



Appeal Decision

Site visit made on 7 March 2022

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30TH March 2022

Appeal Ref: APP/M2372/D/22/3290809
10 Brantfell Road, Blackburn, BB1 8DN

- 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 Yasin Khonat against the decision of Blackburn with Darwen Borough Council.
 - The application Ref 10/21/1266, dated 11 November 2021, was refused by notice dated 13 December 2021.
 - The development proposed is the retention of dormer to rear roof space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of the Corporation Park Conservation Area (CA).

Reasons

3. The appeal property is a terraced dwelling, which is situated in the CA. The focal point of the CA is Corporation Park, which is a public park of heritage value that was opened in 1857. Dwellings around the park (including those along Brantfell Road) vary in size and status, but they generally reflect the Victorian period in terms of their design features and materials.
4. Number 10 Brantfell Road faces Corporation Park with the rear of the dwelling and the rest of the terrace backing onto a rear alleyway that also serves the rear of dwellings on Langham Road. The properties on Langham Road are not within the CA. Although the rear elevations of the properties along Brantfell Road are not specifically referred to in the Council's Corporation Park Conservation Area Supplementary Planning Document, I noted at my site visit that the majority of the dwellings have retained their original rear roofscapes and gabled outriggers. These are clearly visible from the alleyway and I consider them to be a positive feature that contributes to the heritage significance of the area, even though they are at the rear.
5. The dormer has already been constructed and I was able to observe at my site visit that it occupies much of the existing main rear roof area. I do not regard it as a subservient addition and it appears as an incongruous and dominant feature that is at odds with the existing roofscape, because of its prominent position, scale and bulk.

6. Decision makers must have regard to the desirability of preserving or enhancing the character or appearance of conservation areas. This is reflected in Section 16 of the National Planning Policy Framework 2021 (The Framework) and in Policy 39 of the Council's Local Plan Part 2 2015 – Site Allocations and Development Management Policies (LP2). In addition, Policy 11 of LP2 states (amongst other things) that all new development must demonstrate an understanding of the wider context and make a positive contribution to the local area. Furthermore, Policy CS17 of the Council's adopted Core Strategy 2011 states (amongst other things) that buildings and features, which are of local importance will be protected from inappropriate change or development.
7. Conservation area status should not stifle development, but in this case, I consider that the appeal development fails to either preserve or enhance the character or appearance of the CA. Consequently, it conflicts with the Development Plan and with the Framework, as referred to above.
8. With regard to Section 16 of the NPPF, I consider that the harm to the character and appearance of the CA would be less than substantial. However, I am not persuaded that there are any public benefits arising from the proposal that would outweigh the harm that I have identified.
9. In reaching my decision, I have also taken into account the existence of other dormers in the vicinity of the appeal property. A number of these are on Langham Road, which is not in the CA, therefore, different considerations apply.
10. I also noted dormers at numbers 30 and 36 Brantfell Road, which were previously granted planning permission by the Council. The Council states that these are less prominent. Notwithstanding, the majority of the rear roofscapes along Brantfell Road have not been altered or extended and the dormers at numbers 30 and 36 are not a common feature, nor do they make a positive contribution to the appearance of this part of the CA. Therefore, I am not persuaded that the existence of the other dormers should create a precedent for development that would be harmful to the heritage asset.

Conclusion

11. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR