

**Application Number 14773/22**

**Location      529 Darwen Road, Bromley Cross, Bolton, BL7 9EB**

**Proposal      Conversion of attic to include the construction of dormer at rear**

The purpose of this report is to notify Committee, as is required by the Scheme of Delegation, that urgent action has been taken to revoke an incorrectly issued planning permission.

On 7<sup>th</sup> October 2022, the Council received a planning application for the *Conversion of attic to include the construction of dormer to rear* at 529 Darwen Road, Bolton, BL7 9EB.

The application site is within the Dunscar Conservation Area and as a result, the proposal was assessed by the Council's Design and Conservation Officer. The Officer found that *the proposed development by virtue of its size and design will have a detrimental effect on the character and appearance of the Dunscar Conservation Area and is contrary to Policy CG3 of Bolton's Core Strategy and Supplementary Planning Document 'General Design Principles'.*

The application was therefore recommended for refusal and a delegated report was prepared setting out the full reasoning. The officer report is appended at Annex A for information.

Unfortunately, due to an administrative error, a notice of approval was issued on 30<sup>th</sup> November 2022 instead of a notice of refusal. The only way to rectify this is to revoke the planning permission as once a decision has been issued, it cannot otherwise be withdrawn.

Under Section 97 of the Town and Country Planning Act 1990, a local planning authority can revoke planning permission if it appears to them that it is expedient having regard to the development plan and to any other material considerations.

The Council has therefore made a Revocation Order to revoke the planning permission on the basis that the proposed development by virtue of its size, and design would have a detrimental effect on the character and appearance of the Dunscar Conservation Area and is

contrary to Policy CG3 of Bolton's Core Strategy and Supplementary Planning Document 'General Design Principles'.

The Order was made on 22<sup>nd</sup> December 2022 after seeking agreement from the chair, vice chair and opposition spokesperson and was submitted to the Secretary of State for confirmation. Action was taken urgently in order to negate any potential compensation claim that the applicant may make. The applicant has opposed the Order and therefore the decision to confirm the Order rests with the Secretary of State.