



Appeal Decision

Site visit made on 2 January 2024

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th February 2024

Appeal Ref: APP/N4205/D/23/3327356

2 Sandwood Avenue, Bolton BL3 4PQ

- 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 Aadam Dad against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 14434/22, dated 4 August 2022, was refused by notice dated 16th January 2023.
 - The development proposed is a single storey garage.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey garage at 2 Sandwood Avenue, Bolton BL3 4PQ, in accordance with the terms of the application, Ref 14434/22, dated 4 August 2022 and the plans submitted with it, subject to the following conditions;
 - 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;

Site and location plan drawing number 20-60-02

Single storey garage drawing number 20-60-01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used on the existing dwelling.

Procedural Matters

2. The description in the banner heading above is taken from the planning application form as there is no evidence before me, that the description on the Council's decision notice was agreed by the appellant.
3. During the appeal process the appellant provided measurements of the garage that has been constructed on site. The Council has confirmed that it is smaller in size than the garage shown on the submitted plans. This has not been disputed by the appellant. In reaching my decision I am required to assess the development as shown on the plans and not as built on site. I have determined the appeal accordingly.

Main Issue

4. The main issue in relation to this appeal is the effect of the proposed development upon the character and appearance of the area.

Reasons

5. The appeal site comprises a detached bungalow located on a corner plot within a residential estate. Surrounding properties consist of 2-storey detached dwellings and bungalows of varied materials, some of which have undergone alteration and extension. This includes the appeal property, the roof of which has been raised and a large porch added to the front elevation¹. The differing scales of dwellings, mixed material palette and alterations to existing properties, thus produces a street scene of some variety.
6. The Council's 'House Extensions' SPD (2012) at paragraph 5.1 encourages proposals for new development to not have an unacceptable effect on the wider street scene, or the character of a locality. It provides an example of such unacceptable development as extensions that protrude in front of a clear and consistent building line. Nevertheless, the SPD is guidance, and it is important to look at the specific site attributes in the context of the proposed development.
7. The appeal property is orientated to face Caithness Drive. It is therefore sited perpendicular to the dwellings to the north-east which front onto Sandwood Avenue. These properties are arranged in stepped positions to follow the gently curving nature of the road. The building line is therefore more informal than suggested by the Council.
8. The proposed garage would be erected to the side of the host dwelling. In north-easterly views along Sandwood Avenue towards the appeal site, the proposed garage would be largely obscured by landscaping within the front garden. Only in more localised views at the junction with Caithness Drive would the entirety of the garage become visible. Even then, it would appear subordinate in scale and height to the host dwelling.
9. Although projecting closer to the road than the nearest neighbouring dwelling of No 4 Sandwood Avenue and a previous garage structure at the appeal site, the proposed garage would again only be appreciable in more immediate south-westerly views. Its impact would be mitigated to a large extent by being deeply recessed from the front elevation and set down below the level of the road, incorporating front and rear facing gables and with the retention of a small area of garden to the side. It would not therefore be highly visible or appear incongruous. Instead, it would clearly be read as an outbuilding serving a dwelling on a residential estate.
10. The Council advises that the proposal would be permitted development with the exception of its height. Therefore, on the evidence before me, it would be possible to construct a lower outbuilding that extends at least the same distance to the external boundary of the appeal site as the proposed garage². Moreover, whilst the Council advises that no other similar garage structures have been determined in the plan period, I observed that other developments have been constructed within the side garden of corner plots in proximity to

¹ Permitted under planning application reference 10020/20.

² Page 3 of the Council's Officer Report.

side boundaries, notably the double garage at 2 Caithness Drive. This emphasises my findings that such developments would not be unduly harmful to the character of the street scene.

11. For the above site-specific reasons, the proposed garage would not adversely affect the character and appearance of the area. As such, it would accord with Policies CG3 and OA4 of Bolton's Core Strategy Development Plan Document (2011), which seek to ensure that development has regard to the existing physical environment and overall built character in terms of scale, massing and form, amongst other things. It would also accord with the overall aims of the SPD (2012) as set out above.

Other Matters

12. The submitted plans do not indicate the provision of any internal facilities within the garage including a shower and toilet. Likewise, the proposal does not indicate that a business is to be operated from the garage or wider appeal site. It would be a matter for the Council as to whether such an operation would amount to a material change of use were this to occur.
13. Potential deviations from the approved plans in relation to planning approval 10020/20 are a matter for the Council. Materials being left on the pavement and the burning of fires to dispose of builder's rubbish, whilst potentially unneighbourly, are not a reason to dismiss the appeal.

Conditions

14. The Council did not initially suggest any conditions but were given the opportunity to provide them, in the event the appeal was to be allowed. Whilst a standard landscaping condition was suggested, no specific wording was presented. The precise nature of the Council's requirement with regard to landscaping is therefore unknown. I have found that the proposal would not unduly encroach upon the street scene. Consequently, I do not consider a landscaping scheme to be reasonable or necessary in this instance.
15. As I am determining the appeal based on the proposal rather than the development that has been carried out, I consider it necessary to attach conditions listing the plans in the interests of certainty and the materials in the interests of appearance, along with the standard time limit for the commencement of the development.

Conclusion

16. For the reasons identified above, there are no conflicts with the development plan when taken as a whole. The appeal is allowed.

M Clowes

INSPECTOR