
Appeal Decision

Site visit made on 29 August 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 8th September 2017

Appeal Ref: APP/E2340/W/17/3175618

Land adjacent Heather View, Green End Road, Earby, Lancs, BB18 6NY

- 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 Michael Firth against the decision of Pendle Borough Council.
 - The application Ref 16/0799/FUL, dated 6 December 2016, was refused by notice dated 9 February 2017.
 - The development proposed is 4 No bungalows and associated site works on land adjacent Heather View, Earby.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is located within the Earby Conservation Area, which encompasses the historic core of the town and its eastern rural fringe. The significance of the conservation area stems from its large number of well-preserved buildings and spaces that reflect the growth of Earby from the 16th and 17th centuries onwards.
4. The Conservation Area Appraisal identifies the appeal site as being located within the 'Victorian and Edwardian Expansion' character area. This area is mainly characterised by rows of 2 storey terraced housing that were built to provide accommodation for mill workers. These terraces are mostly constructed in local stone and form strong building lines, albeit there is some variation in their design.
5. The appeal site comprises an area of open land that was formerly used as a garden to Heather View. It is located opposite a traditional terrace of stone cottages. The development would be laid out around a courtyard, with Plots 3 and 4 being setback from the road, and Plots 1 and 2 set at a right angle to the street. This layout would contrast sharply with the linearity of the surrounding terraces and would therefore be unsympathetic to the character of the area. Plot 1 would also present its side gable to the street and would appear incongruous in this position.

6. The proposed bungalows would have a relatively modern design that would bear little relation to the surrounding properties. Whilst the design would incorporate some detailing, this would not reflect characteristic features of this part of the conservation area. The proposed render finish to the side elevation of Plot No 1 would also have an alien appearance in the street. Whilst there is some variety in the design of the surrounding terraces, and no listed buildings in the immediate area, that does not provide a justification for the development in my view.
7. For the above reasons, I conclude that the development would fail to preserve the character and appearance of the conservation area. This harm would be less than substantial when considered against paragraphs 132 – 134 of the National Planning Policy Framework ('the Framework'). However, the public benefits of providing 4 additional bungalow dwellings in an accessible location would not outweigh the harm to the conservation area in this case.
8. The development would therefore be contrary to Policies ENV 1 and ENV 2 of the Pendle Local Plan Part 1: Core Strategy (2015). These policies seek to ensure, amongst other things, that new development contributes to local identity and character and does not harm the significance of any heritage asset without clear and convincing justification. It would also be at odds with guidance in the Framework relating to designated heritage assets and design.

Other Matters

9. The development would provide one parking space per dwelling, which would be adequate considering each bungalow would only contain a single bedroom. In this regard, the Council state that this level of parking would comply with the development plan.
10. The proposed access would be via a new opening onto Green End Road. This would have adequate visibility in both directions and would not undermine highway safety in my view. I further note that the Highway Authority has not objected to the development on these grounds.
11. The bungalows would be single storey in height. Whilst a number of bedroom windows would look out towards adjoining properties, any views from these windows would be obscured by the proposed 1.8 metre high boundary fence and landscaping. There would be no undue loss of privacy in this regard. Moreover, given the height and position of the bungalows, they would not result in a significant loss of natural light or outlook to neighbouring occupiers.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR