



Appeal Decision

Site visit made on 17 April 2025

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 April 2025

Appeal Ref: APP/E2340/W/24/3358225

Sandy Lane Business Centre, Sandy Lane, Barrowford, Nelson BB9 8NY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Premier Vue against the decision of Pendle Borough Council.
 - The application Ref is 24/0366/FUL.
 - The development proposed is demolition of existing mill building and erection of 2.5 storey apartment building to accommodate 6 apartments and associated site works.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been made by Premier Vue. This is subject to a separate decision.

Preliminary Matters

3. The named applicant as found on the application form and the named appellant on the appeal form do not match. The individuals who are named both appear to be representatives of Premier Vue. Clarification was attained from the appellant on this matter who noted that the appellant is Premier Vue.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Newbridge Character Area.

Reasons

5. The appeal site is located within the Newbridge Character Area. The existing building is a 2-storey stone building with simple window features. This building has a close relationship with the highway and is situated at the junction of Calder Vale and Garnett Street. When viewed from within Garnett Street or Calder Vale, there is an intimate relationship with the neighbouring terraced row and the existing building. This is due to its close relationship with the highway, its distance from these buildings and their similarity in height. These design elements and the intimacy of buildings are prevailing characteristics found throughout the Newbridge Character Area.
6. This existing building would be demolished, and a 2.5 storey building with a single storey flat roof porch to host a cycle store would be erected on a similar footprint. There are elements of this design which must be commended. It would take a

similar appearance to that of the existing building and would utilise similar materials to those found within the vicinity.

7. However, this proposed building would be taller than the 2 storey terraced properties immediately found on Garnett Street and Sandy Lane to which the development would be viewed against. Due to its close relationship with these buildings and its location on a prominent corner plot, this difference in height would be easily apparent. Its scale would disrupt the consistent 2 storey rhythm found within the Newbridge Character Area and as such, this would conflict with the overall development pattern.
8. The appellant has highlighted a development adjacent to Joseph Street. During my site visit, I was able to visit this neighbouring development. This is close to the appeal site and does host 3-storey properties. However, this location is outside of the Newbridge Character Area. It also has a character of a mixture of property heights and forms, unlike the immediate area around the appeal site and the character area. Therefore, this example carries limited weight in support of the appeal.
9. A previous scheme was granted consent to convert the existing building into apartments. The appellant contends that the extent of the repairs required to provide this development made it commercially unviable and as such, the proposal which is the subject of this appeal was made to the Council. However, there would be a notable difference in height between the existing building if it was converted and that proposed in this appeal. This is a key difference between the previously approved development and that considered in this appeal. In addition, this scheme has not been carried out and the evidence before me does indicate that this planning permission has lapsed. Therefore, there is no real prospect of the implementation of an alternative fallback position.
10. To conclude, the proposed development would conflict with Policy ENV2 of the Pendle Local Plan: Core Strategy 2015 (CS) and Policy BNDP 10 of the Barrowford Neighbourhood Development Plan 2019 (NP). These policies seek for development to contribute to the sense of place which is reflective of its surroundings and conserves the character of the Newbridge Character Area.

Other Matters

11. The appellant has commented that the proposal was recommended to be approved by the Planning Officer. However, this application was determined by a Planning Committee. Officers can provide a recommendation for approval, yet, in their capacity as the decision maker, a Planning Committee can make a different decision to that recommended by a Planning Officer.

Planning Balance and Conclusion

12. Section 38(6) of the Planning and Compulsory Purchase Act 2004 outlines that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework indicates that a decision should be taken in accordance with the development plan.
13. I acknowledge that the proposed development would provide an additional 6 apartment units to the supply of housing within Barrowford and a close distance to

Nelson. I ascribe moderate weight to this matter. The proposal would also provide local economic benefits during the construction period. The future occupiers would also provide economic benefits to the local area once the development would be complete through their use of local shops and services. These matters are limited, yet positive benefits of the proposal.

14. However, in my overall consideration of the scheme, these benefits do not outweigh the harm I have found above in relation to the effect of the proposal on the character and appearance of the Newbridge Character Area. The scheme would conflict with the CS and the NP when taken as a whole. There are no material considerations that indicate that decision should be made other than in accordance with the development plan.
15. Therefore, for the reasons given above the appeal should be dismissed.

J Smith

INSPECTOR