



Appeal Decision

Site visit made on 19 August 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/E2340/D/25/3366783

18 Keighley Road, Colne, Lancashire BB8 0JL

- 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 Mr C Wood against the decision of Pendle Borough Council.
 - The application reference is 24/0505/HHO.
 - The development proposed is the conversion and alteration of existing outbuilding to ancillary accommodation, driveway and access.
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Decision

1. The appeal is allowed, and planning permission is granted for the conversion and alteration of existing outbuilding to ancillary accommodation, driveway and access at 18 Keighley Road, Colne, Lancashire BB8 0JL in accordance with the terms of the application reference 24/0505/HHO subject to the conditions set out in the schedule to this decision.

Main Issues

2. The main issues are the effect of the proposed development firstly, on the significance of the appeal property as a non-designated heritage asset; and secondly, on the character and appearance of the local area.

Reasons

Significance of the non-designated heritage asset

3. The appeal property is an end terrace dwelling that occupies a prominent corner position at the junction of Keighley Road and Carry Lane within the main built-up area. Although not a listed building, the terrace to which No 18 belongs is identified as a non-designated heritage asset (NDHA) in the Colne Neighbourhood Development Plan 2022-2030 (CNDP). According to an extract of the CNDP that has been provided, the building dates from before 1840 and is a good surviving example of the Regency architectural style. As a historic building of significant architectural and visual merit, I agree that No 18 and the wider terrace is an NDHA. It positively contributes to the character and appearance of the townscape and the street scene to which it belongs.
4. Just beyond the rear elevation of No 18 is a derelict outbuilding with random coursed stone walls that is proposed to be altered and converted to provide ancillary living accommodation. From what I saw, this outbuilding is in poor condition, with no roof and walls in disrepair. When seen from the rear of the site and along Carry Lane, the outbuilding has a close physical and visual connection

with No 18, and its use may have historical ties with the main house. As such, it forms part of the setting to the NDHA. From each of these vantage points, the outbuilding is a prominent feature in the foreground to the appeal property and its dilapidated appearance detracts from the setting of No 18. In doing so, the significance of the dwelling and the wider terrace as a NDHA is diminished. Without intervention, I have little doubt that the condition of the outbuilding and its effect on the setting of the NDHA is likely to further deteriorate.

5. The proposal has been carefully designed to retain the simple form and appearance of the outbuilding. A new slate roof would be introduced above plain elevations with reinstated gables, repaired walls and an irregular pattern of openings using the existing stone surrounds. The materials would be appropriate and these would include uPVC framed windows to match those within the main house. As a result, the general appearance of the outbuilding would be vastly improved and its contribution to the setting of the NHDA significantly enhanced. By bringing the outbuilding back into a beneficial use, the proposal also provides a way to secure its future upkeep.
6. Beyond the southern side of the outbuilding would be a new walled patio, garden, an access road and an area for off-road vehicle parking, all of which would keep a low profile due to the drop in ground levels. Consequently, these elements of the appeal scheme would not have a significant presence in the context of the NHDA.
7. The existing dry stone retaining wall that marks the highway frontage of the site to Carry Lane would be replaced by a new dry stone retaining wall set back from the edge of the carriageway, with the historic solid stone buttresses re-used. This arrangement, coupled with the introduction of sensitive hard and soft landscaping, which could be covered by a condition, would preserve the positive contribution of the NHDA to the local streetscape.
8. On the first main issue, I conclude that the proposed development would enhance the significance of the appeal property as a NDHA. As such, it complies with Policies ENV2 of the Pendle Local Plan Part 1: Core Strategy (LP), and CNDP Policies CNDP3 and CNDP4. Together these policies promote high quality design and aim to ensure that NDHAs are conserved. It is also consistent with the National Planning Policy Framework (the Framework), which notes that a balanced judgement is required in relation to NDHAs that weighs the scale of any harm or loss and the significance of the heritage asset.

Character and appearance

9. The submitted design would essentially and successfully retain the simple form, traditional appearance and character of an building that is ancillary to the main house. Importantly, it would lack ornamentation or domestic features that might otherwise appear incongruous. Coupled with the proposed walled patio and garden beyond the outbuilding, use of traditional stone walls on either side of the new entrance off Carry Lane, and introduction of appropriate landscaping, the proposal would blend in with the local townscape. In that context, the appeal scheme would not be obtrusive, nor the finished building appear as an overtly domestic structure.
10. Parts of the completed outbuilding and the new access would be visible primarily from Carry Lane and a short section of Keighley Road. When seen from these public vantage points, the flank wall of the outbuilding would remain a prominent

feature albeit clearly subservient to the much larger and taller dwelling. In those views, the proposal would be an integrated feature within the site with limited intervisibility with the open fields beyond. Given the local topography and the screening provided by existing vegetation, longer range views of the proposal both towards and from the wider landscape would be largely unaffected.

11. For all these reasons, the appeal scheme would be a positive response to the characteristics of the site. On the second main issue, I therefore conclude that the proposed development would not cause significant harm to the character and appearance of the local area. Accordingly, there is no conflict with LP Policies ENV1 and ENV2 or the Council's Supplementary Planning Document, Design Principles. Taken together, these policies and guidance aim to protect and enhance the natural and historic environment. It also complies with the Framework, which states, amongst other things, that developments should be sympathetic to local character and add to the overall quality of the area.

Conditions

12. I have considered the conditions outlined by the Council in the completed questionnaire and the Officer's Report against the advice within the Framework and the Planning Practice Guidance. Where necessary, I have amended the suggested conditions primarily for clarity and precision. The appellant has also confirmed his approval of the pre-commencement conditions.
13. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the appearance of the finished building is satisfactory, a condition is necessary to require that samples of external materials are agreed before work starts. A condition to require landscape details is necessary in the interests of the character and appearance of the local area.
14. A condition requiring details of the arrangements for construction and deliveries is necessary for highway safety and to ensure that the living conditions of others are not adversely affected. To protect the structural integrity of the highway, conditions are imposed to require details in relation to the removal of the retaining wall; regrading of land within the site; construction of the new access; and the introduction of the new retaining wall.
15. In the interests of highway safety, a condition requiring details of the surface material for the new access is necessary. For the same reason, conditions are required to ensure that any vehicle parking and access arrangements are in place prior to occupation of the outbuilding; the visibility at the new access off Carry Lane is free from obstruction; and a bin collection point is provided on-site. Details of surface water drainage are necessary to ensure that the site is properly drained. A condition to this effect is therefore imposed. To promote sustainable travel choices, conditions are imposed to require that an electric vehicle charging point and cycle storage are provided.
16. My assessment reflects the ancillary residential use of the outbuilding to the main house, as proposed. Another use could have different consequences, such as the amount of off-road parking required or in relation to the access requirements to the site. A condition is therefore necessary to ensure the use of the outbuilding remains ancillary to the main house.

Conclusion

17. Overall, there are no material considerations that indicate the development should be determined other than in accordance with the development plan, when read as a whole. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin no 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: Refs WOOD/02 Dwg 01, WOOD/02 Dwg 02B, WOOD/02 Dwg 03, WOOD/02 Dwg 04A, WOOD/02 Dwg 05 and 25021-DR-C-0800 Revision P2.
- 3) Notwithstanding the details shown on the approved plans, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include the location and species of all existing trees and other planting to be retained; proposed boundary treatments including elevations and construction details; and proposed hard surfaces including layout, materials and colours. All hard and soft landscape works shall be carried out in accordance with the approved details and completed prior to the occupation of the development hereby permitted or in accordance with a programme that has previously been agreed with the local planning authority.
- 5) The development hereby permitted shall not begin until a drainage scheme for the disposal of surface water has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) No development shall take place, including any site preparation works or vegetation clearance, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding if appropriate; wheel washing facilities and mechanical road sweeping; measures to control the emission of dust and dirt during construction; working hours; routes of delivery vehicles to and from the site; timing of deliveries; a scheme for recycling/disposing of waste resulting from site clearance, construction and earthworks; and measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties. The approved Statement shall be adhered to throughout the construction period.

- 7) No development shall take place until a detailed scheme to remove the existing retaining wall, regrade the ground within the site and construct the approved access has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and completed before the access is first used.
- 8) No development shall take place until a detailed scheme to erect a new retaining wall along the highway frontage of the site to Carry Lane has been submitted to and approved in writing by the local planning authority. The scheme shall include the removal and re-use of the existing buttresses, the tie-in detail on the southern edge and details of the construction paving or landscaping of the area between Carry Lane and the newly aligned retaining wall. Development shall be carried out in accordance with the approved details and completed before the access is first used.
- 9) Before the access to serve the development hereby permitted is used by any vehicle, that part of the access extending from the highway boundary for a minimum distance of 5 metres into the site shall be surfaced in accordance with a scheme that has been previously submitted to and approved in writing by the local planning authority.
- 10) No structure, erection or planting above 0.9 metres in height shall be placed in front of a line from a point 2 metres measured along the centre line of the access to serve the development off Carry Lane from the nearer edge of the carriageway, to points measured 34 metres to the northwest and 30 metres to the southeast, offset by 1 metre from the carriageway edge on Carry Lane.
- 11) The development hereby permitted shall not be occupied until space has been laid out within the site in accordance with a vehicle parking scheme that has previously been submitted to and approved in writing by the local planning authority. The scheme shall include at least 4 off-road car spaces and a turning area to allow all vehicles to enter and exit the site in forward gear. The space for vehicle parking and turning shall be permanently retained for these purposes thereafter.
- 12) The development hereby permitted shall not be occupied until a bin collection point within the access from Carry Lane has been provided in accordance with a scheme that has previously been submitted to and approved in writing by the local planning authority. The bin collection point shall be permanently retained thereafter.
- 13) The development hereby permitted shall not be occupied until an electric vehicle charging point has been provided in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The approved charging point shall be permanently retained thereafter.
- 14) The development hereby permitted shall not be occupied until cycle storage facilities have been provided in accordance with a scheme that has previously been submitted to and approved in writing by the local planning authority. The approved cycle storage facilities shall be permanently retained thereafter.
- 15) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 18 Keighley Road, Colne BB8 0JL.