



Appeal Decision

Site visit made on 27 April 2022

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2022

Appeal Ref: APP/T2350/W/21/3286994

1 Mitton Hall Cottage, Mitton Road, Mitton, CLITHEROE, 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 Miss Jenni Taylor against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2021/0827, dated 20 August 2021, was refused by notice dated 17 September 2021.
 - The development proposed is demolition of existing vacant private dwelling and construction of new dwelling.
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Decision

1. The appeal is dismissed.

Background

2. Planning permission has previously been granted for a replacement dwelling at 1 Mitton Hall Cottage (No. 1) under application ref. 3/2020/0471, and work is currently underway on site. During the construction period, the approved first floor layout has been found to be impractical, with some of the rooms being too small. The appellant wishes to overcome this by providing additional living area in the roof space. To achieve this, the dwelling has been built with a steeper roof pitch compared with the approved plans. As a result, the ridge height has been increased by around 1.5 metres, and the position of a window has been changed.
3. The appeal proposal seeks to regularise the situation by obtaining planning permission for a revised scheme which reflects the situation on the ground. The new building, including the roof frame, is substantially completed. The proposal is therefore partly retrospective.

Main Issues

4. The main issues are the effect of the proposal on i) the setting of the Grade II* listed Mitton Hall, and ii) the character and appearance of the area.

Reasons

Setting of the listed building

5. The appeal site is directly opposite the entrance to the Grade II* listed Mitton Hall, which is now in use as a hotel. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the setting of the listed building in the determination of this appeal.

6. Paragraph 194 of the National Planning Policy Framework (the Framework) requires appellants to provide information about the significance of any heritage assets, including any contribution made by their setting. However, there is very little heritage information before me. From what has been provided, and from my observations at my visit, I have made my assessment on the basis that the Grade II* listed Hall was formerly a grand country house, set in extensive grounds in a riverside location.
7. Internally, the building contains a timber framed hall which dates back to around 1500. Since that date, Mitton Hall has been significantly extended and altered, with evidence of 17th and 19th century additions and alterations.
8. The Hall has historic and evidential value, both in representing changing architectural styles, and the socio-economic hierarchy that underpinned the functioning of large country estates. Aesthetic value is derived from the design of the Hall and its attractive rural position.
9. The significance of Mitton Hall is therefore derived from its intact historic fabric, both internal and external. As a former country manor house, the spatial relationship between the Hall and any nearby ancillary buildings will also contribute to its significance.
10. It is not clear what, if any, relationship the appeal property and 2 Mitton Hall Cottage (No. 2), had with the Hall. No information has been provided on this matter, but given their original size and scale, it seems likely that these traditional rural cottages, located immediately opposite the main entrance, may have formed part of a larger estate connected with the Hall at some point. If so, the cottages may retain value in illustrating the extent and wider setting of the estate.
11. The original house at the appeal site has now been demolished. I note the appellant's comments that the former dwelling and No. 2 shared few similarities, but from the submitted plans it appears that they would have appeared as a pair of simple rural cottages. The dwellings would have been of a comparable height and width, with a similar form and pitch of roof. The approved drawings show that the replacement dwelling, approved under application 3/2020/0471, would have wider frontage, but would be of a similar overall height and roof pitch to both the original house and the adjacent cottage.
12. The combined effect of the enlarging the frontage and roof plane at No. 1 has been to increase the prominence of the appeal building within the streetscene. The result has been to accentuate the differences in the appearance of the two cottages. Rather than reading as a pair of similar dwellings, as was previously the case, the alterations have introduced an uncomfortable relationship between the cottages, which now appear quite different.
13. In the absence of information to the contrary, it seems probable that the pair of cottages may have formed part of the Mitton Hall estate. As such, they may form part of its wider setting and contribute to its significance. Assuming that this is the case, the appeal proposal, which has significantly altered the appearance of the building and its relationship with its immediate neighbour, causes harm to the setting of the listed building.

14. For the above reasons, I am unable to conclude that the development would not have an adverse effect on the Hall's setting. In the context of Framework paragraph 202, the harm to the setting of the Grade II* listed building would be less than substantial. Nevertheless, in accordance with Framework paragraph 199, this is a matter to which I afford great weight.
15. The enlarged roof space would help to overcome problems with the internal layout of the previously approved scheme, which would undoubtedly be of benefit to the family. However, there are no public benefits which would outweigh the harm to the setting of the listed building. Nor is there anything before me to indicate that, if the appeal was dismissed, the dwelling would not continue in residential use.
16. As such, the proposal conflicts with section 16 of the Framework and section 66(1) of the Act. It also conflicts with Policy DME4 of the Ribble Valley Core Strategy 2014, which protects heritage assets.

Character and appearance

17. The appeal site is located in an area of attractive countryside, close to the River Ribble. The site fronts directly onto Mitton Road, which has the character of a country lane which twists and turns along a route lined with mature trees and hedgerows. Sporadic built development is evident along Mitton Road, including the appeal property and No. 2.
18. Properties in the surrounding area vary in style and appearance, and there are many examples of buildings with steeper roof pitches than that of the approved dwelling. However, the appeal property is viewed alongside its immediate neighbour, and does not appear as an isolated building. As built, the deeper roof and higher ridgeline of the appeal property visually jars against the shallower roof form of its neighbour. This awkward relationship is exacerbated by the close proximity of the two buildings, and their prominent roadside position.
19. Mature trees and the curvature of the road restrict longer distance views, but over the short distance that they are visible, the pair of dwellings form prominent features in the streetscene. From where they are visible, the awkward juxtaposition between the cottages which results from the altered roof is clearly apparent.
20. The resultant harm to the character of the area is exacerbated by the sensitivity of the location, immediately opposite the entrance to Mitton Hall. The distance between the appeal property and the Hall prevents shared views of the two buildings from the road, but the appeal site is viewed alongside the grounds of the listed building. The overly steep form of the roof compared with its neighbour appears incongruous, and detracts from the attractively landscaped entrance to the grand Hall.
21. From the area to the front of the Hall, mature trees restrict views out to the appeal property, but this screening effect will be less in the winter, when the trees are not in leaf. During those months, the appeal property will be visible, and will be viewed alongside No. 2. The awkward relationship between the two cottages will therefore be apparent when viewed from the grounds of the listed building.

22. The use of materials in the house currently under construction is appropriate within this rural setting, and the pattern of fenestration, including the altered window position, retain the simple appearance of a rural cottage. However, this is not sufficient to overcome the harm I have identified. I appreciate that this will be disappointing to the appellant, particularly given the work that has already been done on site, but I have determined the appeal based on its planning merits.
23. I conclude that the revisions to the approved scheme cause harm to the character and appearance of the area. Consequently, the proposal conflicts with Core Strategy Policy DMG1, which requires development to be sympathetic to existing land uses and to consider the relationship between buildings, which is of major importance. There is further conflict with Policy DMH3, which allows for replacement dwellings, provided that there is no adverse impact on the landscape.

Conclusion

24. The proposal would conflict with the development plan, the Framework and s66(1) of the Town and Country Planning Act 1990. I have identified no other considerations which outweigh this finding. The appeal is therefore dismissed.

R Morgan

INSPECTOR