



Appeal Decision

Site visit made on 4 March 2026

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2026

Appeal Ref: APP/R2330/D/25/3377142

31 Canal Street, Church, Lancashire BB5 4JU

- 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 Martin Maughan against the decision of Hyndburn Borough Council.
 - The application Ref is 11/25/0263.
 - The development proposed is first floor extension above existing single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would enhance or preserve the character or appearance of the Church Canalside Conservation Area.

Reasons

3. As the appeal site is within the Church Canalside Conservation Area (CA), I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area as set out at Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
4. The CA encompasses a meandering section of the Leeds and Liverpool Canal and fields and buildings that adjoin it. Such buildings include the remains of 19th century mills and similarly designed two storey pitched roof terraced workers dwellings. Insofar as it is relevant to this appeal the special interest and significance of the CA is derived from its historical and architectural connections to the textile industry and the form and character of the terraced houses, many of which retain their traditional features and, thereby, give a strong sense of unity to it.
5. Canal Street extends to the canal side and comprises pitched roof terraced dwellings in an area that is characterised by similar residential properties. The appeal property is the end dwelling, nearest to the canal. On my site visit I observed that there are several single storey rear extensions of varying design along Canal Street, but no first-floor extensions.
6. The proposed flat roof first floor extension would be located to the rear of the appeal property but would be seen in open views from Church Street across the adjoining playground. It would also be highly visible when travelling along the canal. The extension would not exceed the eaves height, would be constructed in sympathetic materials, and the window design would reflect the existing. Nonetheless, its two-storey height and flat roof would be a stark contrast to the

pitched roof dwellings in the area and would draw the eye in a way that the existing single storey rear extensions do not.

7. As highlighted by the appellant, there are several two-storey rear extensions on Church Street. However, they differ from the proposed development as they have either a pitched gable roof, or a shallow pitched lean-to roof. Furthermore, due to the close position of the terraces on John Street and Kirk Road, the Church Street extensions are not as prominent in views from public vantage points as the appeal proposal would be. The rear extension on St James Road, that has also been drawn to my attention, has a lean-to pitched roof and, consequently, is not directly comparable to the appeal scheme.
8. Based on the evidence before me, I find that two storey flat roof rear extensions are not typical of the area. The proposed development would, therefore, be an incongruous and uncharacteristic addition to the CA. It would diminish the uniformity of the terrace within which it would be located and would, thereby, be harmful to the character and appearance of the CA.
9. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). With reference to paragraph 214, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. In this instance, the harm would be at the lower end of 'less than substantial' but is nonetheless of considerable importance and weight. Under such circumstances, paragraph 215 advises that this harm should be weighed against the public benefits of the proposal.
10. Additional accommodation would benefit the occupiers of the property by adapting it to their evolving needs. However, this is a private and not a public benefit. Whilst there would be some economic benefits through the construction of the proposed development, I attribute this limited weight given its small scale. The continued occupation of the dwelling would support local shops and facilities. However, no substantive evidence has been provided to suggest that the dwelling would become vacant if this appeal fails. Accordingly, the public benefits are not sufficient to outweigh the identified harm to the character and appearance of the CA.
11. Therefore, I find the proposal would harm the character and appearance of the Church Canalside Conservation Area. It would therefore be contrary to Policy ENV6 of the Core Strategy, adopted 2012, and policies DM22 and DM26 of the Development Management DPD, adopted 2018. These policies, amongst other things, seek to secure high-quality design and protect heritage assets. It would also be contrary to the similar aims of the Framework.

Conclusion

12. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict. I conclude that the appeal should be dismissed.

Elaine Moulton INSPECTOR