

Appeal Decision

Site visit made on 11 December 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 January 2025

Appeal Ref: APP/E2340/D/24/3352572

48 Ruskin Avenue, Colne, Lancashire BB8 9RP

- 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 Mrs Joanne Byker against the decision of Pendle Borough Council.
 - The application reference is 24/0128/HHO.
 - The development proposed is a front porch.
-

Decision

1. The appeal is allowed and planning permission is granted for a front porch at 48 Ruskin Avenue, Colne, Lancashire in accordance with the terms of the application reference 24/0128/HHO, subject to the following condition:
 - 1) The development hereby permitted relates to the following approved plans: Location Plan; and Elevations and Floor Plans.

Main Issue

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

Reasons

3. The proposed porch has already been completed. This dwelling and its neighbours are of a relatively uniform appearance. The new porch, although of greater scale than most in the vicinity, has been designed to reflect the detailing of the relatively new roof and windows with regards to materials and colour. It sits forward of the building line of neighbouring porches and as a result it is more prominent within the street scene, particularly in longer views. However, it complements and uplifts the appearance of the property and adds interest to it, without detracting from the wider area.
 4. As this development complements and uplifts the appearance of the property and does not result in harm to the character or appearance of the area, it does not conflict with the aspiration of achieving quality design, which is a requirement of policy ENV 2 of the Pendle Local Plan Part 1: Core Strategy 2011-2030 (2015). Policy ENV 1 is not directly relevant to the specifics of this proposal.
-

5. The Design Principles: Supplementary Planning Document 2009 (SPD) advises that front porches with matching material and a pitched roof will be acceptable if extending no more than 1.25 metres forwards. This proposal would exceed these dimensions and include some alternative materials. It therefore falls to be considered against the specific design guidelines. I am satisfied that the style, design, materials and scale respect the character of the house and are not out of keeping in this residential area. The guidelines advise that small porches and canopies of a satisfactory design and materials, projecting in front of the building line, will normally be permitted. I am satisfied that this proposal is not overly large given its height and its depth in comparison to the depth of the frontage forecourt. It retains sufficient space for parking in front of it. Whilst the extension may be larger than anticipated by the SPD as suggested by the council, I am satisfied that it generally meets its design aspirations.
6. Policy CNDP3 of the Colne Neighbourhood Development Plan 2022-2030 (2023) requires that the design of new development should be informed by and retain and enhance the defining characteristics of the Settlement Focus Area of Colne (as set out in the Colne Neighbourhood Development Plan Design Code) within which it is located. The property lies within the Settlement Focus Area D: Northern suburban residential area. The council have not identified the conflict that results with this policy or the design code. I have not found that the proposal conflicts with its objectives.
7. The proposal similarly does not conflict with the National Planning Policy Framework 2024 as it is likely to function well and adds to the overall quality of the area.
8. Although there have been concerns raised about this development setting a precedent, I am not satisfied that, given the character of this area, that other well designed porches, built in good quality materials, would result in harm to the character or appearance of this particular area or indeed the wider Settlement Focus Area. Whilst I have had regard to the council's concerns and the limited disparity with the SPD, I have not found these matters to weigh significantly against the proposal. I therefore allow the appeal.
9. As the building works are complete and the porch is of a high standard with regard to materials, there is no need for conditions relating to the commencement of development or the materials to be used. I have made reference to the details of the approved plans for the avoidance of doubt and in the interests of proper planning.

Peter Eggleton

INSPECTOR