

Appeal Decision

Site visit made on 26 February 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2020

Appeal Ref: APP/N4205/D/19/3243237

64 Longworth Road, Egerton, Bolton BL7 9TS

- 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 Andrew Johnson against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 06480/19, dated 11 July 2019, was refused by notice dated 28 November 2019.
 - The development proposed is described as "erection of 2500mm approx netting to top of existing fence".
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit, the proposal was in place. I have dealt with the appeal accordingly.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the surrounding area and (ii) the living conditions of the occupiers of neighbouring properties with regards to outlook.

Reasons

Character and appearance

4. The surrounding area is characterised predominantly of residential properties of traditional form with rear gardens containing common domestic items such as sheds, pergolas and bounded by typical timber fencing up to around two metres in height.
5. The proposed netting and associated poles are substantially higher than the existing garden paraphernalia which surrounds the site and appears as an incongruous feature. The proposal is not a solid structure and is not highly noticeable from public vantage points including the shared access area and the main street scene. Nevertheless, the proposal is an alien feature which is visible from the immediate surrounding area, particularly from neighbouring properties. I note that the neighbouring property 66 Longworth Road (No 66) has not raised any objections to the proposal however the proposal is a discordant structure that detracts from the appearance of the area.

6. The proposal does have a harmful effect on the character and appearance of the surrounding area. The proposal therefore conflicts with Policies CG3 and OA5 of the Bolton's Core Strategy Development Plan Document 2011 and Bolton Council Supplementary Planning Document House Extension 2012 which seek development to have regard to the overall built character.

Living conditions

7. The proposal is higher than the existing boundary treatment in the area however, it is not a solid structure. Whilst the proposal is on the boundary with the garden of neighbouring property No 66, it is not located within close proximity to the windows and doors of No 66 or other neighbouring properties in the area.
8. Due to the siting of the proposal and given it is not a solid structure, the structure does not appear overly dominant when viewed from neighbouring properties.
9. The proposal does not have a harmful effect on the living conditions of the occupiers of neighbouring properties with regard to outlook. The proposal would not be contrary to Policy CG4 and part 11 of Policy OA5 of the Bolton's Core Strategy Development Plan Document 2011 which seeks development to be compatible with surrounding occupiers, protecting amenity and protect views from public areas to the surrounding landscape.
10. Whilst I have found that the proposal would not adversely affect the living conditions of neighbouring occupiers, this would not outweigh the harm I have identified with regard to character and appearance.

Other matters

11. I have had regard to the appellants statement of case in which it describes that the proposal is to support the children of the appellant in playing football and encouraging exercise and a healthier lifestyle. Whilst I consider this to be a benefit, it would not outweigh the harm I have identified in the main issues above.
12. The appellant has suggested a temporary permission indicating a five-year period after which the structure would be removed. This would ensure that the character and appearance of the surrounding area would not be harmed in the long term. However, I can only assess the proposal subject of this appeal and that is for a permanent structure.

Conclusion

13. I conclude that for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR