



Appeal Decision

Site visit made on 22 April 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th May 2024

Appeal Ref: APP/N4205/D/24/3336817

3 Little Stones Road, Egerton, Bolton, BL7 9UN

- 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 Ms Katie Lea Greenhalgh against the decision of Bolton Council.
 - The application Ref 17049/23, dated 24 October 2023, was refused by notice dated 20 December 2023.
 - The development proposed is described as 'proposed loft conversion with dormer'.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of loft with dormer to the side at 3 Little Stones Road, Egerton, Bolton, BL7 9UN in accordance with the terms of the application, Ref 17049/23, dated 24 October 2023, subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P03, P05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary matter

2. The Council's decision refers to the proposal as 'conversion of loft with dormer to the side' and as this describes the proposal in more detail I have considered it on that basis and used that description in the formal decision above.

Reasons

3. The main issue in this appeal is the effect of the proposed development on:-
 - the character and appearance of the area;
 - the living conditions of neighbouring occupiers.

Character and appearance

4. The appeal dwelling is a small detached bungalow with a gabled roof located on a residential estate of dwellings built in the 1960's or 70's that have a style typical of that era. The proposal comprises a long, flat roofed dormer that would occupy most of the north-western side elevation of the roof. It would

have one narrow window in each of the front and rear elevations and two narrow windows in the side elevation serving en-suite bathrooms would be obscure glazed. The proposal also includes 'cathedral' style windows in the apex of the existing front and rear gabled elevations.

5. The dwelling is sited within a row of four similar bungalows, none of which have dormers in the roof. However, I noted at my visit that two other bungalows adjacent to both ends of the row have been extended with flat roofed dormers and that there are several other examples of similar side dormers on similar dwellings elsewhere on this estate.
6. Within the estate, many dwellings have been altered and the consistency of this short row of four bungalows does not contribute strongly to the character and appearance of the area. The proposed dormer would be set in from the front elevation with tile hanging to match the main roof and would not therefore be obtrusive in the street scene. The proposed 'cathedral' style windows would be modest in size and would add some interest to the dwelling. The dormer would not be uncharacteristic of dwellings of this age and given the prevalence of such dormers on the estate, I conclude that it would not cause significant harm to the character or appearance of the street scene or the area. As such, it would accord with development plan policy CG3 of Bolton's Core Strategy Development Plan Document (CS) which requires that development proposals are compatible with the surrounding area.

Living conditions

7. Both the 'cathedral' style window in the rear gable and a secondary bedroom window in the rear elevation of the proposed dormer would overlook the very small rear garden of the adjacent bungalow at no 1 Little Stone Road which is currently private.
8. However, the part of the neighbours' garden nearest to their rear windows would lie outside a line of 45° from the centre of the proposed windows. As such, any overlooking would not be direct and would be at an oblique angle of more than 45°. Therefore, whilst there would be some change to the current position and some loss of privacy, it would not be to a significant degree.
9. Furthermore, I noted that there is no hard landscaped area within that rear garden and that a paved area exists at the side of that dwelling that could provide an area for sitting out and that would not be overlooked by the proposed windows. For these reasons, I am satisfied that the proposal would not result in an undue loss of privacy likely to cause significant harm to the living conditions of those occupiers.
10. I have noted that the Council has not raised any objection to the proposal in terms of the living conditions of the other adjoining neighbour at no 5. I am satisfied that the sitting out area of that property would also remain outside a line of 45° from the proposed windows and that this, together with the planting along the side boundary between the properties, would retain a sufficient degree of privacy for those occupiers.
11. The proposal would therefore accord with development plan policy CG4 in the CS which seeks to ensure that new development protects the privacy of surrounding occupiers.

Conditions

12. Although the Council has not requested any conditions, in addition to the standard commencement condition a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition requiring matching external materials to the existing dwelling is necessary in the interests of character and appearance. There is no need for a condition requiring the obscure glazing of any windows other than those proposed in the plans because I have found the proposal acceptable in regard to the living conditions of neighbouring occupiers.

Conclusion

13. For the reasons given above, I conclude that proposal accords with the development plan and there are no material considerations that would outweigh that. The appeal should be allowed.

Sarah Colebourne

Inspector