The Planning Inspectorate

Appeal Decision

Site Visit made on 19 October 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2020

Appeal Ref: APP/N4205/D/20/3256758
22 Broadway, Farnworth, Bolton BL4 0HL

- 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 Khalid Khan against the decision of Bolton Metropolitan Borough Council.
- The application Ref 08231/20, dated 17 April 2020, was refused by notice dated 16 June 2020.
- The development proposed is described as "demolish the existing garage due to being in a poor condition. Proposed new garage to be 4m (width) x 15m (length) x 4m (height) suitable for an office room and a car space (vehicle: van)".

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the development on the character and appearance of the area; and (ii) upon the living conditions of the occupiers of 24 Broadway and 149 Bradford Road, with particular regard to outlook.

Reasons

Character and appearance

3. The evidence suggests that the existing garage is a long-established part of the built environment in this location. Thus, whilst the replacement building would be slightly larger, this would not in itself be fatal to the acceptability of the scheme, particularly as it would not come any further forward. Rather, it is the shallow pitch of the roof in relation to the height of the eaves and narrow width that would be disproportionate in design terms. This would result in the building having an awkward appearance; the full extent of which would be highly visible from Bradford Road and Silverdale Road.

4. There would be benefits to the appellant from improved garage and office facilities. However, due to its design and massing, the proposal would be a harmful addition to the established residential area, and thus, it would not be an appropriate replacement.

5. I conclude, on this issue, that the development would cause unacceptable harm to the character and appearance of the area. This is contrary to the good design requirements Policies CG3 and RA2 of Bolton's Core Strategy 2011 (CS); and the Council's House Extensions Supplementary Planning Document 2012 (SPD). It is also contrary to paragraph 127 of the National Planning Policy

Framework (the Framework), which seeks to ensure new development is visually attractive and adds to the overall quality of the area.

Living conditions

6. The rear outlook of 149 Bradford Road is already affected by the existing garage. Although the proposed building would be longer to the rear and have a higher eaves height along the boundary, this would not be to such an extent that it would result in material harm to the rear outlook from No 149.

7. Regarding 24 Broadway, the proposed building would be closer to the rear boundary and higher. Nonetheless, its width relative to the length of the rear garden of No 24 would be small and its height would not be such that it would appear overbearing or intrusive in the outlook from No 24.

8. I conclude, on this issue, that the development would not cause unacceptable harm to the living conditions of the occupiers of 24 Broadway and 149 Bradford Road, with particular regard to outlook. In this regard, the proposal complies with CS Policy CG4 and the SPD where they require new development to protect the living conditions of neighbours.

Conclusion

9. I have found that the proposal would cause harm to the character and appearance of the area. The proposal therefore conflicts with the development plan and Framework as a whole, and for this reason, the appeal should be dismissed.

A Caines

INSPECTOR