The Planning Inspectorate

Appeal Decision

Site visit made on 14 March 2017

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

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

Decision date: 28 March 2017

Appeal Ref: APP/N4205/D/17/3168803
870 St Helens Road, Bolton BL5 1AA

- 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 Cole Hibbert against the decision of Bolton Metropolitan Borough Council.
- The application Ref 97591/16, dated 4 October 2016, was refused by notice dated 28 November 2016.
- The development proposed is described as modification to loft conversion design and to roof lights to single storey rear extension and to update the drawings in line with modified dwelling designs.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;

- the effect of the development on the character and appearance of the area; and,
- the effect of the development on outlook.

Procedural matters

3. Planning permission was granted for a single storey extension to the side and rear, together with a rear dormer (ref 95274/15). However, the development has not been carried out in accordance with the approved plans. The application that is the subject of this appeal seeks to regularise the situation. I note that the revised drawing (ref 133/1600-1B) submitted with the application does not reflect the built single storey side and rear extension. Be that as it may, it is clear that the appellant has applied for permission for what has been constructed. As a result, I shall assess the development on the basis of what has been built, rather than what is shown on this drawing.

Reasons

4. The appeal property is located on the western side of St Helens Road where two storey, semi-detached dwellings have created a regular rhythm of suburban development of which the appeal property forms a part. The Council has no objection to the single storey side extension, with its gently sloping roof, or to the flat roofed rear extension, which has three protruding roof lights. As these features of the proposed scheme are well designed, I agree with this position.

5. The supplementary planning document 'House Extensions' (SPD) provides guidance on roof extensions. It is supportive of dormer extensions that sit within the roof slope thereby respecting the form of the roof. A dormer that complied with this guidance was approved as part of the planning permission referred to earlier.

6. The loft conversion that has been built, in accordance with the submitted plans, occupies the full width and height of the rear roof slope and has a flat roof. As a result, it dominates the rear of the building and has changed the dual pitched roof form of the house to one that has a flat roof to the rear. This has resulted in No 870 appearing as a three storey, overly large and dominant dwelling in views from the rear of neighbouring houses along St Helens Road. This is demonstrably out of keeping with the modest regular rhythm of two storey development and sloping roofs that characterises the area. Whilst the loft conversion is mainly visible in private views this does not diminish the harm that has occurred. The scale of the loft conversion is also apparent in glimpsed views between the appeal property and No 868 from St Helens Road.

7. For these reasons, the development is incongruous and unacceptably harms the character and appearance of the area. For the same reasons, it has an overbearing effect on the rear gardens of neighbouring properties. As these gardens are the sole private amenity spaces to these dwellings they are of high amenity value. Consequently, the loft conversion also demonstrably harms the living conditions of neighbours. The development is therefore contrary to policies CG3 and CG4 of Bolton's Core Strategy and the SPD. These policies respectively require the protection of the character and appearance of a locality and amenity through high quality design.

Other matters

8. The appellant states that following discussion with the Building Inspector, the loft conversion was not built in accordance with the granted permission due to concerns that the dormer would not be strong enough to withstand storms. However, dormers are frequently found on houses in exposed locations and no structural calculations have been provided demonstrating that this is the case. Consequently, this consideration is insufficient to outweigh the harm that would be caused to the character and appearance of the area and the living conditions of neighbours, contrary to the development plan.

9. The appeal property is located within the Green Belt where the extension of a building is not inappropriate development if it does not result in disproportionate additions over and above the size of the original building. The Council does not object to the development on these grounds. Whilst the loft conversion is overly large, dominant and harmful to the character and appearance of the area, the extensions viewed in relation to the property as a whole do not represent a disproportionate increase in size. As a result, the scheme, in terms of Green Belt policy, is not inappropriate development. Nonetheless, this finding does not negate the unacceptable harm I have identified in relation to the main issues in this appeal.

Conclusion

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

Ian Radcliffe Inspector