



Appeal Decision

Site visit made on 10 June 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28TH June 2022

Appeal Ref: APP/N4205/D/22/3295862

14 Allenby Grove, Westhoughton, Bolton BL5 2AQ

- 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 & Mrs P Hirst against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 12238/21, dated 16 September 2021, was refused by notice dated 18 January 2022.
 - The development proposed is two storey side extension to form new porch, store and utility at ground floor, with 2 no. additional bedrooms at first floor, together with single storey rear infill extension to provide kitchen / dining.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form which differs from that on the Council's decision notice. In Part E of the appeal form it is stated that the description of development has not changed and neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are:
 - The effect of the proposal on the living conditions of residents of 16 Allenby Grove with regards to outlook and light; and
 - Whether the proposal would make suitable provision for car parking.

Reasons

Living Conditions

4. The proposal includes a 2-storey extension located to the side of the host dwelling. Due to the arrangement of properties at the head of a cul-de-sac, the side elevation of the appeal site faces onto the front elevation of 16 Allenby Grove.

5. The Council's House Extensions SPD¹ refers to a separation distance of 13.5m between an elevation containing a main room window and the facing wall of a 2-storey extension. The separation distance between the appeal proposal and No 16 would be significantly less than this. I am mindful that the 13.5m separation distance is advice rather than a policy requirement. However, this is a useful rule of thumb and, based on my own observations, the projection of the extension towards No 16 would result in an overbearing impact in views from the neighbouring dwelling.
6. The main front elevation of No 16 is set at an angle to the appeal site. The House Extensions SPD indicates that an extension may be acceptable if it avoids infringing a line drawn at 45 degrees from the centre of the nearest main room window of the neighbouring property. The Council states that the proposal would impinge on this 45 degree angle. The appeal site is also located to the south of No 16, and the latter is therefore particularly susceptible to overshadowing from the appeal proposal. Due to the arrangement and the massing of the extension, the proposal would lead to an unacceptable degree of overshadowing to the neighbouring property.
7. I conclude that the proposed extension would therefore lead to significant harm to the living conditions of residents of No 16 in respect of outlook and light. The proposal would therefore be contrary to policy CG4 of the Council's Core Strategy 2011 which seeks to protect the amenity of surrounding land uses and occupiers.

Car Parking

8. The Council's Highway Management consultee has raised no objections on highways grounds, subject to the Council's residential parking standard of 3 spaces being met in full.
9. The proposal would result in the loss of an extent of driveway to the side of the dwelling which may contribute to parking within the site. Based on the existing layout of the front of the site, the proposal would result in 1 off-street parking space being available for residents.
10. The appellants refer to the potential to provide for 2 parking spaces, and the House Extensions SPD refers to parking provision for 2 vehicles in respect of side extensions. However, the proposed plans do not show how this would be achieved given the forward projection of part of the extension as well as the need to provide safe access at the head of the cul-de-sac. In any event, 2 spaces would not meet the requirement for 3 spaces identified by the Council's Highway Management consultee.
11. This site is located adjacent to the turning head of a cul-de-sac, and an increase in on-street parking in the vicinity of the appeal site may hinder vehicles seeking to turn so that they can enter and leave the area in forward gear. This may result in convoluted vehicle manoeuvres or vehicles reversing along the highway, both of which could increase the potential for collisions between vehicles and other highway users, including pedestrians, to the detriment of highway safety.
12. Reference has been made to parking congestion in this area, although some on-street spaces were available at the time of my visit. However, I am mindful

¹ Supplementary Planning Document

that I visited the area during the day when the greatest demand for parking in this residential street is likely to be in the evening and at weekends.

13. Based on what I have seen and read, the proposal would not make suitable provision for car parking and would lead to an increase in demand for on-street parking, with resultant harm to highway safety and access to on-street parking that nearby residents could reasonably expect. The proposal would therefore be contrary to policy P5 of the Core Strategy with regards to the provision of parking. The proposal would also be contrary to the advice of the House Extensions SPD and the Accessibility, Transport and Road Safety SPD with regards to the submission of details of car parking and the impact on parking provision.

Other Matters

14. The appellants refer to potential changes to the proposal. However, the appeal process should not be used to evolve a scheme, and I have determined this appeal on the basis of the plans on which the Council made its decision. If the appellants consider that amending the proposal would overcome the Council's reasons for refusal then this is more appropriately addressed by making a fresh planning application.
15. I have had regard to the personal circumstances referred to by the appellants, including the wish to improve accommodation for their family, as well as the economic climate and the effects of covid. However, these personal circumstances are not sufficient to outweigh the significant harm that I have identified.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR