



Appeal Decision

Site visit made on 10 March 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 March 2020

Appeal Ref: APP/N4205/W/19/3242464

27 Barnfield Close, Egerton, Bolton, Greater Manchester BL7 9UP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Chapman against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 06961/19, dated 5 September 2019, was refused by notice dated 15 November 2019.
 - The development proposed is a vehicular access and layout to allow erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline but with details of access and layout included. I have had regard to the location plan and detailed site plan showing the access point and layout. I have determined the appeal on that basis. Plans submitted showing a potential appearance of the building and ground levels are indicative only.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the locality; and,
 - the living conditions of neighbouring residents at 24 and 27 Barnfield Close with particular regard to outlook and privacy.

Reasons

Character and appearance

4. Barnfield Close (the Close) is a modern residential cul-de-sac set on steeply inclined land rising towards the appeal site which is located adjacent to the turning head. The road features consistently designed and regularly spaced semi-detached houses set behind open landscaped front gardens with side drives. Private garden areas are provided to the rear. The appeal site is one of two open garden areas at the end of the road surrounded by low stone walls which provide an open aspect and allow views from the Close to open countryside beyond. A public footpath runs between the gardens on to Cox Green Road.

5. Cox Green Road defines the edge of the built-up area of the residential estate in which the appeal site is located. Land on its north-eastern side is rising open grazing land. In contrast to the Close, the south western side of Cox Green Road is characterised by a mix of housing which exhibit considerable variety in their age, style and design. The appeal site and the adjacent open garden area provide a visual break within the Cox Green Road frontage and an open greenspace at the head of the Close, albeit private land.
6. This provides a semi-rural characteristic to the Close, which is continued along Cox Green Lane. On approach along the Close, the open aspect of the site provides views of the dramatic landscape beyond framed by the existing rows of development. This arrangement contributes significantly to the character of the locality and the distinctiveness of the Close.
7. The subdivision of the unusually large plot of 27 Barnfield Close would result in plot sizes that are commensurate with the size of other plots in the vicinity. The proposed layout would see the building's primary elevation set back behind a front garden onto the Close in a manner comparable to those of the existing houses. It would retain a similar degree of separation to the nearest unit and a sense of space about it.
8. However, unusually, the plot has three frontages along which views into the site are readily available. Consequently, in order to provide a suitable standard of private amenity space for prospective occupiers of the dwelling, the layout plan shows that it would be necessary to introduce high screen fencing forward of No27 along the proposed dividing boundary. In the context of a predominantly open fronted estate this would appear incongruous within the streetscene and contrast with its prevailing open character.
9. Furthermore, the position of the building would be such that it would cover a large part of the open garden space of No 27 and encroach significantly into the open vista at the head of the Close. Policy OA5 of the Bolton Local Development Framework Core Strategy Development Plan Document (2011) (CS) seeks to ensure that new development protects views from public areas to the surrounding landscape.
10. The arrangement of development would reflect that of other culs-de-sac found locally and would sit comfortably in the irregular line of development fronting Cox Green Lane. However, along with the proposed screen fencing, its encroachment into the open space beyond the existing rows of houses on the Close would close down the open character at the head of the cul-de-sac. This would interfere with the open views of the landscape beyond and be particularly evident on approach due to the curved alignment of the lower part of the Close.
11. Although the gaps either side of the building would retain some sense of spaciousness, the effect would be to significantly change the existing character of the cul-de-sac and unbalance the arrangement of development about it.
12. For the above reasons, I conclude that the proposed development would fail to preserve the local distinctiveness and therefore conflict with Policies OA5 and CG3 of the CS as they seek to preserve the character and appearance of the location of new development.

Living conditions

13. The proposed siting of the dwelling is such that the main elevation fronting Barnfield Close would roughly align with the north-eastern side elevation of No 27. The buildings would be set at 90° to each other and there would be some distance between them. This arrangement is visible in other cul-de-sac development nearby and demonstrates that it is capable of retaining suitable levels of privacy for adjacent residential properties and within the proposal itself. Subject to detailed design and placement of windows and/or use of obscure glazing, I conclude that a suitable standard of privacy could be retained/provided in association with the proposal.
14. Both No 27 and No 24 have been extended on their north-eastern sides. These extensions include openings purposefully designed to maximise the view to the open countryside on the opposite side of Cox Green Road. Those properties therefore benefit from dual aspects. Although the proposal would feature strongly in the outlook of No 27 this would not be an unusual relationship for development arranged about the head of a cul-de-sac. The intervening distance to the main habitable rooms of No24 and the offset position of the proposed dwelling would ensure that the effect on the outlook from that property would also be limited. The siting would therefore retain a suitable standard of living conditions for occupiers of that property.
15. For those reasons, I conclude that the development would retain suitable standards of privacy and outlook for neighbouring residents and would therefore comply with Policy CG4 of the CS as it seeks to protect the standard of living conditions for nearby residents with regard to outlook and privacy.

Other Matters

16. The proposal would be located within a settlement area benefitting from local services and amenities and would contribute to the delivery of housing within the Borough. Furthermore, it would achieve a suitable level of parking and provide for safe means of pedestrian and vehicle access and egress. Whilst I acknowledge the social and economic benefits such a development would provide, I do not consider that these matters would outweigh the harm I have identified above.
17. I have noted the objections from local residents and third parties to the proposal. However, in the light of my findings on the main issues of the appeal, my decision does not turn on these matters.

Conclusion

18. Whilst I have found in favour of the appellant with respect to the effect of the proposals on the living conditions of nearby residents, I do not consider this matter outweighs the identified harm in relation to the effect on the character and appearance of the locality. I therefore conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR