The Planning Inspectorate

Appeal Decision

Site visit made on 2 July 2019

by Sarah Manchester BSc MSc PhD MIEnvSc

an Inspector appointed by the Secretary of State

Decision date: 31th July 2019

Appeal Ref: APP/T2350/D/19/3226227
Wilkins Cottage, Church Street, Ribchester PR3 3XP

- 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 Frost against the decision of Ribble Valley Borough Council.
- The application Ref 3/2018/0479, dated 30 May 2018, was refused by notice dated 31 January 2019.
- The development proposed is replacement of existing conservatory as well as replacement windows and roof of an existing wrap around extension.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of Ribchester Conservation Area.

Reasons

3. Wilkins Cottage, 74 Church Street, is a 19th century end of terrace property. It is one of several properties designated as Building of Townscape Merits in recognition of their positive contribution to the character and appearance of the Ribchester Conservation Area (the CA). It is adjacent to St Wilfrid's Primary School, with the River Ribble and open countryside beyond. The CA is notable for a variety of features including its Roman remains, listed buildings, former handloom weavers' settlement and cottages, St Wilfred's church complex and good examples of late 19th century terraced housing along Church Street and Blackburn Road. The similar ages and styles of terraced properties in this part of the CA results in a harmonious and traditional character and appearance to the street scene.

4. There is an existing conservatory extension to the side and rear of the appeal property. The proposal would retain the existing stone walls. The flat roof would be replaced with a pitched slate-effect roof, which would be more in keeping with the appearance of the host property than the existing flat roof. However, the design, size and expanse of windows, which include top-opening lights in the side elevation, would be out of scale and not in keeping with the host property.

5. Notwithstanding that the windows would be 'timber look' uPVC, plastic is a modern construction material that is not characteristic of the area. In this respect, the Ribchester Conservation Area Management Guidance (2006) (the

RCAMG) notes the particular importance of using appropriate traditional materials in extensions and alterations to Buildings of Townscape Merit.

6. The RCAMG also clarifies that the increased thickness of plastic frames compared to traditional timber frames results in harm to the character and appearance of historic buildings. While the proposed heritage-style frames appear to come in varying thicknesses, there is little before me to demonstrate that the thickness of the new frames would be in keeping with the traditional wooden frames that are characteristic of historic buildings in the area.

7. The property is some distance from the Roman Bath House and the proposal would not be visible from this location. However, although the appeal scheme would be set back from the street and partially screened behind a boundary wall, it would be visible from locations in and around Church Street including the adjacent school and the nearby River Ribble. By virtue of its modern design and proportions, and materials, and its juxtaposition with the traditional surroundings, it would be a conspicuous feature that would not be sympathetic to the character of the adjacent Buildings of Townscape Merit or the area.

8. My attention has been drawn to properties elsewhere in Ribchester where non-traditional construction materials have been used. Full details of those schemes are not before me. However, some are to the rear of properties and do not impact on the street scene, while others are outside of the CA and were assessed in a different policy context. They are not therefore directly comparable to the appeal scheme and they do not provide a justification for it. Similarly, while the bins stored at the adjacent school may be unsightly, they are not directly comparable to the proposed development.

9. As a result of the harm to the character and appearance of the appeal property and the area, the proposal would fail to preserve or enhance the character or appearance of the Ribchester Conservation Area. However, the proposal is modest and it is not overly prominent in the context of the conservation area as a whole. Consequently, it would cause less than substantial harm to the significance of the conservation area as a designated heritage asset. Nevertheless, the appeal property is a private dwelling and no public benefits have been demonstrated that would outweigh the harm to the conservation area. I therefore conclude that the proposed development would conflict with the National Planning Policy Framework.

10. By virtue of the harm to the CA, the proposal would conflict with the development plan including Key statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Borough Council Core Strategy A Local Plan for Ribble Valley 2008-2028 Adopted December 2014. These require, among other things, that development makes a positive contribution to local distinctiveness and sense of place and, in conservation areas, that it conserves and where appropriate enhances the character and appearance of the area and those elements that contribute to its significance.

Other Matters

11. I acknowledge that the appellant has sought to overcome the concerns of the Council through the appeal process, including by proposing the replacement of the top-hung lights with fixed non-opening glazing, the erection of a fence to screen the proposal from the street, or the use of an alternative colour or

finish. However, no amended plans have been submitted to the appeal to demonstrate an alternative scheme.

12. In any case, the Planning Inspectorate's guidance[1] is clear that if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal they should normally make a fresh application. The appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought. For these reasons, I cannot be certain that no interested parties would be prejudiced if I was to accept any or all of the suggested variations to the scheme and therefore I have determined the appeal on the basis of the plans that were considered by the Council.

13. The heritage window brochure submitted to the appeal refers to other local planning authorities where proposals have been approved with plastic window frames. However, there are no details before me of any such schemes which would demonstrate that they are directly comparable to the appeal scheme. Therefore, this is a matter which carries limited weight in my determination.

14. I accept that the existing conservatory is in a relatively poor state of repair and that the appellant, as a long-term resident of the area, has sought to propose a replacement that is sympathetic to the CA while requiring less routine maintenance. However, no compelling argument has been put forward to justify a proposal that would result in harm to the character and appearance of the area.

Conclusion

15. For the above reasons, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR

[1] Procedural Guide – Planning Appeals – England dated 19 March 2019