
Appeal Decision

Site visit made on 19 May 2020

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th June 2020

Appeal Ref: APP/N4205/D/20/3248643

2 Old Swan Close, Egerton, Greater Manchester

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Euan Davies against the decision of Bolton Council.
 - The application Ref 07277/19, dated 23 October 2019, was refused by notice dated 10 January 2020.
 - The development proposed is the demolition of the existing garage, extension to side of dwelling and construction of a new roof with the ridge height raised by 900mm. New dormer to be formed on side elevation.
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Decision

1. I dismiss this appeal.

Main Issues

2. The main issues are the effect of the proposed development upon:
 - the character and appearance of the neighbourhood with particular regard to the dormer; and
 - the living conditions of the occupants of No 20 and No 22, Little Stones Road with regard to privacy and outlook.

Reasons

Character and Appearance

3. The appeal property is a detached 2-storey residential dwelling located close to the entrance of Old Swan Close in Egerton. The dwelling occupies a corner plot with a side elevation facing onto Little Stones Road. This side elevation includes a single garage attached to the dwelling and a roof dormer with windows for 2 upstairs bedrooms. A tall, solid wooden fence extends along the side of the property beyond which is a strip of grass bounding the pavement along the side of Little Stones Road.
4. The proposed development comprises the demolition of the single garage and the construction of a side extension with a new, longer dormer at first-floor level and a new roof with the ridge raised by 0.9 metres. On the ground floor the side extension would incorporate a garage and kitchen and run the length of the existing dwelling, with bedroom accommodation above.
5. The dormer would extend about 4/5 of the length of the proposed roof plane. Whilst the wooden fence provides screening for the ground floor there would be

an uninterrupted view of the dormer from Little Stones Road. Consequently, the dormer would be very visible from the adjacent highway.

6. The Council's Supplementary Planning Document 'House Extensions' 2012 (SPD) advises, first, that new dormers should always be subordinate features in the roofscape and, second, that they should not normally extend to more than $\frac{1}{4}$ of the length of the roof plane. It notes, however, that the second advisory can be disapplied where large dormers have already been introduced within the neighbourhood.
7. Several of the properties in Little Stones Road, in particular the section linking to Cox Green Road, have large front roof dormers facing the highway that extend over more than $\frac{1}{4}$ of the length of the roof plane. This leads me to conclude that, in this instance, the second advisory contained in the SPD should not be applied too rigidly.
8. Nevertheless, the dormer would extend over more than half the length of the roof plane. Consequently, it cannot be held to be a subordinate feature and would, instead, dominate the roof plane. By virtue of its size it would be incongruent and therefore detrimental to the street scene.
9. Therefore, the proposed development would cause harm to the character and appearance of the surrounding area. It would fail to accord with Policy CG3 of Bolton's Core Strategy: Development Plan Document 2011 (CS) that requires new development to incorporate a high quality of design to be compatible with the surrounding area. It would also fail to accord with the advice in the SPD that new dormers should always be a subordinate feature within the roof plane. As this advice gives effect to the CS I attach significant weight to it.

Living Conditions

10. On the opposite side of Little Stones Road, and set slightly below the appeal property, is a row of 2-storey semi-detached dwellings with most separated from one another by single storey garages. No 20 Little Stones Road and No 22 Little Stones Road on adjacent blocks face across towards the side elevation of the appeal property.
11. The new dormer would be closer to the adjacent highway than the existing one and the roof would be nearly 1 metre higher. According to the officer's report, the proposed development would result in the dormer windows of the appeal property being 22 metres from the front windows of No 20 and No 22. Applying the advice set out in the SPD, the minimum distance should be 21 metres with an additional 3 metres to allow for the difference in elevation.
12. The proposed first-floor extension would not, however, directly face either No 20 or No 22. Instead, it would look directly over the 2 garages sitting between the two dwellings. The views to the principal windows of No 20 and No 22 would be off-centre. Consequently, in this instance, it is not appropriate to apply this standard so strictly. As a result, the marginal shortfall would not lead to the loss of privacy for the occupants of these properties.
13. Furthermore, notwithstanding the increase in height of the appeal building and the reduced distance between it and No 20 and No 22, the intervening gap would still be large enough to prevent any material loss of outlook for the occupants of the habitable rooms in the two properties on Little Stones Road. The general environment of Little Stones Road is very open, and the effect of

the reduced distance and the increased height on outlook would be very marginal from the 2 subject dwellings.

14. For the above reasons, the proposed development would not cause harm to the living conditions of current or future occupants of No 20 or No 22. It would, therefore, accord with Policy CG4 of the CS which seeks to ensure that new development protects the outlook and the privacy of neighbouring occupants. Furthermore, it accords with the advice set out in the SPD that new development should not be so close to neighbouring dwellings as to result in loss of privacy.

Other Matters

15. The officer's report and the appellant's statement both made passing reference to the issue of parking. I have not found any evidence to suggest that the development proposal would cause any parking problems.
16. It is also noted that there were no letters of objection from local residents to the planning application or to the appeal.

Planning Balance and Conclusion

17. The development proposal would not harm the living conditions of occupants of No 20 or No 22. However, by virtue of its size the extended dormer would cause harm to the character and appearance of the area. This harm is so considerable that it would fail to accord with the development plan as a whole. This finding is not outweighed by any other considerations. For this reason, the appeal should be dismissed.

William Walton

INSPECTOR