



Appeal Decision

Site Visit made on 7 September 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2021

Appeal Ref: APP/T2350/W/21/3276465

Castle Hotel, Station Road, Clitheroe BB7 2JT

- 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 Trust Inns against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2020/0953, dated 10 November 2020, was refused by notice dated 1 February 2021.
 - The development proposed is the retention of 10 PVC windows to the north-west and south-west ground floor elevations. Resubmission of 3/2019/0988.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development appearing in the banner heading above is taken from the Council's decision notice as this provides a more accurate description of the development. It does not change the development for which planning permission is sought. The Council advertised the development using the revised description and the appellant used it on their appeal form. Consequently, I am satisfied that no party will be prejudiced by my use of it. I have proceeded on this basis.
3. As retention is not an act of development, I shall deal with the proposal as one under s73A of the Town and Country Planning Act 1990 for development already carried out.
4. Since the application was determined, a revised version of the National Planning Policy Framework (the Framework) has been published. The main parties were given the opportunity to comment on any relevant implications for the appeal and have not therefore been prejudiced. The main parties did not have any comments on this matter.

Main Issues

5. The main issues are:
 - whether or not the development preserves or enhances the character and appearance of the Clitheroe Conservation Area
 - whether or not the development preserves the setting of nearby listed buildings and Clitheroe Castle, a Scheduled Ancient Monument (SAM)

Reasons

Conservation Area

6. The Clitheroe Conservation Area (CA) centres about the historic core of the town and the C12 Clitheroe Castle, a SAM which is set on a prominent rock outcrop. The town has developed about the castle and has an historic street pattern featuring a high proportion of local stone buildings dating from C18 and C19. Many of these buildings are now listed. Together, the street pattern, buildings and some intervening greenspaces form a pleasant and pleasing townscape.
7. The building is a two-storey extended hotel. It lies on a prominent corner and is identified in the Townscape Appraisal Map as a building of Townscape Merit which contributes to the quality of the townscape and the CA.
8. The proposals include the retention of 6 uPVC double glazed windows in a single storey extension for which planning permission was granted in 1977, and 4 windows inserted at ground floor level in the original part of the building, one in the north-west elevation and 3 in the south-west elevation.
9. The 6 windows to the extension are square, single pane, double-glazed, top hung opening windows. According to the appellant, these replaced similarly styled windows constructed in painted timber. The 4 windows in the original building are double-glazed with top-hung opening lights. According to the appellant, these windows replaced timber-framed windows with similar proportions and glazing splits between the fixed and opening elements.
10. All of the windows incorporate glazing separated by metal spacers. Those installed in the older part of the building have internal faux glazing bars within the units.
11. There is limited detail of the former windows. However, it is clear from the information before me that the windows in the older part of the building were not original. These were replica casements and appear to have had relatively thick frames, transoms and mullions. Nevertheless, these were confirmed as painted timber and the images provided indicate that they had external glazing bars.
12. The new windows replicate the arrangement of the former windows. However, their construction incorporates uPVC framing. This introduces a modern material which has a different appearance and visual texture to painted timber. The smooth glossy appearance of the frames with integrated stiles and visible mitred joints results in a patently modern and overtly angular appearance.
13. In relation to the windows in the original building, the contemporary appearance is exaggerated by the larger single surface of the glazing panes. The internalised glazing bars limit any effect of multiple small paned windows to give higher levels of reflection from the glazed surfaces. In the open position, the strip locking mechanisms can be observed. These are not elements of traditionally constructed windows.
14. Furthermore, the windows are edged with uPVC trim overlapping onto the stone surrounds. This causes the frames to appear somewhat thicker in comparison to the previous replacements. Although the units are set in reveal, as the originals would have been, the depth appears reduced by the outer

trimming. In the current context of dark painted surrounds, this visual effect is perhaps more limited, nevertheless, it is retrograde in comparison to the appearance of the previous units.

15. In support of the appeal, the appellant directs me to other examples of uPVC, mock and non-traditionally styled windows elsewhere in the vicinity and CA. As a particular aspect of development which is identified as detracting from the character and appearance of the CA within the Council's Clitheroe Conservation Area Appraisal, I do not find those other examples provide justification for a further retrograde impact on the CA.
16. The appellant points to the fact that the former windows were rotten and required replacing. I acknowledge that the replacement of timeworn windows may improve the appearance of a building and can be installed to a high standard. Nevertheless, in the context of development within the CA, this is not a matter to be considered in isolation. The use of authentic materials and more faithful reinstatement of windows closer to the originals would have an equal or greater propensity to deliver that benefit. It is not a benefit which is exclusively dependent on the development that has taken place and is therefore a matter of limited weight in the circumstances of the case.
17. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. The introduction of modern materials would contrast with the architectural detailing and historic palette of materials of the building. As a building noted for its contribution to the townscape and set in a prominent location, the modern appearance of the windows stand out as contrasting elements to the age and styling of the building. They thereby fail to preserve the character and appearance of this part of the CA.
18. In the context of the Framework, the extent of overall harm of the proposal is less than substantial given the nature of the development. Paragraph 202 of the Framework advises that such harm should be weighed against the public benefits of the proposals including securing optimal viable use. I undertake this assessment within the overall conclusion of this decision. Nonetheless, at this stage it is important to recognise that the proposal would be contrary to Key Strategy EN5 and Policies DME4 and DMG1 of the Ribble Valley Borough Council Core Strategy 2008-2028 – A Local Plan for Ribble Valley [2014] (CS), which amongst other aims seek to ensure that developments protect and enhance the borough's heritage assets, their settings and their significance through the use of appropriate design and materials.

Listed Buildings and SAM

19. Section 66(1) of the Act, requires a decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
20. The building lies close to 32-36 Parson Lane which is a Grade II listed building consisting of a short terrace of late C18 3-storey stone cottages with slate roofs. The cottages are listed for their architectural interest and retain many of their original features. They make a group with the New Inn which is also listed for its special architectural interest.

21. The elevations of the hotel containing the replacement windows address two frontages on Station Road. The main elevation of the cottages, which best illustrates its significance, faces away from the appeal site. The side and rear of the listed terrace have been altered from their original appearance and are separated from the appeal site by single storey additions. Although acute views of the windows could be seen in some views to the listed buildings, these are extremely limited. Given the proposals relate to building details only and would be at some distance, I do not find that they materially affect the setting of those listed buildings.
22. Views of the castle from this part of Station Road are limited to glimpses only. Although the two can be seen together, a focussed view of the castle is taken with a lower resolution appreciation of the surrounding townscape development and the proposal would not affect archaeological interest associated with it. Again, in this context, the finer elements of building detailing is negligible to the significance of the listed building, a SAM, and its setting.
23. For the above reasons, I find the effect on the particular character and setting of the listed buildings would be neutral. In this regard the development would meet the test of preserving the setting of the listed buildings and would align with the requirements of Policy DME4 of the CS which seeks to preserve the setting of listed buildings and SAMs.

Planning Balance

24. The development conflicts with Policies DME4 and DMG1 of the CS as it fails to preserve or enhance the character of the CA through the inappropriate use of materials and detailed design of the windows. In accordance with Para.199 of the Framework this is a matter to which I must attach great weight.
25. I acknowledge that the development replaced windows with rotting frames to remove potentially detracting features of the building and to assist in attracting customers. This could assist in protecting the longevity of the use of the site for the benefit of the business and customers. This is a matter to which I attach moderate weight, particularly in the light of potential threats to the viability of a hospitality business in the context of a global pandemic. However, notwithstanding this, or that I have found in favour of the appellant with regard to the effect of the development on the setting of nearby listed buildings, these matters do not outweigh the harm I have identified to the character and appearance of the CA.

Conclusion

26. The development would be contrary to the adopted development plan and there are no material considerations indicating a decision otherwise than in accordance with it. For those reasons, I conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR