
Appeal Decision

Site visit made on 8 November 2016

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 10 November 2016

Appeal Ref: APP/N4205/D/16/3155468

692 Chorley Road, Westhoughton, Bolton, BL5 3NL

- 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 Robert Fielding against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 96513/16, dated 10 May 2016, was refused by notice dated 21 July 2016.
 - The development proposed is the alteration of the existing dwelling by way of part demolition and using the volume to re-build a 1½ storey block at the rear. The front section to remain as an ancillary building.
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Decision

1. The appeal is allowed and planning permission is granted for the alteration of the existing dwelling by way of part demolition and using the volume to re-build a 1½ storey block at the rear. The front section to remain as an ancillary building at 692 Chorley Road, Westhoughton, Bolton, BL5 3NL in accordance with the terms of the application, Ref 96513/16, dated 10 May 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; drawing numbers CR/PL/XVI/001 (Proposed Plans and Elevations); Existing Elevations (North, East and West) Existing Plans (Ground and First Floor)
 - 3) Construction of the extension hereby permitted shall not commence until the existing part of the house within the dotted line indicated in Drawing No CR/PL/XVI/001 (Proposed Plans and Elevations) has been fully demolished. None of it shall be retained or rebuilt and the area within the dotted line shall be kept free of buildings thereafter.
 - 4) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural Matters

2. There has been dispute between the parties over the description and nature of the development. To clarify matters, the proposal is for part of the existing dwelling to be demolished and another part to be extended. This would result in the original part of the dwelling being detached from the newer part. There
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is no proposal for any change of use and therefore, both old and new would remain as one residential unit.

Main Issues

3. The appeal site is within the Green Belt so the main issues are:

- whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (the Framework);
- the effect upon the openness of the Green Belt;
- the effect of the proposal upon bats; and
- if the proposal is found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether or not the proposed development would represent inappropriate development

4. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless they fall within various specific categories which include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy CG7AP of Bolton's Allocations Plan, 2014 reflects the Framework.
5. I appreciate that the dwelling has been previously extended and has a long planning history. However, the relevant question is by how much the current proposal would add to the original building. The appellants say that 550 cubic metres of the dwelling would be demolished and that the extension would measure 500 cubic metres resulting in a net decrease in volume. The Council has provided no analysis by how much, if at all, the proposed extension would enlarge the house and I have no reason to dispute the appellant's figures.
6. Therefore, the proposed extension would not result in disproportionate additions over and above that of the original building and the proposal would not represent inappropriate development within the Green Belt. Consequently, I find no conflict with the Framework or with Policy CG7AP of Bolton's Allocations Plan.

Openness

7. The proposal would result in two separate buildings, whereas, there is currently one long building. Therefore, the resultant dwelling would be less compact than the existing one. However, any building or extension would have some effect upon openness but as I have found that the development is not inappropriate, the effect upon openness is, by default, acceptable.

Bats

8. The Council has stated that the existing building may, "due to its location and surroundings" have the potential to support roosting bats. However, this information is vague. I have insufficient evidence, therefore, to suggest that

there is a reasonable likelihood of bats being present on the site. Consequently, I find no conflict with Bolton Core Strategy Policy CG1 which seeks to safeguard biodiversity.

Conditions

9. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition it is necessary in the interests of precision, to define the plans with which the scheme should accord. A condition concerning external materials is required in the interests of the character and appearance of the area. A condition is necessary to ensure that the demolition takes place in order to protect the openness of the Green Belt.

Conclusion

10. For the above reasons, I allow the appeal subject to conditions.

Siobhan Watson

INSPECTOR