



Appeal Decision

Site visit made on 10 December 2024

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2024

Appeal Ref: APP/N4205/D/24/3352093

14 Parkway, Westhoughton, Bolton BL5 2RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jon Richards against the decision of Bolton Council.
 - The application Ref is 18431/24.
 - The development proposed is one storey rear/side extension with loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Revised plans were submitted with the appeal which omitted the proposed second floor window on the rear gable elevation. *The Procedural Guide: Planning Appeals – England* advises that if an appeal it made the appeal process should not be used to evolve a scheme. Consequently, in most cases, appeals are determined on the basis of the scheme and the plans which were before the local planning authority when it made its decision.
3. Although a small alteration to the plans, I find the omission of the second window fundamentally changes the proposal which was considered by the Council and importantly which was consulted on. I note that five neighbours objected to the planning application and I am mindful that these neighbours (and others) have not had an opportunity to comment on the amendment. Therefore, in my judgment, the principle of fairness requires that the amended plans should not be accepted. Accordingly, I have determined the appeal on the basis of the plans considered by the Council.

Main Issues

4. The Council has raised no concerns in respect of the proposed single storey side and rear extension. Therefore, the main issues in this case are the effect of the proposed loft conversion (and increase in ridge height) on: a) the character and appearance of the host dwelling and the surrounding area; and b) the living conditions of the neighbours at No.8 and No.10 Parkway.

Reasons

Character and appearance

5. No.14 Parkway (No.14) is a two-storey, detached dwelling located to the north-west of a spur of Parkway, a residential cul-de-sac. I observed on my site visit that although there is some variety in the design of dwellings on Parkway, there is nonetheless a clear pattern of similar house types and roof styles which results in a cohesive character and appearance to the area.
6. No.14 has a simple pitched roof with a small gable feature over one of the first floor windows. It is proposed convert the existing roof to a gable to accommodate two bedrooms and a bathroom at second floor level. Rooflights are proposed in both side roofplanes and there would be a second floor window (to a bedroom) in the rear gable elevation. The eaves of the proposed gable would be lower than those of the existing roof, but the ridge would be higher. The Council's evidence is that there would be a 1.5m increase in ridge height, but I note the annotated drawing in the appellant's evidence shows 1m. Irrespective of the different measurement, both parties recognise this would be a recognisable increase in height over the existing pitched roof.
7. I accept that there is some variation in roof heights between dwellings on Parkway, and that the ridge of the pitched roof of the adjacent neighbour at No.12 Parkway, is itself slightly higher than the existing ridge of No.14. However, because the proposed gable would have lower eaves but a higher ridge height than existing, it would appear substantial in its massing, disproportionate in scale to both its host and immediate neighbour and unduly prominent in the streetscene. Therefore, despite the use of matching materials, it would conflict with the guidance at paragraph 3.1 of the Council's *House Extensions Supplementary Planning Document (2012)* (SPD) that extensions should respect and be sensitive to the proportions of the existing house.
8. The guidance at paragraph 5.1 of the same SPD is that the siting, design or layout of a house extension should not have an unacceptable effect on the wider streetscene or the character of the locality. The appellant argues that this guidance is not relevant for purposes of a loft conversion which seeks to utilise the existing footprint of a dwelling, but in this case the increase in the height of the proposed roof constitutes, in my mind, a house extension to which the guidance applies.
9. In the appellant's evidence, a photograph taken from the front of No.8 Parkway is shown with the outline of the proposed rear roofplane of No.14 annotated. This shows that the height of the proposed roof would be noticeably different to its immediate neighbours, but also that the gable design would appear a discordant addition. I observed on my site visit that this discord would be even more apparent when the proposed rear gable was viewed between the rear of No.12 Parkway and the front of No.10 Parkway. I also concur with the Council that the proposed second floor window in the rear gable would exacerbate its scale, appearing a true three-storey dwelling rather than two-storeys with accommodation within the roofspace. It would appear incongruous in the context of the pattern of house types which, as I have described are a characteristic of Parkway.
10. I therefore conclude on the first main issue that the proposed loft conversion (and increased ridge height) would cause harm to the character and

appearance of the host dwelling and surrounding area. Consequently, in addition to the conflict with the SPD guidance identified above, it would conflict with Policy OA3 of Bolton's Core Strategy Development Plan Document (2011) (CS) and Policy JP-P1 of the Places for Everyone Joint Development Plan Document (2024) which together require new development to conserve and enhance the character of the existing physical environment and respect the character of the locality in terms of design, size and scale.

Living conditions

11. No.10 Parkway (No.10) is sited perpendicular to No.14, and the two dwellings share a common (garden) boundary. As described above, it is proposed to convert the existing pitched roof to a gable (and raise its height) in order to accommodate 2no. additional bedrooms at second floor. To the rear elevation, a second floor window is proposed to serve one of these bedrooms. Although there is a hedgerow along the common boundary (within the garden of No.10), the new rear gable elevation would be offset from it by only 6.8m. The proposed second floor window would therefore directly look down over the rear garden of No.10 at relatively close proximity resulting in a loss of privacy. I observed that there are no first (or second) floor windows on the flank elevation of No.10 facing No.14 and the proposals would not therefore result in the loss of privacy to principal windows of this property.
12. To the rear of No.14, No.8 Parkway (No.8) shares a side boundary but the principal elevation of the neighbouring dwelling is well offset to the north-west. Whilst the proposed second floor window to the rear gable of No.14 would result in some overlooking of No.8, it would be at an oblique angle and given the generous separation distance (of around 15m), it would not cause significant harm to the living conditions of those neighbours.
13. Notwithstanding this, I conclude on the second main issue that the proposed second floor window would cause harm to the living conditions of the neighbours at No.10, with regards overlooking and therein loss of privacy. Consequently, it would conflict with CS Policy CG4 which seeks to ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity and privacy.

Conclusion

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

R. Jones

INSPECTOR