



Appeal Decision

Site visit made on 18 March 2013

by Matthew Birkinshaw BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 April 2013

Appeal Ref: APP/T2350/A/12/2188746

29 Moor Lane, Clitheroe, Lancashire, BB7 1BE

- 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 Jo Harding and Mrs Catherine Britcliffe against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2012/0831, dated 7 September 2012, was refused by notice dated 6 November 2012.
 - The development proposed is described as the installation of a 2.5m x 1m balcony to second floor window on Lowergate aspect of 29 Moor Lane.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the Clitheroe Conservation Area.

Reasons

3. The appeal relates to the installation of a balcony on the rear elevation of the host property facing onto Lowergate. The *Clitheroe Conservation Area Appraisal* (CAA) (2005) describes Lowergate as an ancient route which meanders through the town centre, but also recognises the 'backstreet' atmosphere associated with the rear of commercial properties surrounding the appeal site. Notwithstanding some of these negative features, the area remains characterised by the historic street pattern, and the largely traditional appearance of predominantly stone and rendered, 18th and 19th century buildings. These characteristics help define the Clitheroe Conservation Area and form part of its significance as a designated heritage asset.
4. Due to the curved nature of Lowergate, views of the appeal property from the north are limited. However, from the south the rear elevation is clearly visible in the public domain as it extends beyond the neighbouring building line and follows the natural curve of the street. I appreciate that the balcony would be a relatively lightweight, transparent and potentially removable structure, that it would not dominate the building and could be finished in a choice of materials. However, in such a prominent position, I concur with the Council that the introduction of a protruding balcony approximately 6m above ground level would appear as an incongruous, and visually intrusive feature on this traditional building.

5. Situated at the rear of the appeal property, the proposal would have no impact on the character or appearance of the shop fronts along Moor Lane. The balcony would also be viewed in the same context as an extraction flue and modern metal enclosures on neighbouring commercial properties. However, whilst these features do not necessarily preserve or enhance the character or appearance of the conservation area, they do not justify further additions to a prominent, traditional building on an original street noted for its townscape merit. Even at the rear, in my opinion the balcony would fail to be in keeping with, and detract from the largely traditional appearance of Lowergate that is part of the area's heritage.
6. When visiting the site and surrounding area I saw other balconies in the town centre referred to me by the appellants, as well as areas of outdoor seating cited by neighbouring residents. However, I have not been provided with information on how they came to being there, or the relevant planning policy considerations taken into account at the time. Nonetheless, the majority of other balconies are primarily subservient features that do not share the same prominence as the appeal property within the conservation area. Balconies which are visible from Lowergate to the north are at first floor level, are on buildings set back from the street and are viewed across a public car park. This relationship, along with others in the area is therefore materially different to the scheme before me, and consequently I can attribute the presence of these alterations only limited weight.
7. Whilst material, the harm to the significance of the conservation area would be less than substantial. In this regard, the social and economic importance of maximising the space available and securing the optimum viable use of the building is noted. However, based on the information presented, I am not persuaded that the sustainable future of either the appeal property or associated business is wholly dependant upon the provision of a balcony. Likewise, I appreciate the significant investment that has gone into the building and the positive knock-on effect continued improvements could bring about to Lowergate. However, in this instance I am not convinced that the proposal before me would necessarily address the negative features associated with the immediate surrounding area. Whilst I appreciate there would be some tangible public benefits as a result of the scheme, on balance, they would not outweigh the material harm to the significance of the conservation area.
8. By virtue of its prominence on a traditional building noted for its townscape merit, the design and appearance of the protruding balcony, despite being positioned on the rear, would fail to either preserve or enhance the character or appearance of the Clitheroe Conservation Area. The proposal is therefore contrary to *Ribble Valley District Wide Local Plan* (1998) Policy ENV16 which requires development in conservation areas to reflect the character of the area. The proposal is also contrary to Local Plan Policy G1 (a) which states that development should be sympathetic to existing land uses. Both policies are broadly consistent with the National Planning Policy Framework which seeks to ensure that development maintains the significance of designated heritage assets. In this regard the proposal is therefore also contrary to national guidance.

Other Matters

9. In reaching my conclusion against the main issue I have also taken into account that the balcony would provide valuable outdoor space and that neighbouring residents support the scheme. Whilst I recognise the support from local residents and sympathise with the need for additional space, these factors do not justify the proposal given the harm it would cause to the character and appearance of the conservation area, or outweigh the conflict with both local and national planning policy.

Conclusion

10. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR