
Appeal Decision

Site visit made on 29 April 2025

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/T2350/W/24/3352340

Land off Hammond Drive, Read BB12 7RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Cross against the decision of Ribble Valley Borough Council.
 - The application Ref is 3/2024/0076.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are as follows:
 - Whether the appeal site represents a suitable location with regards to the spatial distribution of housing strategy of the development plan;
 - The effect of the proposal on the character and appearance of the area;
 - The effect of the proposal on the setting of heritage assets;
 - The effect of the proposal on nearby trees; and
 - The effect of the proposal on living conditions of occupiers of adjacent dwellings.

Reasons

Whether Suitable Location

3. Policy DS1 of the CS¹ sets out the spatial distribution strategy of the development plan, including housing, employment sites, and retail and leisure developments. This advises that the majority of new housing will be concentrated in strategic sites and within the main settlements of Clitheroe, Longridge and Whalley. Tier 1 settlements are smaller but identified as also being suitable for housing. The nearest settlement to the appeal site, Read and Simonstone, is located some 600 metres (m) to the east. The appeal site is therefore outside of a defined settlement and is in conflict with policy DS1 in this respect. I note the appellant does not dispute this.
4. Policy DMG2 states that outside of the defined settlement areas development must meet at least one of several considerations. Similarly, Policy DMH3 advises

¹ Ribble Valley Borough Council Core Strategy 2008–2028 A Local Plan for Ribble Valley Adoption Version (December 2014)

that in areas of open countryside, residential development will be limited to essential needs, conversions of existing buildings, rebuilding or replacement buildings or the removal of conditions that limit occupancy. With regards to both policies, it has not been demonstrated that the proposal would meet any of these exceptions and it would therefore also conflict with policies DMG2 and DMH2.

5. My attention is drawn to other developments which have evidently been approved by the Council in the last decade in the general area of the appeal site. I have very little information on any of these, although the Council has provided background to some of them. Regardless, there is a lack of justification for the proposal in this location and I see no reason to conclude the location of the dwelling would be acceptable.
6. Taken together, the proposal would conflict with policies DS1, DS2, DMG2 and DMH3 of the CS due to its location outside of a Tier 1 settlement in open countryside without meeting any of the defined exceptions.

Character and Appearance

7. The appeal site comprises a roughly triangular parcel of land located adjacent garages, dwellings, a small area of woodland and parkland associated with Read Hall. There is existing access taken from Hammond Drive, which branches off from Whins Lane to the east. As the topographical plan² shows, the land rises to the north and east from the access road. The wider area is overwhelmingly rural in character, with expanses of open countryside interspersed by small lanes, stone walls and agricultural fields as well as the aforementioned village of Read and Simonstone to the east. The appeal site is largely grassland but given its location between dwellings and on the approach from Hammond Drive, its rural nature makes a minor but positive contribution to the character and appearance of the area.
8. The proposal entails a single storey dwelling with a sedum covered flat roof and a combination of dressed stone and clad external walls. There would also be irregular spreads of fenestration across the respective elevations of the dwelling. The cluster of buildings to the southwest include converted outbuildings formerly associated with Read Hall which are now dwellings as well as some garages. These are generally built of stone and include pitched roofs and would likely have historically served the hall as stables and storage buildings.
9. The flat roof and asymmetric form of the proposal would jar with the traditional and simple form of these adjacent properties as well as the roof styles. Moreover, the modern and irregular spread of glazing would appear incongruent set against the rural character of existing properties while the inclusion of the dwelling in an elevated and visible position from the public right of way would partially erode the open character of this parcel of land which helps to provide some visual relief within the small enclave.
10. I have had regard to other developments which were evidently approved by the Council in the general area in the Design and Access Statement³ (DAS). I do not have substantive details of these, although from the photographs provided many of these appear to be some distance from the appeal site closer to the built-up part of

² Drawing Number: TRI-4105-01

³ Peter Hitchen Architects – 18 January 2024

the village further east along Hammond Drive. Others closer to the appeal site seem to comprise conversions of previous buildings and as such it is unclear as to how they relate to the scheme before me.

11. I observed the property known as Larchwood on my site visit, which is located to the northeast of the appeal site. This includes a flat roof and large spreads of modern glazing. However, I understand this was a conversion of a previous piggery building, while it is also somewhat separated from the cluster of buildings to the southwest and is set behind a high stone wall which means it shares little intervisibility with the existing structures.
12. Based on the foregoing, the proposal would harm the character and appearance of the area. This would conflict with policies DMG1, DMG2 and DME2 of the CS, which seek to ensure, among other things, that development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials and consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings.
13. The proposal would also be contrary to the design aims of the National Planning Policy Framework (the Framework), which advises through paragraph 135 that development proposal should be sympathetic to local character and history, including the surrounding built environment and landscape setting.

Setting of Heritage Assets

14. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) places a statutory duty on the local planning authority or, as the case may be, the Secretary of State, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The location of the appeal site within the setting of both listed buildings is not disputed by the appellant.

Special Interest and Significance

15. The appeal site lies to the north of the Grade II* listed Read Hall⁴ and west of the Grade II listed Icehouse North East of Read Hall⁵. I am directed to the heritage section of the appellant's DAS which gives some history to the Hall, although the Icehouse is not referenced. Moreover, there is nothing to establish the special interest or significance of either listed building. Paragraph 207 of the Framework states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. This is particularly pertinent given the Grade II* listed status of the Hall.
16. From the limited information before me and my own observations on the site visit, I have ascertained that Read Hall is an early 19th century mansion house built of sandstone ashlar with slate roofs. The Hall includes a large domed frontage and sits in large formal grounds which include landscaped gardens in the immediate

⁴ List Entry Number: 1164581

⁵ List Entry Number: 1072079

curtilage and wider ranging parkland which form a rural and tranquil setting. Its special interest and significance therefore derive from historic and architectural interests. Historic interest is drawn from its age and being a surviving example of opulent rural living of the time period. Architectural interest is drawn from its detailing, and landscaping and gardening. This includes the conscious laying out of formal gardens and on a wider scale its open, rolling, verdant topography.

17. Of particular relevance to these appeals are the wider gardens and parkland, which provide an open and verdant setting with which the building is visually, physically, historically and functionally associated and within which the building can be appreciated and experienced. Hammond Drive would have formed the main approach to the building. This runs through the parkland towards the existing converted outbuildings and would have provided an intimate and impressive introduction to the estate for visitors. I also understand that the parkland has local heritage significance, albeit not a designated Park and Garden. In these regards, the listed building's setting positively contributes substantially to its special interest and significance.
18. The Icehouse dates from the 19th century and is covered with earth albeit its traditional round form is evident. Its special interest and significance derive from its historic and architectural interest. Historic interest includes its age and association with the Hall for which it would have been used to store ice for food and drink preservation. Its architectural interest is drawn from its traditional form and materials. Given its location within the parklands of the Hall and its historic function, its setting including the surrounding verdant and open character makes a significant contribution to its special interest and significance.

Effects of the Proposal

19. Due to the historic association between the Hall and its surrounding parkland, the appeal site makes a minor but positive contribution to the special interest and significance of the listed building. The introduction of contemporary built form and loss of open, verdant character of the appeal site caused by the proposal within the setting of the Hall would be harmful to its setting and therefore its special interest and significance. I observed on the site visit that this approach was well used by walkers, and this would be especially stark to users of the right of way along Hammond Drive when approaching the Hall from the east given the appeal site's prominence in the general area to the north of the listed building set against the historic outbuildings. This would draw the eye from the historic approach to the Hall, harmfully interrupting its rural surroundings.
20. The Icehouse is located beyond the Larchwood property to the east. It stands to reason that harmful development within the setting of the listed building would harm its special interest and significance as with the Hall. The appellant advises that intervisibility between both heritage assets and the appeal proposal is not possible. Be that as it may, visibility is but one consideration of the impacts of a development proposal on the significance of a heritage asset and a lack of visibility does not equate to an absence of harm or a neutral impact.
21. Overall, I conclude that the proposal would not preserve either the Grade II* Hall or Grade II Icehouse listed buildings or their setting or any features of special architectural or historic interest which they possess. It would therefore fail to satisfy the requirements of section 66(1) of the Act and in doing so would cause harm to

the significance of the designated heritage assets. The proposal would also be contrary to policies DMG1, DME2 and DME4 of the LP, which state among other things that development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Meanwhile paragraph 212 of the Framework makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Heritage Balance

22. Given the scale of the proposal I agree that the level of harm would be less than substantial as advised in paragraph 215 of the Framework. However, this would apply to both listed buildings in turn and a less than substantial degree of harm should not be conflated with a less than substantial planning objection. This weighs against the scheme considerably. In this scenario, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
23. There are no public benefits presented to me, although there would invariably be some small boosts brought forth by the construction of the dwelling and to the Council's housing supply. While all dwellings contribute in this manner, this would be of limited weight given the size of the proposal.
24. Accordingly, I conclude that the proposals would not preserve either the Grade II* Hall or Grade II Icehouse, their settings or any features of special architectural or historic interest which they possess. It would therefore fail to satisfy the requirements of section 66(1) of the Act and in doing so would cause harm to the significance of the designated heritage assets. The proposals would also be contrary to policies DMG1, DME2 and DME4 of the LP, which state among other things that development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. The proposal would also be contrary to the Framework as advised above.

Trees

25. The appeal site abuts a small area of woodland to the north which includes several large mature trees. From my observations on the site visit, the trees make a significantly positive contribution to the character and appearance of the area. I have regard to the Arboricultural Constraints Appraisal⁶, however the 'management recommendations' boxes in the appraisal table are blank. Moreover, T2 as identified on the plan shows its roots project a significant distance into the appeal site. The proposed site plan⁷ shows the root protection area for this tree which seems to extend up the area surrounding the dwelling, although it is unclear what this is given the DAS advises the terrace was removed following the refusal of a previous scheme. The elevation plans also show that part of the site would be levelled and excavated due to land levels.
26. The appraisal includes generic information regarding protecting trees during construction and cursory observations of the trees but is otherwise lacking in information regarding the impact of the proposal. As such I share the concern of the Council that this has not been adequately assessed.

⁶ Bowland Tree Consultancy – May 2023

⁷ Drawing Ref: A1.2

27. Based on the foregoing, I must conclude that it has not been demonstrated that trees would be protected during the construction process. This would conflict with policies DME1 and DME2 of the LP which seek, among other things, to ensure that woodland management safeguards the structural integrity and visual amenity value of woodland whilst a detailed tree protection plan is submitted with appropriate levels of detail.

Living Conditions

28. The appeal site lies elevated above the nearest property to the west, which is evidently known as The Stables. I note the west elevation of the proposed building closest to the Stables does not include windows, while those facing west which are set back are a sufficient distance to avoid a loss of privacy.
29. However, I observed on the site visit that views into the garden and first floor windows were readily apparent from the appeal site due to the relative land levels. There is little before me to alleviate this concern, although it is suggested that landscaping could be conditioned. This would take considerable time to mature and in the meantime there would be a loss of privacy for occupiers of this adjacent dwellings due to overlooking from the garden area of the proposed dwelling.
30. This would be contrary to policy DMG1 of the LP which seeks to ensure development proposals consider the relationship to surroundings, including the effects of development on existing amenities.

Other Matters

31. There is reference to a previously refused planning application⁸ on the site. I do not have substantive details of this before me, although the appellant states that the Council has not considered the changes sufficiently. It is not my role to mediate disputes of this type, and the Council will have its own complaints procedures. Regardless, I have considered the proposal before as it is presented to me and on its own merits and found many aspects of the submissions to be lacking in substantive assessment.

Planning Balance and Conclusion

32. The proposal conflicts with the development plan and Framework with regards to its location and effects on the character and appearance of the area, trees and living conditions of occupiers of a neighbouring dwelling. Furthermore, the proposal would not preserve two listed buildings through harm within their settings. I have also found that the harm would not be outweighed by public benefits.
33. These considerations weigh against the proposal considerably. I have had regard to the personal circumstances of the appellant. I understand their desire to retire and live in a house which is responsive to their future needs. While it is commendable to seek a proposal which would sit within the contours of the land and remain in keeping with the surrounding properties with minimum impact and consideration to the positioning regarding the woodland area and the neighbour's property, I have found that the proposal runs contrary to these considerations.

⁸ Planning application reference: 3/2023/0447

34. The benefits of the proposal are of limited weight insofar as they would provide one additional unit of accommodation and minor economic benefits during construction. Set against the harm there is a considerable shortfall to the benefits.
35. In conclusion, the proposal would conflict with the development plan as a whole as well as the provisions of the Act and Framework. There are benefits of the proposal, although these would not outweigh that conflict. As such, the appeal is dismissed.

C McDonagh

INSPECTOR