
Appeal Decision

Site visit made on 11 April 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26th April 2017

Appeal Ref: APP/E2340/D/16/3165033
55-57 St Marys Street, Nelson BB9 7AY

- 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 Zaman against the decision of Pendle Borough Council.
 - The application Ref 16/0531/HHO, dated 5 August 2016, was refused by notice dated 25 October 2016.
 - The development proposed is described as dormer extensions to front and rear elevations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have also dealt with an appeal at the adjoining property at No 53 St Marys Street (Ref APP/E2340/D/16/3165034). The design of the external development proposed in that appeal is the same as in this case. However, it was submitted to, and considered by, the Council as separate application. Consequently, I have not dealt with these cases as linked appeals and the appeal at No 53 is subject to a separate decision.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Whitefield Conservation Area.

Reasons

4. The appeal properties comprise two adjoining terraced dwellings located in the Whitefield Conservation Area which predominantly comprises of close knit terrace blocks constructed in stone with blue slate roofs. The terraced block containing the appeal properties is relatively simplistic in design and contains no front or rear dormer extensions.
 5. The topography in the area slopes from the south east to the north west which the construction of the blocks follows. As such, other than regular spaced chimney stacks, this block displays a distinctive uninterrupted sloping roof form which the Council identifies as contributing to the character of this part of the conservation area.
 6. The proposed development would involve the construction of a similar designed flat roof front and rear dormer to the roofslope of each property which would
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be finished in uPVC cladding. The dormer extensions would be set in from the sides, set down from the ridge and set in approximately 0.2m from the front façade of each property .

7. In order to consider the acceptability of the general appearance of dormer extensions and those that would be located in conservation areas, the Council has adopted two Supplementary Planning Documents (SPD). The Design Principles SPD indicates that dormers should normally be set back by at least 1m from the front elevation to prevent an overbearing effect on the streetscene. The Conservation Area Design and Development Guidance SPD indicates that dormers must usually be taller than they are wide to respect the vertical emphasis of Victorian or Edwardian facades and must always be sympathetic to the host property in terms of position, scale and materials.
8. The proposed dormer extensions would interrupt the flow of the blue slate roofs of this terrace block and unacceptably unbalance and harm the contribution they make to the character and appearance of this part of the conservation area. The development would result in the construction of bulky flat roof structures having a horizontal design emphasis that would contrast markedly with the sloping nature of the roof and the vertical design emphasis of the individual terraced dwellings.
9. Owing to the proposed size of the dormers and their position close to the front and rear façade, they would have a bulky and overbearing effect on the appearance of the properties within the front and rear streetscene and appear at odds with the roof form of the terraced block as a whole. The use of uPVC cladding and the position and size of the proposed windows would not be sympathetic to the design and construction materials of the host dwellings and would further add to the incongruity of the extensions within the street scene. Overall, the proposed dormer extensions would be contrary to the guidance provided in both of the adopted SPD's.
10. I have taken into account the examples of other dormer extensions in the locality provided by the appellant. I have no evidence of the prevailing planning policies that were considered by the Council at the time these were constructed and they do appear to relate to properties of a different design style to those on St Marys Street. As such, I cannot be sure that they are representative of the circumstances in this appeal and in some cases the examples provided serve to emphasise the incongruity that dormer extensions can cause to the streetscene. In any event, I have determined this appeal on its own merits.
11. Against that background, I conclude that the proposed development neither preserves nor enhances the character or appearance of the Whitefield Conservation Area. In the context of the National Planning Policy Framework (the Framework) great weight should be given to the conservation of a designated heritage asset. Although I consider the harm to be less than substantial, any harm should require clear and convincing justification. In this case there are no public benefits that would outweigh the harm.
12. Accordingly, the proposal conflicts with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would not accord with paragraphs 131 and 132 of the National Planning Policy Framework. It would also be contrary to Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy (2015). These policies, amongst other things, require that

development should be of the highest design standards and make a positive contribution to the enhancement and conservation of heritage assets.

Conclusion

13. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR