
Appeal Decision

Site visit made on 6 June 2017

by Darren Hendley BA(Hons) MA MRTPI

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

Decision date: 15th June 2017

Appeal Ref: APP/B2355/W/17/3171841

14 Deardengate, Haslingden, Rossendale, Lancashire BB4 5QJ

- 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 Liaqat Ali against the decision of Rossendale Borough Council.
 - The application Ref 2016/0523, dated 17 October 2016, was refused by notice dated 24 January 2017.
 - The development proposed is a second floor flat over existing.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the building and area.

Reasons

3. The appeal property comprises part of the roof area of a former cinema. In order to form the flat, it is proposed to extend the front roof slope with a dormer roof extension that would project across the width of the roof slope and extend back from just behind the eaves to the roof pitch. The angle of roof slope of the extension itself would be shallow. The roof and the walls of extension would be constructed of slate, with bi-fold doors and two windows also inserted into the front elevation.
 4. The former cinema is a prominent building and distinctive in design, with a rendered front façade and a distinctive castellated front parapet, behind which sits the current front roof slope. It is set back from Deardengate and it is positioned at a slightly higher level, which adds to its qualities as a focal building in Haslingden town centre. The ground floor of the building is used as a convenience store and a post office. Planning permission has been granted to convert the first floor into six flats, including a roof extension on the side of the building facing Bank Street. Deardengate itself is the main thoroughfare through the town centre, which widens and is cobbled in front of the former cinema to form a small square.
 5. The extension, due to its size and width, would result in the substantial loss of the current front roof slope of the building. The angle of the roof slope would also be lost to the much shallower angle on the extension. It would give the appearance of adding an additional storey on the building. This would be
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- further increased by the windows and by-fold doors arrangement that would be off-centre compared to the storeys below and would detract from the pleasing symmetry of the building. Due to the elevated form of the extension at roof level, it would also appear highly prominent and dominant on the building.
6. The parapet would only provide very limited screening, and only where the bottom of the extension would join the existing roof. The stepped form of the parapet would be a less appreciable feature, with the proximity of the extension above and behind. The use of slate on the walls would also appear incongruous with the render front of the building. The extension would overall erode the qualities of the front façade.
 7. When viewed more broadly from Deardengate, the extension would sit uncomfortably on the building with its size and width. It would significantly detract from the building's contribution as a focal point in the town centre, with clear visibility afforded from the widened thoroughfare and the square. It is precisely that the building is distinctive in design which forms its contribution to the character of the town centre, rather than a sense of uniformity with other buildings.
 8. The side elevation facing Bank Street is far less prominent as this is a narrow side street with buildings positioned directly adjacent to the footways that would restrict views of the approved roof extension. This is materially different from extension subject of the appeal proposal, with its prominent position on the main front façade of the building and where clear views would be afforded from Deardengate of its unsympathetic design.
 9. A three storey building opposite the site is flat roofed, although the remainder of the row which this building forms a part of have maintained their sloped front roofs. The flat roofed front extension to the adjacent tea room appears as a subordinate structure to the sloped roof form of the original building and is not prominent. More distant buildings at the ends of Deardengate and adjacent streets would not be viewed in the streetscene with the extension, and would not be read in conjunction with its character. I am satisfied that other buildings in the area, including those which the Appellant has drawn my attention are sufficiently different to the extension in respect of the effects on character and appearance, and as such they do not alter my views.
 10. Dormer roof extensions are a means of making practical use of roof space, but as I have set out, this extension would significantly detract from the character of the building and the area. The extension would have limited effects on the building internally, which has changed substantially since its cinema use, but this does not address my concerns over its external harmful effects.
 11. Policy 23 is the main design policy of the Rossendale Borough Council Core Strategy Development Plan Document: The Way Forward (2011 - 2026) (2011) (the Core Strategy) and applies to all aspects of design, to ensure that development responds to local context and distinctiveness, and contributes positively to local identity. It is therefore a relevant policy for character and appearance considerations for this appeal, and can be afforded significant weight. I conclude that the extension would cause unacceptable harmful effects to the character and appearance of the building and the area, and as such it would not comply with this policy.

12. Policies 1 and 24 of the Core Strategy also concern, in part, character and appearance and, in these regards, apply across the plan area. The extension would also not comply with these policies as it would not compliment and enhance the surrounding area or positively contribute towards townscape, and nor would it be compatible with its surroundings.
13. Paragraph 56 of the National Planning Policy Framework (the Framework) makes it clear that Government attaches great importance to the design of the built environment. This demonstrates the relevance of requiring good design in the consideration of this appeal. I find that the extension does not comply with paragraph 60 of the Framework because although planning decisions should not seek to stifle innovation, originality or initiative, it is proper to seek to promote or reinforce local distinctiveness, which this extension does not achieve.

Other Matters

14. The Core Strategy also seeks to provide for the re-use of previously developed land and buildings in Haslingden for regeneration purposes and to reduce Green Belt pressures. However, this is not uncaveated and Policy AVP6 is clear that improving the attractiveness of the town centre is an important aspect of the area vision. The extension would not contribute to this vision with its harmful effects on character and appearance.
15. I also note comments made about advice given at the pre-application stage by the Council, although this is not a matter for me to comment on in the context of this appeal which I have determined on the basis of the extension before me.

Conclusion

16. I conclude the appeal should be dismissed.

Darren Hendley

INSPECTOR