



Appeal Decision

Site visit made on 7 September 2021

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2021

Appeal Ref: APP/T2350/D/21/3280453

The Glebe Barn, Main Street, Gisburn BB7 4HR

- 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 Andrew Weir against the decision of the Ribble Valley Borough Council.
 - The application Ref 3/2021/0469 dated 29/04/2021, was refused by notice dated 23/07/2021.
 - The development proposed is described as detached garage/store on land to the west of Glebe Barn.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the Gisburn Conservation Area and the setting of listed buildings.

Reasons

3. The site is within a predominantly residential area within the Gisburn Conservation Area with Listed Buildings within the immediate area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires decision makers, when considering whether to grant planning permission, to have special regard to the desirability of preserving the listed building or its setting or any feature of special architectural or historic interest which it possesses. A similar duty exists in relation to having regard to the character and appearance of a Conservation Area under Section 72(1) of the LBCA Act.
4. Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Borough Council Core Strategy 2008-2028 (the Core Strategy) amongst other things requires the preservation or enhancement of designated heritage assets, considering relationships, views and setting.
5. The Conservation Area in this location is characterised by the prominence of St. Mary's Church and buildings sited to provide views of the church. The appeal site is bounded by a stone wall with mature trees along the boundary, the proposed development would be located between Glebe Barn and the church.

- Views of the church play a role in defining the historic character of the area which is part of the Conservation Area's significance as a heritage asset.
6. The proposed development would be located at an elevated position on a corner plot at the junction of Main Street and Hellifield Road. Listed buildings are located opposite the appeal site, most notably The Grove and St. Mary's Church.
 7. The Gisburn Conservation Area, Townscape Appraisal Map identifies that there is an important view from Main Street adjacent the appeal site towards St. Mary's Church. During my site visit I observed that views across the appeal site from Main Street towards the Church were limited due to the existing mature trees on the site. Views of the Church were more apparent closer to the mini roundabout. From my observations the important view identified in the Townscape Appraisal Map would not be interrupted by the proposed development.
 8. Due to the separation distance between The Grove and the appeal site, the scale of the development and limited relationship between the sites, the setting of The Grove would be preserved. I find that the proposed development would have a neutral effect on nearby listed buildings.
 9. The Vicarage, adjacent to the appeal site is a building of Townscape Merit identified in the Gisburn Conservation Area Appraisal. Historically the appeal site formed part of the garden of the Vicarage. The Vicarage is closely related to St. Mary's Church and views from one another exist. The proposed development would not obscure these views. The relationship between the Church and the Vicarage would be retained, and the proposed development would have a neutral effect on the Vicarage itself.
 10. The mature trees along the boundary of the appeal site would screen the proposed development to a degree and the use of stone, slate and timber materials would complement the nearby built form. Whilst the location of the proposed development is a prominent corner site within the conservation area, due to the materials and landscaping I find that the scale of the development would not harm the character or appearance of the conservation area.
 11. Notwithstanding this the proposed development includes rooflights to the rear roof slope. The existing trees would screen the rooflights to some degree, however they would be visible from an important view identified on the Townscape Appraisal Map from Park View east towards the site. Whilst I noted during my site visit that there are rooflights in other properties within the immediate area, the low level of the proposed rooflights would be an incongruous feature to the streetscene which would not preserve nor enhance the conservation area.
 12. The appellant has drawn my attention to developments approved in the vicinity of the appeal site, however limited details have been provided to compare these developments. Notwithstanding this I have not been provided with substantive evidence which persuades me that they are comparable to the proposal before me, given the prominent corner location of the appeal site. Nevertheless, each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.

13. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) states that great weight should be given to the conservation of a designated heritage asset when considering the impact of a proposal on such an asset. This is irrespective of the level of harm. Any harm to the significance of a designated heritage asset should require clear and convincing justification based on Framework paragraph 200.
14. I find that the proposed development would lead to less than substantial harm of the significance of the Conservation Area. Paragraph 202 of the Framework states that where a development leads to less than substantial harm to the significance of a heritage asset this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. I find that there are no public benefits which would outweigh the harm caused by the proposed development.
15. I conclude that the proposed development would not preserve or enhance the character or appearance of the Gisburn Conservation Area. There is conflict with Key Statement EN5, and Policies DME4 and DMG1 of the Core Strategy which seek to ensure developments are a high quality of design which preserve and enhance the character and appearance of the conservation area.

Conclusion

16. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR