Great Mitton Hall is a 2-storey building, which is constructed in stone with a steep slated roof. It is set back from the road behind a tall hedge. However, it is visible from the gated vehicular entrance by passing traffic/pedestrians. An

important part of the overall architectural and historical character is the form and style of the building and the traditional use of stone for both its construction and its decoration. Thus the appeal property is an important heritage asset with a distinctive character. Although Mitton Road divided the Hall from its farm buildings many years ago, including the 'Aisled Barn', there is a strong visual and historic connection between the barn, hall and church. Thus Great Mitton Hall and its relationship with the barn and church, plus its position within a small hamlet on the escarpment, significantly contribute to its uniqueness and distinctiveness.

7. The proposed works include the construction of a stone wall with an integrated garage structure within the front courtyard of the appeal building; in this position it would be adjacent to Mitton Road. The existing conifer hedge would be removed and a stone wall of some 1.6m high would be constructed. The proposed roof of the garage structure would sit atop the new wall. The open garage structure would have a footprint of some 6.3m by 8.2m.
8. Although the appellant has undertaken landscaping works to the rear garden, I do not agree with the analysis that the location of the proposed garage would be located in a 'less significant' part of the curtilage. The courtyard area forward of the south west elevation of Great Mitton Hall, close to Mitton Road, is an important part of the setting of the heritage asset and it is evident from the historic design and details that the rear elevation is architecturally of lesser historic importance than the front elevation of the listed building. Whilst the character and appearance of buildings and their settings change over time and following development or alteration, the courtyard space adjacent to the main front elevation of Great Mitton Hall is important to the integrity of the setting of the historic building.
9. The height and design of the wall and the addition of a roof structure atop it would create a cramped form of development within the small front courtyard area. Furthermore, the height of the proposed wall and the erection of a roof structure above it would form an incongruous and prominent feature when viewed from Mitton Road. This would be visually conspicuous and strident feature which would undermine the setting of Great Mitton Hall and the 'Aisled Barn'. Additionally it would harm the character and appearance of the general locality. It would also create a discordant feature close the nearby AONB. Moreover, the proposed wall and gate would reduce existing views of All Hallows Church and as such would harm the historic setting of the church when viewed from the road.
10. The harm it would cause to the significance of the listed buildings is less than substantial. Paragraph 134 of 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.
11. The appellant indicates that Great Mitton Hall is a large family house which is expensive to keep and maintain. He alleges that it would be normal to keep garaging for cars in a property of this size. The appellant states that a garage would protect his vehicles from the weather, it would keep them secure and it would screen them from view. In addition appellant considers that the existing conifer hedge detracts from the setting of the hall and the new stone wall would improve the appearance of the area. I also note that the appellant contends that the cars are visible in front of the Hall. However, the parking of

cars within the front courtyard area would be less visible than the proposed development.

12. Although the appellant states that the removal of the conifer hedge would improve the character and appearance of the locality, part of the hedge would remain and so it would not improve the character entirely. In addition the drawings submitted do not indicate a traditionally constructed dry stone wall as stated by the appellant. I note that dry stone walls can be higher than the standard height of some 1.37m. However, few have details such as copings and sloping walls as indicated in the drawings. A condition relating to the details of the construction of the wall would not overcome my concerns regarding the harmful effect of the scheme that I have identified. The creation of pedestrian gates and pathways to the front door may be a benefit to the appellant and his family. Whilst upkeep of this listed building is in the public interest, and can be considered a public benefit, I do not consider that upkeep of Great Mitton Hall is so significantly related to the appeal scheme that this should attract material weight. Thus I conclude the matters raised represent essentially private benefits.
13. I conclude that the benefits provided by the proposed development are insufficient to outweigh the harm it would cause to the setting of the listed buildings or the adjacent AONB. It conflicts with the Framework and saved LP Policies ENV19, G1 and ENV2, which relate to the preservation of the setting of listed buildings, that development should be sympathetically designed and that land adjacent to an AONB should be conserved and wherever possible enhanced respectively.

Conclusions

14. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should fail.

Mrs A Fairclough

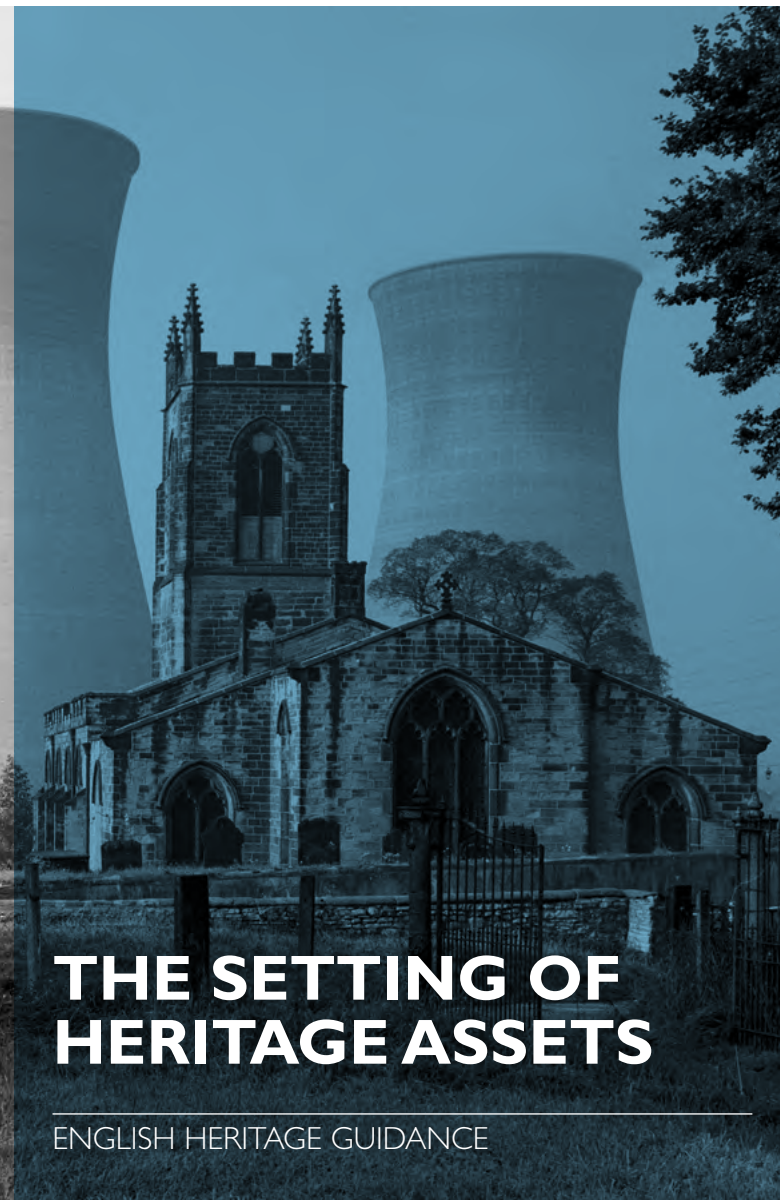
INSPECTOR

Appendix 3

Extract from 'The Setting of Heritage Assets'



ENGLISH HERITAGE



THE SETTING OF HERITAGE ASSETS

ENGLISH HERITAGE GUIDANCE

FIGURES 2 AND 3

The setting of a heritage asset can enhance its significance whether or not it was designed to do so. Conscious design, such as that seen in the park and gardens surrounding Cottesbrooke Hall, Northamptonshire, or the apparently fortuitous beauty that derives from harmonies of scale, design and materials in views framing Wells Cathedral, can both make important contributions. © English Heritage



2.4 SETTING AND THE SIGNIFICANCE OF HERITAGE ASSETS⁷

Setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset. This depends on a wide range of physical elements within, as well as perceptual and associational attributes, pertaining to the heritage asset's surroundings. Each of these elements may make a positive or negative contribution to the significance of the asset, or be neutral. In some instances the contribution made by setting to the asset's significance may be negligible: in others it may make the greatest contribution to significance. Approaches to assessing this contribution in the context of the development management process are considered further in Section 4.2 (Step 2). In addition, the following paragraphs examine some more general considerations relating to setting and significance.

Change over time

Most of the settings within which people experience heritage assets today have changed over time. Understanding this history of change will help to determine how further development within the asset's setting will contribute to its significance.

The setting of some heritage assets may have remained relatively unaltered over a long period and closely resemble the setting in which the asset was constructed or first used. The likelihood of this original setting surviving unchanged tends to decline with age and, where this is the case, it is likely to make an important contribution to the heritage asset's significance. It is more frequently the case that settings have changed, but these changes may themselves enhance significance. Townscape character, in particular, will often have been shaped by cycles of change and creation over the long term. In these circumstances, the evaluation of development affecting the setting of heritage assets requires

4. SETTING AND DEVELOPMENT MANAGEMENT

4.1 PRACTICAL AND PROPORTIONATE DECISION-MAKING

This section sets out the process by which development proposals affecting the setting of a heritage asset may be assessed, and the factors that can be taken into account in doing so. It also considers approaches to avoiding, reducing and mitigating detrimental impacts. In contrast to previous sections, this and subsequent sections focus on the proposed development, rather than on the setting of the heritage asset as a whole.

Protection of the setting of heritage assets need not prevent change. Most places are within the setting of a heritage asset and are subject to some degree of change over time. *PPS 5* policies (particularly HE 6, HE 7, HE 8, HE 9 and HE 10), together with the advice on their implementation in the *PPS Practice Guide*, provide the framework for the consideration of change affecting the setting of undesignated and designated heritage assets as part of the development management process. HE 8 sets out the policy on setting for heritage assets that are not designated and HE 9 and 10 for those that are. The policies are supported by a set of principles described in paragraphs 118 to 122 of the *Practice Guide*. These principles are repeated on page 16, for ease of reference, in 'Key principles for assessing the implications of change affecting setting' and are explored in more detail in the remainder of this section.

Amongst the Government's planning objectives for the historic environment is that conservation decisions are based on the nature, extent and level of a heritage asset's significance and are investigated to a proportionate degree⁹. This approach should inform all decisions relating to setting in terms of the requirements placed on applicants and their agents.

4.2 ASSESSING THE IMPLICATIONS OF DEVELOPMENT PROPOSALS

PPS 5 Policy 6.1 requires the applicant to 'provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance' and policy HE 6.2 requires that 'this information together with an assessment of the impact of the proposal should be set out in the application'.

In order to assess the implications of developments affecting setting, as required by these policies, a systematic and staged approach to assessment can be adopted to provide a sound basis for any Design and Access Statement or Environmental Statement that accompanies a planning application. This will enable all interested parties to understand whether the development proposal is in accordance with relevant national planning and local development plan policies (see section 3).

We recommend the following broad approach to assessment, undertaken as a series of steps that apply equally to complex or more straightforward cases:

- Step 1: identify which heritage assets and their settings are affected;
- Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
- Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance;
- Step 4: explore the way maximising enhancement and avoiding or minimising harm;
- Step 5: make and document the decision and monitor outcomes.

Each of these steps is considered in more detail below.

KEY PRINCIPLES FOR ASSESSING THE IMPLICATIONS OF CHANGE AFFECTING SETTING*

- Change, including development, can sustain, enhance or better reveal the significance of an asset as well as detract from it or leave it unaltered. For the purposes of spatial planning, any development or change capable of affecting the significance of a heritage asset or people's experience of it can be considered as falling within its setting. Where the significance and appreciation of an asset have been compromised by inappropriate changes within its setting in the past it may be possible to enhance the setting by reversing those changes. (118)
- Understanding the significance of a heritage asset will enable the contribution made by its setting to be understood. This will be the starting point for any proper evaluation of the implications of development affecting setting. The effect on the significance of an asset can then be considered and weighed-up following the principles set out in PPS 5 policies HE 7, 8 and 9. While this consideration is perhaps most likely to address the addition or removal of a visual intrusion, other factors such as noise or traffic activity and historic relationships may also need to be considered. (119)
- When assessing any application for development within the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change and the fact that developments that materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation. (120)
- The design of a development affecting the setting of a heritage asset may play an important part in determining its impact. The contribution of setting to the historic significance of an asset can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials. This does not mean that new buildings have to copy their older neighbours in detail, but rather that they should together form a harmonious group. (121)
- A proper assessment of the impact on setting will take into account, and be proportionate to, the significance of the asset and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it. (122)

*Taken from paragraphs 118 to 122 of *PPS 5 Planning for the Historic Environment: Historic Environment Planning Practice Guide* with relevant paragraph numbers cited.

Development proposals involving the setting of single and less significant assets and straightforward effects on setting may be best handled through a simple check-list approach and can usefully take the form of a short narrative statement for each assessment stage, supported by adequate plans and drawings etc.

Cases involving more significant assets, multiple assets, or changes considered likely to have a major effect on significance will require a more detailed approach to analysis, often taking place within the framework of Environmental Impact Assessment procedures (see Section 6). Each of the stages may involve detailed assessment procedures and complex forms of analysis such as viewshed analyses, sensitivity matrices and scoring systems. Whilst these may assist analysis to some degree, as setting is a matter of qualitative and expert judgement, they cannot provide a systematic answer. English Heritage recommends that, when submitted as part of a Design and Access Statement, Environmental Statement or evidence to a Public Inquiry, technical analyses of this type should be seen primarily as material supporting a clearly expressed and non-technical narrative argument that sets out 'what matters and why' in terms of the heritage significance and setting of the assets affected, together with the effects of the development upon them.

The heritage values approach outlined in *Conservation Principles: Policy and Guidance for the Sustainable Management of the Historic Environment* (English Heritage 2008a) provides a useful framework for structuring such a narrative and this is considered further in Appendix 5.

Step 1: identifying the heritage assets affected and their settings

The starting point of the analysis is to identify those heritage assets likely to be affected by the development proposal. For this

purpose, if the development is capable of affecting the contribution of a heritage asset's setting to its significance or the appreciation of its significance, it can be considered as falling within the asset's setting. English Heritage therefore recommends that local planning authorities should not interpret the concept of setting too narrowly.

It will normally assist applicants – and local planning authorities in pursuit of their statutory duty with regard to publishing notices¹⁰ – if, at the pre-application or scoping stage, the local authority, having due regard to the need for proportionality:

- indicates whether it considers a proposed development has the potential to affect the setting of a particular heritage asset; or
- specifies an 'area of search' around the proposed development within which it is reasonable to consider setting effects; or
- advises the applicant to consider approaches such as a 'Zone of Visual Influence' (ZVI) or 'Zone of Theoretical Visibility' (ZTV)¹¹ in relation to the proposed development in order to better identify heritage assets and settings that may be affected.

For developments that are not likely to be prominent or intrusive, the assessment of effects on setting may often be limited to the immediate setting, while taking account of the possibility that setting may change as a result of the removal of impermanent landscape or townscape features, such as hoardings or planting.

The area of assessment for a large or prominent development, such as a tall building in an urban environment or a wind turbine in the countryside, can often extend for a distance of several kilometres. In these circumstances, while a proposed development may affect the setting of numerous heritage assets, it may not impact on them all equally, as some will be more sensitive to change affecting their setting than others. Local Planning Authorities are encouraged to

work with applicants in order to minimise the need for detailed analysis of very large numbers of heritage assets. They may give advice at the pre-application stage (or the scoping stage of an Environmental Statement) on those heritage assets, or categories of heritage asset, that they consider most sensitive as well as on the level of analysis they consider proportionate for different assets or types of asset. Because of their particular effects in relation to setting, English Heritage has published separate guidance on wind energy developments (English Heritage 2005), tall buildings (English Heritage/CABE 2007), and temporary structures (English Heritage 2010) that complement this more general guidance.

Where spatially extensive assessments relating to large numbers of heritage assets are required, English Heritage recommends that Local Planning Authorities give consideration to the practicalities and reasonableness of requiring assessors to access privately owned land. In these circumstances, they should also address to the extent to which assessors can reasonably be expected to gather and represent community interests and opinions on changes affecting settings.

Step 2: Assessing whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s)

The second stage of any analysis is to assess whether the setting of a heritage asset makes a contribution to its significance and the extent of that contribution. In other words to determine 'what matters and why?' in terms of the setting and its appreciation. We recommend that this assessment should first address the key attributes of the heritage asset itself and then consider:

- the physical surroundings of the asset, including its relationship with other heritage assets;
- the way the asset is appreciated; and
- the asset's associations and patterns of use.

Assessment Step 2: Assessing whether, how and to what degree settings make a contribution to the significance of the heritage asset(s)

on page 19 provides a (non-exhaustive) check-list of the potential attributes of a setting that it may be appropriate to consider in order to define its contribution to the asset's heritage values and significance. In many cases, only a limited selection of the attributes listed will be of particular relevance to an asset. A sound assessment process will identify these at an early stage, focus on them, and be as clear as possible what weight attaches to them. In doing so, it will generally be useful to consider, insofar as is possible, the way these attributes have contributed to the significance of the asset in the past (particularly when it was first built, constructed or laid out), the implications of change over time, and their contribution in the present.

The local authority Historic Environment Record is an important source of information to support this assessment and, in most cases, will be able to provide information on the wider landscape context of the heritage asset as well as on the asset itself. Landscape Character Assessments and Historic Landscape Character guidance are particularly important sources in this regard.

This assessment of the contribution to significance made by setting will provide the baseline for establishing the effects of a proposed development on significance, as set out in 'Step 3' below. It will, therefore, be particularly focused on the need to support decision-making in respect of the proposed development. A similar approach to assessment may also inform the production of a strategic, management or conservation plan in advance of any specific development proposal (see section 3), although the assessment of significance required for studies of this type will address the setting of the heritage asset 'in the round', rather than focusing on a particular development site.

ASSESSMENT STEP 2: ASSESSING WHETHER, HOW AND TO WHAT DEGREE SETTINGS MAKE A CONTRIBUTION TO THE SIGNIFICANCE OF THE HERITAGE ASSET(S)

The starting point for this stage of the assessment is to consider the significance of the heritage asset itself and then establish the contribution made by its setting. The following is a (non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance, which may usefully be expressed in terms of its heritage values (English Heritage 2008a). Only a limited selection of the attributes listed is likely to be particularly important in terms of any single asset.

The asset's physical surroundings

- Topography
- Other heritage assets (including buildings, structures, landscapes, areas or archaeological remains)
- Definition, scale and 'grain' of surrounding streetscape, landscape and spaces
- Formal design
- Historic materials and surfaces
- Land use
- Green space, trees and vegetation
- Openness, enclosure and boundaries
- Functional relationships and communications
- History and degree of change over time
- Integrity
- Issues such as soil chemistry and hydrology

Experience of the asset

- Surrounding landscape or townscape character
- Views from, towards, through, across and including the asset
- Visual dominance, prominence or role as focal point
- Intentional intervisibility with other historic and natural features
- Noise, vibration and other pollutants or nuisances
- Tranquillity, remoteness, 'wildness'
- Sense of enclosure, seclusion, intimacy or privacy
- Dynamism and activity
- Accessibility, permeability and patterns of movement
- Degree of interpretation or promotion to the public
- The rarity of comparable survivals of setting

The asset's associative attributes

- Associative relationships between heritage assets
- Cultural associations
- Celebrated artistic representations
- Traditions

Step 3: Assessing the effect of the proposed development on the significance of the asset(s)

The third stage of any analysis is to identify the range of effects a development may have on setting(s) and evaluate the resultant degree of harm or benefit to the significance of the heritage asset(s). In some circumstances, this evaluation may need to extend to cumulative and complex impacts and this is considered further in section 4.5.

The range of circumstances in which setting may be affected and the range of heritage assets that may be involved precludes a single approach for assessing effects. Different approaches will be required for different circumstances. In general, however, the assessment should address the key attributes of the proposed development in terms of its:

- location and siting
- form and appearance
- additional effects
- permanence

Assessment Step 3: Assessing the effect of the proposed development on page 21 provides a more detailed list of attributes of the development proposal that it may be appropriate to consider during the assessment process. The list is not intended to be exhaustive and not all attributes will apply to a particular development proposal. Depending on the level of detail considered proportionate to the purpose of the assessment, it would normally be appropriate to make a selection from the list, identifying those particular attributes of the development requiring further consideration and considering what weight attaches to each. The key attributes chosen for consideration can be used as a simple check-list, supported by a short explanation, as part of a Design and Access Statement, or may provide the basis for a more complex assessment process that might sometimes draw on quantitative approaches to assist analysis.

In particular, it would be helpful for local planning authorities to consider at an early stage whether development affecting the setting of a heritage asset can be broadly categorised as having the potential to enhance or harm the significance of the asset through the principle of development alone; through the scale, prominence, proximity or placement of development; or through its detailed design. Determining whether the assessment will focus on spatial, landscape and views analysis, on the application of urban design considerations, or on a combination of these approaches will clarify for the applicant the breadth and balance of professional expertise required for its successful delivery.

Step 4: Maximising enhancement and minimising harm

Maximum advantage can be secured if any effects on the significance of a heritage asset arising from development liable to affect its setting are considered from the project's inception. PPS 5 policies confirm that a well-designed scheme will avoid or minimise detrimental impacts and will identify opportunities for enhancement. Early assessment of setting may provide a basis for agreeing the scope and form of development, reducing the potential for disagreement and challenge later in the process.

Policy HE 10.2 of PPS 5 confirms that local planning authorities 'should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset'. Enhancement of setting will therefore play a major part in the consideration of townscape improvement schemes.

Enhancement may be achieved by actions including:

- removing or re-modelling an intrusive building or feature;
- replacement of a detrimental feature by a new and more harmonious one;

ASSESSMENT STEP 3: ASSESSING THE EFFECT OF THE PROPOSED DEVELOPMENT

The following is a (non-exhaustive) check-list of the potential attributes of a development affecting setting that may help to elucidate its implications for the significance of the heritage asset. Only a limited selection of these is likely to be particularly important in terms of any particular development.

Location and siting of development

- Proximity to asset
- Extent
- Position in relation to landform
- Degree to which location will physically or visually isolate asset
- Position in relation to key views

The form and appearance of the development

- Prominence, dominance, or conspicuousness
- Competition with or distraction from the asset
- Dimensions, scale and massing
- Proportions
- Visual permeability (extent to which it can be seen through)
- Materials (texture, colour, reflectiveness, etc)
- Architectural style or design
- Introduction of movement or activity
- Diurnal or seasonal change

Other effects of the development

- Change to built surroundings and spaces
- Change to skyline
- Noise, odour, vibration, dust, etc
- Lighting effects and 'light spill'
- Change to general character (eg Suburbanising or industrialising)
- Changes to public access, use or amenity
- Changes to land use, land cover, tree cover
- Changes to archaeological context, soil chemistry, or hydrology
- Changes to communications/accessibility/permeability

Permanence of the development

- Anticipated lifetime/temporariness
- Recurrence
- Reversibility

Longer term or consequential effects of the development

- Changes to ownership arrangements
- Economic and social viability
- Communal use and social viability

- restoring or revealing a lost historic feature;
- introducing a wholly new feature that adds to the public appreciation of the asset;
- introducing new views (including glimpses or better framed views) that add to the public experience of the asset; or
- improving public access to, or interpretation of, the asset including its setting.

Options for reducing the harm arising from development may include the relocation of a development or its elements, changes to its design, the creation of effective long-term visual or acoustic screening, or management measures secured by planning conditions or legal agreements. For some developments affecting setting, the design of a development may not be capable of sufficient adjustment to avoid or significantly reduce the harm, for example where impacts are caused by fundamental issues such as the proximity, location, scale, prominence or noisiness of a development. In other cases, good design may reduce or remove the harm, or provide enhancement, and design quality may be the main consideration in determining the balance of harm and benefit.

Where attributes of a development affecting setting may cause some harm to significance and cannot be adjusted, screening may have a part to play in reducing harm. As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design. This should take account of local landscape character and seasonal and diurnal effects, such as changes to foliage and lighting. The permanence or longevity of screening in relation to the effect on the setting also requires consideration. Ephemeral features, such as hoardings, may

be removed or changed during the duration of the development, as may woodland or hedgerows, unless they enjoy statutory protection. Management measures secured by legal agreements may be helpful in securing the long-term effect of screening.

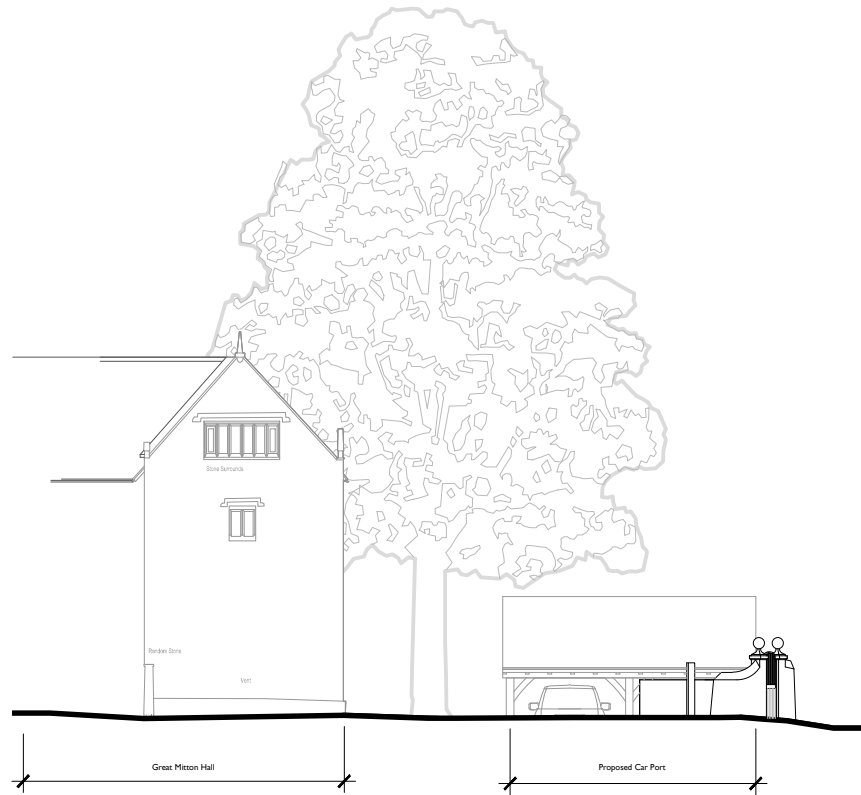
Step 5: Making and documenting the decision and monitoring outcomes

Broad guidance on weighing the degree of harm to the significance of a heritage asset against the benefits of changes, including development affecting setting, is provided in Policies HE 8, HE 9 and HE 10 of *PPS 5* and in paragraphs 83 to 95 of its *Practice Guide*. These policies provide the basis for decision-making by local planning authorities. Policy HE 9.2 confirms that where development affecting the setting of a designated asset results in substantial harm to significance, it can be justified only if it delivers substantial public benefits that outweigh that harm. For the harm to be necessary there will be no other reasonable means (such as an alternative design or location) to deliver similar public benefits. Policy HE 8.1 additionally confirms that the effect of a development application on the setting of an undesignated heritage asset is also a material consideration in its determination.

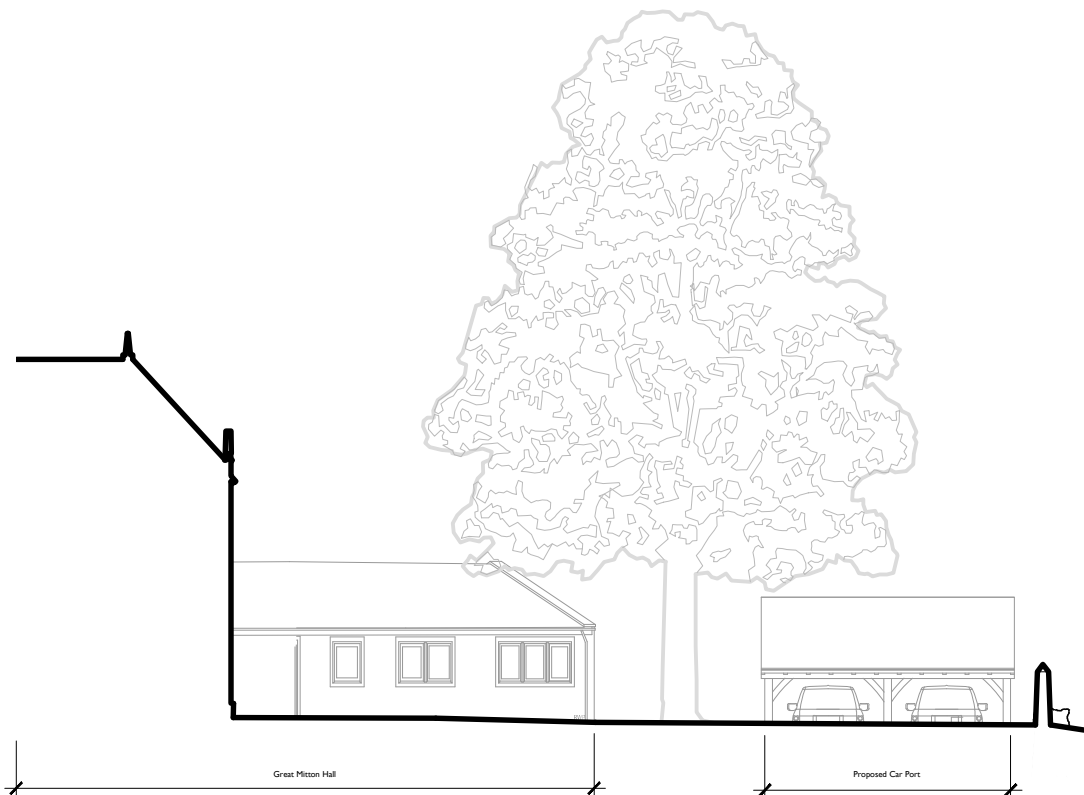
All heritage assets are not of equal importance and the contribution made by their setting to their significance also varies. Nor do all settings have the same capacity to accommodate change without harm to the significance of the heritage asset. This capacity may vary between designated assets of the same grade or of the same type or according to the nature of the change. It can also depend on the location of the asset: an elevated or overlooked location; a riverbank, coastal or island location; or a location within an extensive tract of flat land may increase the sensitivity of the setting (ie the capacity of the setting to accommodate change without harm to the heritage asset's significance). This requires the implications of development affecting the setting of heritage assets to be considered on a case-by-case basis.

Appendix 4

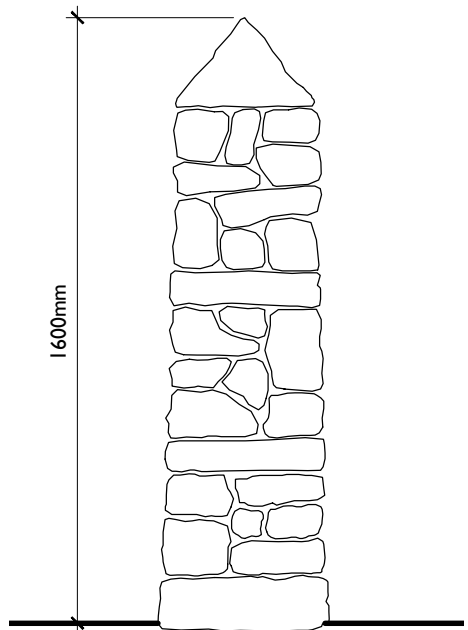
Revised drawings



Section C-C



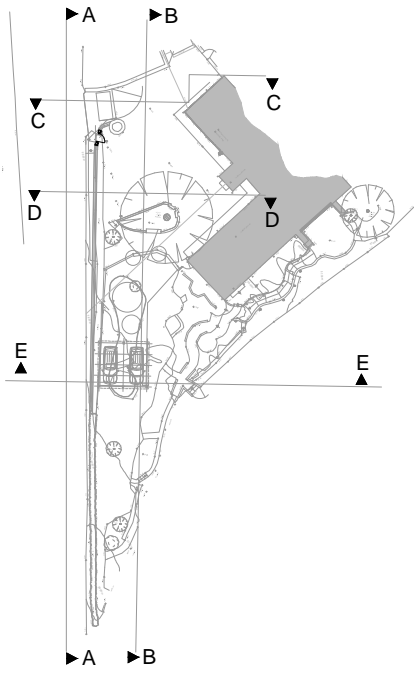
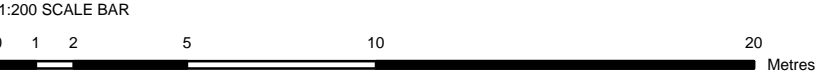
Section D-D



Proposed Typical Section Through Stone Wall (1:20)



Section E-E



SECTION KEY

As Proposed

Site Sections - Sheet 2

Based on survey by TriCAD

Figured dimensions only to be taken from this drawing. All dimensions to be checked on site and any discrepancies should be reported to the architect immediately.

REVISIONS:
Rev A 24.10.13 JR/MP
Wall re-aligned on section C-C to suit new visibility splay.

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Mr & Mrs Kay

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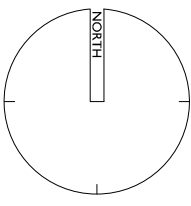
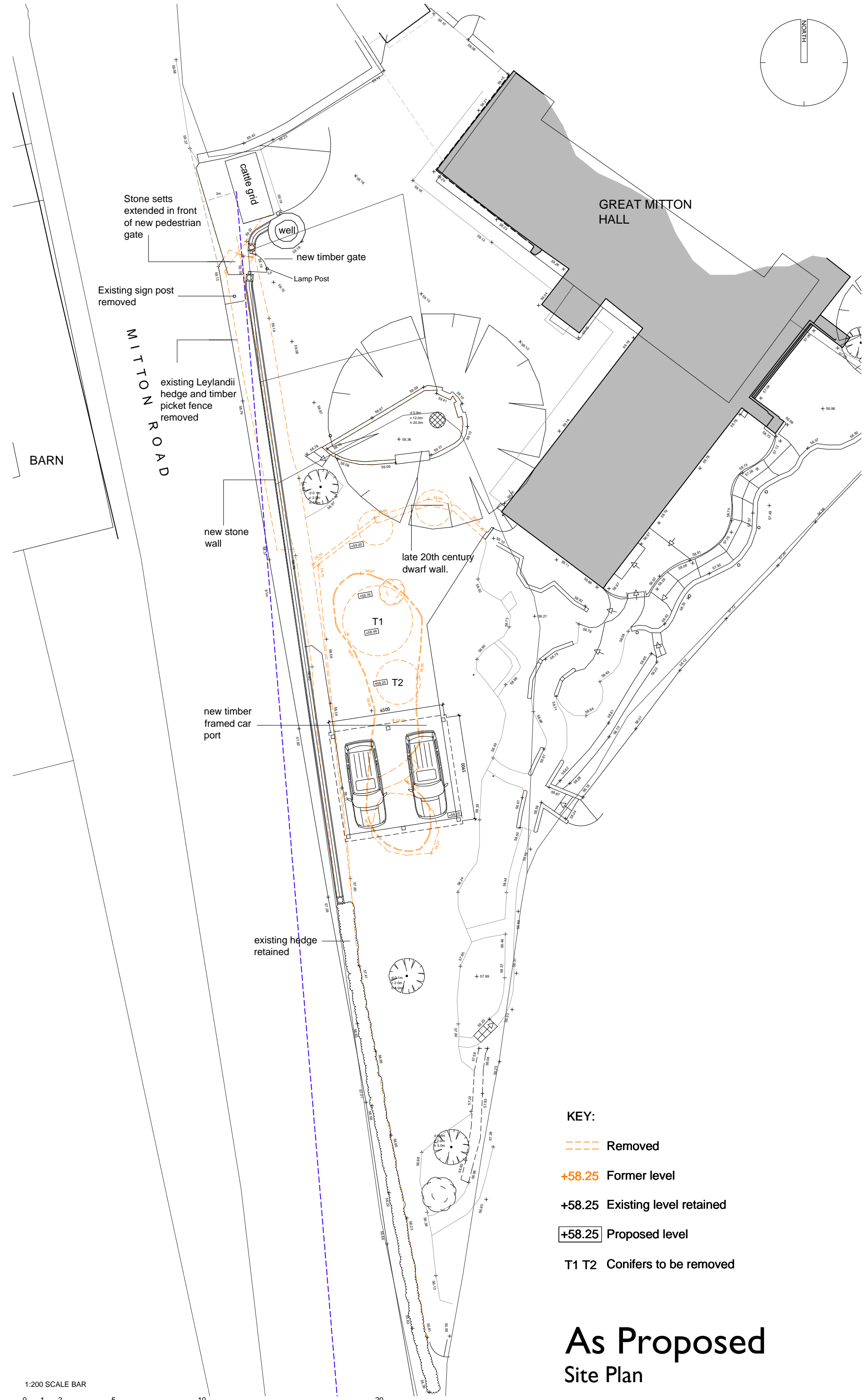
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Scale: 1 - 200 @A3

Date: 06.08.13

Drawn/Checked: HJW/SA

Dwg no.: 2771/01/102A



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Figured dimensions only to be taken from this drawing. All dimensions to be checked on site and any discrepancies should be reported to the architect immediately.

REVISIONS:

Rev A	19.08.13	SJ/HW
T1 and T2 tree references added.		
Rev B	24.10.13	JR/MP
Visibility splay amended. Wall re-aligned to suit new splay.		

GREAT MITTON HALL

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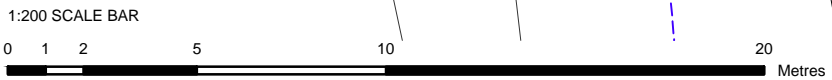
Dwg no.: 2771/01/100B

- KEY:
- Removed
 - +58.25 Former level
 - +58.25 Existing level retained
 - +58.25 Proposed level
 - T1 T2 Conifers to be removed

As Proposed

Site Plan

Based on survey by TriCAD



Appendix 5

CGI's



Existing view (zoomed)



Proposed view (zoomed)

CGI I View north from Mitton Bridge



Existing view



Proposed view

CGI 2 View north from Mitton Road



Existing view



Proposed view

CGI 3 View south from Mitton Road/Church Lane junction



Existing view



Proposed view

CGI 4 View south from Mitton Road beyond the Church Lane Junction