

Appeal Decision

Site visit made on 17 May 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 02 June 2017

Appeal Ref: APP/N4205/D/17/3170901

3 Mancroft Avenue, Bolton, BL3 3AA

- 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 Mrs Sabiha Muhammad against the decision of Bolton Council.
 - The application Ref 98146/16 dated 21 December 2016 was refused by notice dated 23 January 2017.
 - The development proposed is a proposed two storey extension at side and rear together with single storey extension at front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (1) the character and appearance of the host property and the area, (2) the living conditions of neighbouring occupants with regard to privacy and outlook, and (3) the effect on highway safety.

Reasons

Character and Appearance

3. The appeal property is a two-storey semi-detached house which is situated on an irregular shaped plot on Mancroft Avenue. Alongside the adjoining property, No. 5, it faces the highway at an angle and is set back behind a triangular grass verge. This area of open space, alongside the setback of properties behind garden and parking areas, gives the area an open and pleasant residential character.
 4. The proposal is for a two-storey side and rear extension as well as a single storey extension to the front. The side extension would be in line with the existing two storey part of the dwelling to the front. As it projects to the rear, part of the two-storey extension would be angled, following the line of the side boundary with No. 1. This would result in an extension which would be uncharacteristic of the simple rectangular form of properties in the area. It would have a cramped and contrived appearance, with the extension also having an unusual and convoluted roof form, which would consist of multiple roof slopes at different angles and directions.
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5. The front extension would add to the mass of the appeal property and despite its single storey form, it would project beyond the front common building line with the adjoining property. The front and side elements of the proposal would be clearly visible and prominent in the streetscene. As such, I consider the proposal, due to its scale, form and siting, would detract significantly from the character of the host property and the area.
6. For these reasons, I conclude that the proposal would cause substantial harm to the character and appearance of the host property and the area. It would therefore conflict with Policy CG3 of Bolton's Core Strategy (Core Strategy), which requires, amongst other matters, for development to be compatible with the surrounding area. It would also be contrary to the Supplementary Planning Document *House Extensions* (SPD), which seeks well designed extensions that are sensitive to the proportions of the existing house.

Living Conditions

7. The proposed rear extension would project 4m to the rear of the existing dwelling and would be located close to the boundary with No. 5. Although this neighbouring property has been extended at ground floor level, it has a first-floor bedroom window located on the main rear elevation, close to the common boundary it shares with the appeal property. Given this positioning, the rear extension would have an excessive projection which, the Council state, with reference to the SPD, that it would infringe a 45-degree line taken from the centre of this window. This would have a detrimental overbearing impact from this neighbouring property's window.
8. The proposal would also be located close to the boundary with No. 1. However, given this neighbouring property is situated at a higher level than the appeal site and the angled relationship between them, I do not consider that there would be any harmful impact on the outlook from No 1. The two-storey extension would however have a first-floor bedroom facing this neighbour at close-quarters. Despite the appellant's views, I do not consider that overlooking is inevitable and whilst obscure glazing has been suggested and this may address any loss of privacy, it would create an unattractive space and compromise the outlook of the occupiers of the proposed bedroom.
9. I therefore conclude that the proposal would have an unacceptable effect on the living conditions of neighbouring occupants with regard to privacy and outlook. It would conflict with Core Strategy Policy CG4 which requires development to protect the amenity of surrounding occupiers.

Highway Safety

10. The Council have stated that provision for 3 car parking spaces should be made for a dwelling containing 4 bedrooms. The proposal would result in the provision of 1 car parking space. Although the appellant has stated that there is only one driver at the appeal property and that the bedrooms proposed are for children, the development would remain long after the circumstances of the existing occupiers change. The Council have raised concerns about the increase in demand for on-street parking. Whilst I recognise the Council's concern, at the time of my site visit, there was little on-street parking in the vicinity of the site. This is also confirmed in images provided by the appellant and I do not

therefore consider there would be any unacceptable effect of increased on-street parking.

11. I therefore conclude that the proposal would not be harmful to highway safety. Although the Council's Parking Standards require 3 spaces for a dwelling of this size, these are maximum standards. The proposal would therefore not conflict with Core Strategy Policy P5 or the Supplementary Planning Document *Accessibility, Transport and Road Safety*, which seek, amongst other matters, the adequacy of parking provision with development proposals.

Other Matters

12. I note the extension is needed to meet the accommodation needs of the appellant's family and in particular provide additional bedroom space. I have also taken account of the unusual configuration of the site and the amount of external space that would remain post development. The appellant has in addition made reference to the handling of the appeal application by the Council and it not being considered by the Planning Committee. However, I find that none of these matters would add material support to the proposal, such as to outweigh the significant and lasting harm that would be caused to the character and appearance of the property and area, and to neighbouring occupiers living conditions.
13. The appellant has made reference to a number of other properties in the area, where it said that extensions which are larger than the appeal proposal and that which the SPD allows for, have been granted. Whilst some details of these referenced extensions have been provided, I am not aware of the full circumstances of those cases. I am however required to determine the appeal before me on its own merits.

Conclusion

14. I have found in the appellant's favour in relation to highway safety. However, I conclude that the appeal proposal would be unacceptable in relation to the impact on the character and appearance of the host property and the area, and also in respect of the effect on the living conditions of neighbouring occupants.
15. For the reasons given above and having considered all other matters raised, the appeal should be dismissed.

F Rafiq

INSPECTOR