



Appeal Decision

Site visit made on 27 November 2023

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18.12.2023

Appeal Ref: APP/E2340/D/23/3331436

32 Colne Road, Trawden, Lancashire, BB8 8NX

- 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 and Mrs Hanslip against the decision of Pendle Borough Council.
 - The application Ref 23/0278/HHO, dated 28 April 2023, was refused by notice dated 22 August 2023.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and removal of section of wall to allow for the internal alterations to the new extension and alterations to external boundary walls at 32 Colne Road, Trawden, Lancashire, BB8 8NX in accordance with the terms of the application, Ref 23/0278/HHO, dated 28 April 2023, subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3A; Site plan.
 - 3) No above ground works shall commence on site until samples of all external materials to be used on the roof and walls have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved materials and details.

Preliminary matter

2. I have noted that the application also includes the 'Removal of section of wall to allow for the internal alterations to the new extension. Alterations to external boundary walls' so have considered the proposal on this basis and included that in the formal decision above.

Reasons

3. There are two main issues in this case. Those are:-
 - whether the proposal would preserve or enhance the significance, character and appearance of the Trawden Forest Conservation Area (CA);
 - the effect of the proposal on highway safety in terms of parking.

Conservation Area

4. Paragraph 199 of the National Planning Policy Framework (2023) (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. I have also had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) as amended. Section 66(1) of the same Act requires that special regard must be had to the desirability of preserving a listed building or its setting.
5. The development plan includes policy ENV1 of the Pendle Local Plan Part 1: Core Strategy (2015) which seeks to ensure that the significance of any heritage asset (including its setting) is not harmed or lost without clear and convincing justification. It also includes the Trawden Forest Neighbourhood Plan 2018-30 (2018) (NP) which has a similar objective in Policy 7. The appeal site lies in the Hill Top and Foulds Road area which it identifies as an ancient hill top settlement of C17th century buildings and an Area of Townscape Character with five listed buildings nearby. Development proposals will be supported where there is no unacceptable impact on the character and appearance of the area and where walls and areas of open space are retained, including private yards and gardens, which are open to public view and contribute to the character and appearance of the area. The Council's Conservation Area Design and Development Guidance Supplementary Planning Document 2008 (SPD) has a similar objective and provides more detailed guidance.
6. Hill Top is one of the four main settlements in this large CA and sits on a steep valley side. It is a linear settlement in which buildings of varying scale and style are set along a road which twists and turns as it winds down to the later nineteenth century development of Trawden below. The Council's CA Assessment says that 'it is the extent, number and quality of the historic remains and buildings that gives the Forest area its special historic interest' and describes the townscape here as 'informal and vernacular, tightly clustered with level changes, walls, paths and lanes, enclosures and mixed building types and aspects dominating the scene'.
7. The appeal site has a frontage onto Colne Road with its side and rear boundaries adjoining Foulds Road. It comprises a stone built two storey semi-detached house which appears to have been added at some point to adjoin an older building. It is one of the first dwellings seen on entering the village in the winding approach down Colne Road and the first that is adjacent to the road. Its extended L-shaped form, wide gable end and shallow pitched roof gives it a different form and character to its adjoining neighbour at no 29 which has a shallower, rectangular form and hipped roof. It is set forward of that dwelling with a higher ridge height following the gradient of the road. To the side and rear there is a later two storey extension which is set back significantly from the front elevation and has a much lower ridge height. A small front garden sits in front of that extension, bounded by a stone wall with planting between that and the road. To the side there is a detached garage set back from the road behind an open, paved drive.
8. In terms of its siting, the proposed extension would occupy part of the front garden and the existing stone front boundary wall would be dismantled and set back further away from the road. However, that space presently comprises a

mostly gravelled area with a hot tub and does not make a significant contribution to the character and appearance of the CA. An area of garden would remain between the house and the garage that would retain sufficient openness in the street scene. Views across the garden to the distant hillside through a small gap between the dwelling and those to the rear would remain and the proposed siting is acceptable. As the proposed two storey extension would be in front of the existing two storey extension, it would have no greater impact than at present in terms of views from Foulds Road and more distantly from the east.

9. The form of the proposed extension would follow the existing pitched roof form of the dwelling. It would be sited in front of the existing extension and its front wall would be closer to Colne Road but it would still be set back from the main front elevation by 1m as sought by the NP. Although it would have a higher ridge than the existing extension, it would remain below that of the main roof. The gable end would be widened but would remain less than that of the main part of the dwelling. I noted two historic dwellings nearby with similarly wide gable ends that are seen within the same context. As such, when seen from the front, rear and side, its form would remain sufficiently subservient, albeit to a lesser extent than at present, to the main part of the dwelling and it would sit comfortably within its context.
10. In terms of detail, the proposed windows would be of similar proportions and design to those in the existing dwelling and the dwelling would retain a cottage style appearance. The proposed opening patio doors onto the side garden would not be unduly prominent given their siting on ground at a lower level than the garden. The proposed stone walling materials would match those of the existing dwelling but I have inadequate details to assess if the proposed Indian slate roof tiles would be acceptable. A condition for samples of materials would therefore be necessary to ensure a satisfactory appearance, given the location within the CA.
11. I have also considered the effect of the proposal on the setting of nearby grade II listed buildings. Nos 5 and 6 Hill Top are located on the opposite side and lower down Colne Road. From there the view would be to the front elevation at an oblique angle and as the proposed extension would be on the side elevation, set back from the front elevation and some 23m away, it would not be unduly prominent. Bell Turret at Trawden Hall is located higher along Colne Road. The site is opposite Bell Turret with Trawden Hall having a window facing towards the proposal. Here the distance would be around 65m and as there are boundary treatments of natural stone walls and trees providing screening, the proposal would not be clearly seen. Dent Howe Farmhouse is set further down Colne Road and from there, there would be no view of the proposal.
12. I conclude, therefore, that the proposed development would preserve and enhance the significance, character and appearance of the Trawden Forest CA and the setting of nearby listed buildings. As it would not result in harm to the character or appearance of the CA or to the setting of the listed buildings, there is no need to consider whether there are any public benefits. It would therefore accord with the development plan policies referred to earlier and there are no material considerations that would outweigh that.

Parking

13. The proposed development would result in a five bedroomed house. The development plan also includes policy 31 of the Replacement Pendle Local Plan 2001-2016 (2006) which together with policy 4 of the NP requires that proposals resulting in dwellings with four or more bedrooms provide three parking spaces.
14. The Highways Authority has raised no objection to the proposal and is of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity. There are no restrictions for on-street parking in the area and although the road is generally quite narrow and winding, there are points at which it widens and there is space for some on-street parking in front of this dwelling and its neighbour as well as several spaces further down the road. There is currently a wide drive at the property that provides two parking spaces. The detached garage, although slightly below the dimensions required in the NP, would provide an additional third space. I visited the site in the late afternoon of a mid-week day and observed that there were some free on-street spaces and traffic flow along Colne Road was very light. I accept that parking is likely to be more difficult and traffic flows heavier at peak times but I noted that most of the dwellings in the immediate surrounding area have their own off-street parking.
15. The particular circumstances of the site and its surroundings, in providing three parking spaces together with additional on-street parking, sufficiently outweigh the limited conflict with the NP. I conclude that the proposal would provide satisfactory parking in accordance with the Replacement Local Plan policy 31 referred to earlier and that it would not result in a danger to highway safety.

Conclusion and conditions

16. For the reasons given above, I conclude that the appeal should be allowed subject to conditions. In addition to the standard commencement and compliance with the plans conditions, a condition requiring details and samples of external materials as referred to earlier is necessary in the interests of the CA.

Sarah Colebourne

Inspector