



Appeal Decision

Site visit made on 23 December 2024

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2025

Appeal Ref: APP/N4205/W/24/3350248

8 Dobson Road, Bolton BL1 4RT

- 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 Sajid Rehman against the decision of Bolton Council.
 - The application Ref is 18111/24.
 - The development proposed is the erection of 1 no. dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have considered the changes and as they are not material to the proposal, further comments were not sought by the parties. I have, however, determined the appeal having regard to the revised Framework.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the area, and (ii) the living conditions of existing residential occupiers with regards to private amenity space and whether the proposed development would provide satisfactory accommodation for its future occupants, with regards to private amenity space provision.

Reasons

Character and appearance

4. The appeal site comprises of an existing dwelling which is situated on the corner of Dobson Road and Bertrand Road. This part of Dobson Road is characterised by a row of properties which appear as semi-detached buildings, although they are linked together by garages. The strong rhythmic form, that arises from similar proportions, fenestration and materials, contributes to a pleasant, unified residential character.
5. The proposed dwelling, whilst being lower than the height of the existing dwelling on the appeal site and the dwelling at No. 6, would be situated in a prominent corner location and result in an increased scale of development closer to the footpath on Bertrand Road. The design of the proposed dwelling, including the choice of materials seeks to reflect the existing and neighbouring properties to the north, but the replacement of the garage, with a larger building, would be harmful to the rhythmic form that contributes positively to the character of the area. This

harm would be compounded by the reduced private amenity space, which would result in uncharacteristically narrow gardens on the existing and proposed dwellings that would not reflect the layout of gardens on similar neighbouring dwellings.

6. One of the neighbouring property's, No. 6 Dobson Road is a large double fronted property that has been considerably extended. The appeal property is however of a different property type, appearing as a semi-detached dormer bungalow, in a row of similar properties between the appeal site and Curzon Road. This differs from No. 6 which is a detached property on the other side of Bertrand Road, that more immediately has a pair of two storey semi-detached properties which neighbour it. The circumstances of this neighbouring property are not therefore comparable to that of the appeal site.
7. I therefore conclude that the appeal development would have an unacceptable adverse impact on the character and appearance of the area. As such, it would conflict with Policy JP-P1 of the Places for Everyone Joint Development Plan and Policy RA1 of the Council's Core Strategy, which seek, amongst other matters, to conserve and enhance the distinctive character of the existing physical environment. Although the House Extensions Supplementary Planning Document (2012) (SPD) is referenced in the decision notice, this is relevant only to housing extensions.

Living conditions

8. The proposed dwelling would result in the loss of the side garden area to the existing dwelling. The provision of parking at the rear would also limit the private amenity space that would be available to the existing and proposed dwellings. Although the parking spaces proposed to the rear could be used flexibly to provide additional amenity space, these would not be available if a vehicle was parked in the respective space. Given the requirement set out by the Council for two parking spaces per property, these spaces would likely be required for such vehicle parking, even if an additional parking space could be accommodated to the front. The limited garden areas at the rear would not therefore provide sufficient space for outdoor recreation, a space to sit out in or to undertake other typical domestic garden activities.
9. Both the existing and proposed dwellings would have front gardens, but due to their elevated position with clear views from Dobson Road, they would not provide a sufficiently private outdoor space.
10. Given the above, I conclude that the proposal would result in unacceptable harm to the living conditions of existing residential occupiers with regards to private amenity space and would fail to provide satisfactory living conditions for future occupiers with regard to private amenity space provision. As such, the proposal would be contrary to Policy CG4 of the Core Strategy, which seeks, amongst other matters, to protect amenity. The SPD is not relevant to this proposal as it relates to house extensions, but the proposal would be contrary to Paragraph 135 of the Framework, which seek, a high standard of amenity for existing and future users.

Other Matters

11. I note reference to the application subject of this appeal being the third submission for a new build dwelling and to administrative matters, including delays and the

lack of feedback from the Council. I am however required to determine the appeal before me on its own merits, and I have found the proposal to be unacceptable for the reasons set out.

12. The proposal would provide an additional dwelling that would be suitable for family occupation in an area where the Council does not have an adequate supply of housing. This weighs in favour of the proposal, but it would not outweigh the harm that I have found in relation to the main issues.
13. The development would be acceptable in relation to highway safety and would not give rise to any unacceptable adverse impacts on surrounding residential occupiers in terms of overlooking. These are however neutral considerations and are not matters which weigh in favour of the development.

Conclusion

14. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR