
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/16/3155522

99 Hill Cot Road, Bolton, BL1 8RN

- 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 I Patel against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 96046/16, dated 5 March 2016, was refused by notice dated 9 May 2016.
 - The development proposed is a part double and a part single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed extensions upon (i) the living conditions of the occupiers of nearby dwellings and (ii) the character and appearance of the area.

Reasons

Living Conditions

3. No. 101 is at a significantly higher level than the appeal site. It is also separated from the appeal site by an access road and landscaped verges. Although the extensions would be large, the difference in height between these two properties, and the significant distance between them would prevent the extensions having any adverse impact upon the outlook from No. 101.
 4. The proposed two storey rear extension would be sited close to the boundary with No 97 and would project almost 5m beyond the main rear elevations of the both the host dwelling and that of No 97. The extension might not breach the 45 degree code "rule of thumb" mentioned in the Council's *House Extensions Supplementary Planning Document* (SPD). However, this guidance also says that extensions of up to 4m long and at least 2m away from the boundary will normally be acceptable. The proposed extension does not fit these criteria. Given its two-storey height, its long projection and its proximity to the boundary, I consider that it would present a dominant, overbearing and enclosing feature when viewed from inside No 97 and from within its garden.
 5. The proposed single storey extension would be too far away from No 97 to have any adverse impact but this would not overcome the harm which would
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result from the 2-storey extension. I note that the neighbour did not object but this is not a determinative factor.

6. I therefore conclude that the proposed two storey rear extension would have a harmful effect upon the living conditions of the occupiers of No 97 Hill Cot Road. Consequently, it would conflict with Policy CG4 of Bolton's Core Strategy (CS), 2011 which seeks to protect the amenity of adjoining occupiers.

Character and Appearance

7. The access road alongside the appeal property enables the rear of the site to be visible within the street-scene. The extensions would result in the dwelling being unusually large in comparison with its neighbours. However, the generous garden size, grass verges and trees to the side and rear of the garden, results in the dwelling having a fairly spacious setting which would visually accommodate the increased building mass. Furthermore, the plot is substantially lower than the access road and this clear difference in height would mitigate the visual impact of the extensions.
8. The side extension would be set back a long way from the front elevation and it would be single storey. I therefore consider that it would have little impact upon the appearance of the front elevation of the dwelling.
9. I conclude that the proposed extensions would have an acceptable effect upon the character and appearance of the area. Consequently, I find no conflict with CS Policies CG3 and OA5, or the Council's SPD, which jointly seek to protect character and appearance.

Conclusion

10. Whilst I find the effect upon the character and appearance of the area acceptable, this does not overcome the significant harm I find to the living conditions of the neighbour. I have taken into account all other matters raised but none outweigh the conclusions I have reached and the appeal is dismissed.

Siobhan Watson

INSPECTOR