

Appeal Decision

Site visit made on 12 September 2023

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 21 September 2023

Appeal ref: APP/N4205/D/23/3325875

3 Weybridge Close, Egerton, Bolton BL1 2XA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
 - The appeal is made by Mr Islam Afzal against the decision of Bolton Metropolitan Borough Council. The application, ref. 15786/23, dated 10 April 2023, was refused by a notice dated 11 May 2023.
 - The development is: Erection of a two-story rear extension together with new front openings.
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Decision

1. The appeal is dismissed.

Main issue

2. The decision turns on the likely effect of the proposed rear extension at No. 3 Weybridge Close on those living close by, particularly those directly opposite at No. 3 Thornbury Close.

Considerations

3. No. 3 Weybridge Close is in the middle of a short terrace of 3 houses. Their front doors face east to short private gardens and then onto a shared open walkway. The main living room windows in the terrace face westwards over their longer rear gardens. There is then another walkway and the short open front gardens of the similar parallel row of 3 houses of Thornbury Close. The Appellant Mr Afzal's proposed 2 storey rear extension to No. 3 Weybridge Close would be built to the full 7m width of his home and extend 3m out from the rear wall of the house. The distance between Mr Afzal's home's rear wall and the front wall to his neighbour's house opposite at No. 3 Thornbury Close would be reduced from the present 12.5m to 9.5m.
4. The Council's standards on house extensions entitled House Extensions Core Strategy and Supplementary Planning Document of August 2012, (SPD), refers to adopted Core Strategy Policy CG4. That seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. In the part of Section 4 of the SPD 'Impact on neighbouring properties' dealing with interface distances, para. 4.7 sets out advice on what would represent ideal layout designs. Those include seeking to achieve a distance between facing walls on the neighbouring house and the extension, which both contain main room windows, of 21m and

13.5m between a neighbouring elevation which contains a main room window and a facing wall of a two-storey extension which does not. In the present case, the proposed extension bedroom windows on the first-floor rear elevation would be 9.5m from the front elevation of No. 3 Thornbury Close, which façade contains a main room window. Even if a standard of 13.5m rather than the desirable 21m separation distance is applied, the actual figure here would be substantially less. That, as the Council said, would be likely to cause some overshadowing of No. 3 Thornbury. It would be somewhat overbearing. I am also concerned that the proposed extension would be likely to detrimentally affect those living next door at No. 5 Weybridge Close caused by a reduction of sunlight close to the rear wall of the house.

5. Mr Afzal acknowledged that, because of the proximity of houses Nos. 1, 3 and 5 Thornbury Close, his extension would impact on amenity of their occupiers. He suggested, nevertheless, that the resultant improvements to his home should be viewed favourably. It is a reasonable expectation that a house extension or improvement project should be viewed positively. But it should not be permitted to be carried out where it would cause a material reduction of the amenity of neighbouring dwellings.
6. I conclude that the large 2 storey appeal extension at No. 3 Weybridge Close should not be granted planning permission.

Conclusion

7. For the reasons outlined above, the appeal is dismissed.

John Whalley

INSPECTOR