



Appeal Decision

Site visit made on 8 September 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2020

Appeal Ref: APP/N4205/D/20/3254634

25 Newlands Avenue, Bolton BL2 5ER

- 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 Ms Heather Cornwall against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 07827/20, dated 20 January 2020, was refused by notice dated 15 May 2020.
 - The development proposed is a two storey side extension to property.
-

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 25 Newlands Avenue, Bolton BL2 5ER in accordance with the terms of planning application Ref. 07827/20, dated 20 January 2020, subject to the conditions in a schedule to this decision.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the dwelling and its locality;
 - the living conditions of nearby residents at 2 Highwood Close, with particular regard to outlook; and,
 - highway safety in the vicinity of the site.

Reasons

Character and appearance

3. The site is located within a residential estate of mixed housing types developed over different periods. Properties on Newlands Avenue are varied and include well-spaced two storey semi-detached houses and 2 & 3 storey terraces set behind front gardens.
4. The site is a corner plot sitting adjacent to an open area formed of landscaped car parks and the space about the junctions of Newland Avenue with Highwood Close and Ennerdale Avenue. The development surrounding the space is typically varied.
5. The extension would reflect the form and proportions of the existing building and incorporate design elements and materials to match it. This would be in a similar way to a two-storey side extension at 15 Newlands Avenue and an addition to 24 Highwood Close. The proposal would appear subordinate to the

existing building on account of its lower main ridge height and first-floor set-back from the front elevation.

6. The combined rearward projection would add some visual bulk to the resultant side elevation facing the open space compared to the existing gable. Additionally, the forward part of the elevation would sit directly to the rear of the footway leading into Highwood Close. Although this arrangement would be unusual in the context of the layout of development in the locality, the visual interpretation of the overall size would be somewhat tempered by the scale of the open space and the three-storey apartment block on the opposite side of the car park areas. Taken with the wider line of the rear-side boundary, the proposal would not appear to cause a significant degree of encroachment into the wide gap or, therefore, appear incongruous in the locality.
7. Although the extension would be clearly visible in a manner similar to the existing gable elevation, the additional bulk would not make the building overtly prominent on account of the wider scale of views across the open area.
8. For the above reasons, I find that the proposals would relate well to the existing form and scale of the building and preserve the character and appearance of development in the wider locality. This would align with the requirements of Policies CG3 and RA3 of Bolton's Local Development Framework Core Strategy Development Plan Document (Mar 2011) (CS) as they seek to secure high quality design and developments that conserves or enhances local distinctiveness.

Living conditions

9. The proposed extension would project to the rear of the property by about 3m, according to the Council's report. This would partly flank the forward views from within the ground and first floor living accommodation at 2 Highwood Close. The Council estimate the interface distance between the rear-facing bedroom windows of the extension to the front elevation of no2 as less than 17m.
10. This distance conflicts with a guideline contained within the Council's 'House Extensions' (Aug 2012) Supplementary Planning Document. However, notwithstanding the two-storey height of the extension, it would appear peripheral in the main views from no2 on account of the offset position to the side of the forward outlook and the intervening distance. The resultant acute angle of the view and partial screening by the existing boundary fence at ground floor, would limit the sense of scale of the proposal and avoid any significant sense of an overbearing form of development or dominating the main points of outlook.
11. For the above reasons, I find that any harm to the living conditions of the neighbouring occupiers at 2 Highwood Close would be negligible. The proposal would therefore be consistent with the requirements of Policy CG4 of the CS as it seeks to protect the amenity and compatibility of surrounding land uses.

Highway Safety

12. The proposed extension would provide an additional 2 bedrooms bringing the total to 5. The Council's adopted parking standards are set out in Appendix 3 of the CS, which seeks a maximum of 3 spaces for houses with 4 or more bedrooms.

13. The proposal would be sited on land to the side of the existing dwelling that currently provides space for off-road parking for two vehicles. As a result, the extension would effectively remove the existing parking provision. The plans indicate that parking could be provided within the area of the existing front garden. However, the Council estimate the depth of the frontage as below the minimum required parking space size such that it would not be possible to accommodate the proposed two spaces here. This is acknowledged by the appellant.
14. Although the Council's highway advisors indicated that parking provision below the maximum standard of three would be unlikely to cause a significant increase in on-street parking such as to cause a detrimental impact on demand or severity, this was on the basis of the development providing two spaces. Given the corner location of the site, the relatively narrow width of the carriageway and restricted levels of parking for the majority of the mid-terrace units on the opposite side of the road, I find that a reduction to one space within the site is likely to lead to additional pressure for parking in close proximity to the site. This would have potential to lead to inappropriate or obstructive parking to the detriment of local highway safety.
15. During my site inspection, I observed that the frontage area that would remain available for parking would be limited and unable to accommodate two spaces of the size sought by the Council. However, the appellant's submissions indicate that parking provision could also be provided to the rear of the site via Highwood Close. I saw that the remaining area would be capable of providing parking to the rear or rear side of the site if facilitated by suitable vehicular crossings. The development could therefore be made acceptable in highway terms through the use of planning conditions, as advocated in Paragraph 54 of the National Planning Policy Framework (the Framework).
16. For the reasons set out above, I find that the proposal could achieve a suitable level of off-street parking to avoid adverse impacts on highway safety. The development would therefore meet the requirements of Policy P5, Annex 3 of the CS and the 'Accessibility, Transport and Safety' and 'House Extensions' Supplementary Planning Documents as they seek to secure sufficient parking for development and maintain highway safety.

Conditions

17. The Council have suggested several conditions which I have considered alongside the advice in the Framework and Planning Practice Guidance. I find the majority to be reasonable and necessary in the circumstances of the case. However, some have been edited for precision and clarity.
18. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. A condition requiring the use of matching external surfaces is necessary and reasonable in the interest of the character and appearance of the area.
19. To provide an appropriate level of parking for the extended accommodation and avoid highway safety concerns in the locality, conditions requiring on-site parking facilitated by appropriate highway works are necessary.

Conclusion

20. For the above reasons, the appeal should be allowed.

R Hitchcock

INSPECTOR

Schedule of Conditions to Planning Permission Ref. 07827/20:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 101 proposed site plan, 103 proposed ground floor, 104 proposed first floor, 105 proposed roof plan, 110 proposed front elevation, 111 proposed rear elevation, 112 proposed side elevation, and, 113 proposed side elevation.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) Before the approved development is first brought into use, two car parking spaces shall be provided within the curtilage of the site in accordance with a scheme to be submitted and approved in writing with the local planning authority. Such spaces shall thereafter be made available for the parking of vehicles at all times.
- 5) Before the approved development is first brought into use, full details of the highway works to Newlands Avenue and/or Highwood Close comprising:
 - a) any new vehicle access crossing/s (dropped kerb to facilitate vehicle access to the parking spaces), and,
 - b) where surplus to the requirements under part a) of this condition, the removal of the existing vehicle access crossing on Highwood Close and reinstatement of the kerb and footway to adoptable standards,shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to the development being first brought into use.

End of schedule.