



Appeal Decision

Site visit made on 6 July 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2022

Appeal Ref: APP/N4205/W/22/3293693

1 Sandfield Drive, Lostock, Bolton BL6 4DU

- 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 and Mrs Fidler against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 10298/21, dated 20 January 2021, was refused by notice dated 28 January 2022.
 - The development proposed is described as: 'erection of a detached dwelling to land to rear of existing property'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline, seeking approval for access, layout and scale with appearance and landscaping reserved for future consideration. I have determined the appeal on this basis, treating the submitted plans and details provided as illustrative, insofar as they relate to appearance and landscaping.
3. Planning permission¹ was granted in 2019 for the erection of a detached garage, new gates and creation of access from Regents Hill at the appeal site. The garage would sit close to the rear boundary and would be orientated perpendicular to the road. Whilst the garage has not been constructed, I saw that the brick piers forming the gateway located to either side of the tall rear boundary fence had already been erected and hardsurfacing had been laid.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site forms part of the rear garden of 1 Sandfield Drive, a large, detached dwelling located within a residential area comprising predominantly large, detached dwellings in expansive plots. Like its neighbours, the rear garden of the appeal property backs onto the access road serving the residential cul-de-sac of Regents Hill.

¹ 06244/19

6. Regents Hill comprises of substantial detached properties set reasonably close together within smaller plots than those on Sandfield Drive. Properties tend to be orientated facing the road with open frontages. Housing development is limited to one side of Regents Hill due to the rear boundaries of properties on Sandfield Drive extending close to the road edge before the road bends away toward the turning head. The trees and shrubs growing within the rear gardens of properties on Sandfield Drive are prominent within the streetscene of Regents Hill, and, alongside the lack of development on this side of the road gives the area a distinctive, verdant character.
7. The new two storey 3 bedroom dwelling would be constructed in a similar position to the approved garage, albeit over a larger footprint. It would utilise the existing part-constructed access from Regents Hill. However, its orientation perpendicular to the road and the lack of an open frontage would lead to an incongruous appearance, that would be at odds with the prevailing pattern of development described above. This combined with the modest scale of the dwelling, compared to the substantial dwellings on Regents Hill, would lead to an ad hoc form of development that would give the impression of being squeezed into the site to the detriment of the appearance of the streetscene.
8. Furthermore, the massing of a two storey gable set close to the boundary of the site would likely have the effect of diminishing the verdant character along this side of Regents Hill, adversely affecting the character and appearance of the area. Whilst mature trees would limit some views of the proposal, particularly from the junction with Regent Road, the proposed dwelling would be clearly visible as part of the streetscene along Regents Hill at odds with the established character.
9. I have had regard to the extant approval which the appellant has argued represents a fallback position, however this was for an outbuilding set within an existing garden, not a dwelling. In this regard I note that a detached garage in this location would not appear unexpected (there is a large outbuilding in the neighbouring garden), nor, being an outbuilding, would it represent a significant conflict with the established pattern of development referred to above. Furthermore, it would also be noticeably smaller than the proposed dwelling, both in terms of its floor area and height. Consequently, in my view the extant garage would not be as substantial, nor as harmful as the proposal now before me.
10. The appellant has referred to a plot study which I have had regard to. However, as my concern is not primarily in relation to density, it does not alter my above findings. Both parties have referred to an appeal decision at the site from 2008, however I have not been provided with detailed plans of this scheme and therefore I cannot be certain of the extent to which this represents a parallel with the appeal proposal. Nevertheless, I note that this appeal was dismissed partly on the grounds of harm to character and appearance.
11. I therefore conclude that the proposal would result in significant harm to the character and appearance of the area. The proposal would therefore conflict with Policies CG3 and OA4 of the Bolton Core Strategy (2011) which seek, amongst other things, to ensure new developments constitute high quality design that conserves and enhances local distinctiveness and character.

Planning Balance and Conclusion

12. The Council states in its delegated report that it cannot demonstrate a five year supply of deliverable housing sites, and that the supply is limited to 3.9 years. This represents a shortfall and consequently paragraph 11. (d) of the Framework is triggered, to which I turn to consider below.
13. I recognise that the proposal would make a small contribution to housing supply. However, the Framework refers to boosting significantly the supply of housing and the provision of one additional dwelling would make little meaningful difference. Whilst the proposal would lead to some minor economic benefits through the construction and occupation of the dwelling, these would be limited by the small scale of the proposal.
14. I have found that the proposed dwelling would become an incongruous feature of the streetscene that would result in significant harm to the character and appearance of the area. The support in the Framework and development plan for new housing is not unconditional and good design is a central element of sustainable development. This leads me to the conclusion that the proposal would be contrary to the development plan as a whole. I have also set out above how the benefits arising from a single new dwelling would inevitably be limited.
15. Therefore, applying paragraph 11. d)ii), the adverse effects of allowing the appeal would significantly and demonstrably outweigh the benefits, when assessed against the policies taken in the Framework as a whole. As such no other material considerations indicate that the appeal should be allowed.
16. For the above reasons, having taken account of the development plan as a whole, the approach in the Framework, and with regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR