
Appeal Decision

Site visit made on 7 September 2016

by Andrew McGlone BSc MCD MRTPI

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

Decision date: 19 September 2016

Appeal Ref: APP/N4205/W/16/3152635
45 Hulton Lane, Bolton BL3 4JD

- 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 Yusuf Pandor against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 95211/15, dated 26 October 2015, was refused by notice dated 18 December 2015.
 - The development proposed is a new elderly persons bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of (i) the proposed bungalow on the character and appearance of the area, having particular regard to the amenity space provision; and (ii) the proposed parking arrangement on highway safety.

Reasons

Character and Appearance

3. The appeal site is a two storey terraced dwelling sited on the corner of Hulton Lane and Kirkebrok Road. A mixture of terraced and semi-detached dwellings characterise the area. The former in particular lines Hulton lane. The appeal site is constructed in red brick with a slate pitched roof. A small rear yard is to be rear of each terrace in the row. The appeal site and 43 Hulton Lane differ slightly, in that their splayed side boundaries facilitate a side and rear yard. A single storey extension is to the side of No 43, whereas the appeal site is largely covered in hardstanding. This enables washing to be hung, bins stored and two vehicles to be parked off the highway. Vehicular access is gained from Kirkebrok Road. The side and rear boundary is lined by a concrete post and panel fence. A number of terraces in the row have extended to the rear. Back Hulton Lane runs behind the terraces. It provides a break to dwellings on Kirkebrok Road.
 4. Externally the proposed bungalow would be set behind the front building line of No 45 and in design terms, as the Council accepts, it would appear as an extension to the No 45 rather than a separate dwelling altogether. Nevertheless, the plans clearly show that the bungalow would be separate entity from No 45 and it is all laid out on the ground floor with elderly
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occupants in mind. The site forms part of an established residential community in close proximity to a variety of facilities and transport connections to larger nearby centres. Nevertheless, the proposal would occupy significant portion of the side and rear yard.

5. The bungalow would be subordinate to the adjacent terraces. However due to the size of the proposed bungalow, the resultant space available for car parking and the occupant's amenity is below half of the 50sqm considered to be the minimum by the Council. Even though this figure is a guide and ought not to be used as a minimum standard, the proposed yards would still be smaller than many of those serving neighbouring dwellings in the terrace. Policy RA1 of Bolton's Core Strategy (CS) seeks to make efficient use of land in inner Bolton, but this does not justify inadequate amenity space provision or a departure well below the 50sqm guide or even that found in the adjoining terraces. The proposal would leave the bungalow and No 45 with very small yards compared to others nearby. I consider this signifies that the proposal represents an overdevelopment of the plot which would be out of character with the area.
6. I acknowledge not every dwelling is able to provide both off-street parking and amenity space for the occupants. Nevertheless the appeal site currently does. Whilst planning decisions often involve a trade-off between aspects of a development, it is evident the bungalow seeks to provide both. In doing so, little space would remain for the occupants to hang washing or use the space for much else. I attach considerable importance to this, given the occupants would be elderly and it would be a reasonable expectation of the occupants to be able to use the outside space during the day.
7. For these reasons, I conclude on this issue that the proposed bungalow would adversely affect the character and appearance of the area, having particular regard to the amenity space provision. The proposal is contrary to Policies CG3 and RA1 of the CS and the Supplementary Planning Documents 'General Design Principles' and 'House Extensions'. These together, amongst other things, seek to ensure development has regard to the character and local distinctiveness as well as providing adequate amenity space for occupants.

Highway Safety

8. Hulton Lane is a well-used road that connects Wigan Road with St Helens Road. In front of the site there is a right turn lane marked for vehicles turning into Kirkebrok Road from Hulton Lane. Unrestricted on-street parking is available nearby on both sides of Hulton Lane. This enables traffic to pass freely in either direction. Adjacent to the appeal site's flank boundary is Kirkebrok Road. Double yellow lines extend around both sides of its junction with Hulton Lane. Kirkebrok Road contains a mixture of residential dwellings and commercial premises found in the Stanley Wharf Business Centre that includes a gym and the motocentre.
9. As the appellant points out Appendix 3 of the CS points to a requirement of 1 space for a 1 bedroom dwelling. Whilst these are maximum standards and elderly persons may not drive, this cannot be guaranteed regardless of regular bus services. In any event the proposal includes one off-street parking space to serve the bungalow and therefore in this regard the scheme would comply with the parking standard. Nevertheless, as the Council point out this would be at the expense of the existing parking provision serving No 45. This would result in a deficit of off-street parking for No 45 as the respective plots would

be severed. Consequently the occupants of No 45 would have no other option other than to park on-street.

10. Vehicles, as the appellant points out, would be able to park unrestricted on Hulton lane and Kirkebrok Road which is at a premium. Demand for spaces near to the site would very likely increase during evening hours, given the extent of on-street parking which I observed on Hulton Lane and Kirkebrok Road. I acknowledge the amount of additional parking would correspond with the proposal, but due to the site's location on the junction, this would in my view lead to vehicles parking on Kirkebrok Road between Varley Road and Hulton Lane. Vehicles parked here, would narrow the width of the carriageway close to the junction which would lead to vehicles undertaking manoeuvres in-between parked vehicles. Whilst on-street parking is already well-used on Kirkebrok Road in connection with the commercial premises, vehicles undertake manoeuvres away from the junction. Thus, due to the site's location, I consider there is potential for additional on-street parking to detrimentally affect highway safety.
11. I recognise the nearby bus stops and accessibility of local facilities mainly on Hulton Lane. However I do not consider these matters outweigh the harm to highway safety that I have identified. For these reasons, I conclude on this issue that the proposed parking arrangement would detrimentally affect highway safety. Accordingly, the proposal is contrary to Policies P5, S1 and Appendix 3 of the CS; which together seek developments to provide sufficient levels of parking provision to ensure highway safety.

Other Matter

12. Whilst the flank boundary would be replaced, I have no details before me of the new boundary treatment to attach this any significant weight in favour of the proposal, despite the appellant's view. In any event it is not a matter that is decisive in the outcome of this appeal.

Conclusion

13. Even though the proposal would contribute towards the local housing supply and it would specifically target a particular demographic, the scale of the contribution is not substantial and I do not consider it outweighs my findings on both main issues.
14. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR