



---

## Appeal Decision

Site visit made on 8 July 2025

**by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 12 August 2025**

---

**Appeal Ref: APP/T4210/D/25/3362487**

**99 Radcliffe Road, Bury BL9 9LD**

- 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. M Sharif against the decision of the Bury Metropolitan Borough Council.
  - The application Ref is 71400/FUL.
  - The development proposed is described as proposed single storey side and rear extension with rear dormer.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are the effect of the development on (i) the character and appearance of the host property and area in general; and (ii) the living conditions of the occupants of No. 97 Radcliffe Road.

### Reasons

#### *Character and Appearance*

3. The appeal property is a semi-detached bungalow with garage to the side within a predominantly residential area. The proposed design of the extension extends the full width of the plot, albeit stepped in for part of the single storey rear extension. Whilst the proposed extension would follow the form of the front façade of the appeal property, the bulky extension would introduce a dominant and contrived form of development.
4. The proposed rear dormer extending the full width of the property would create a flat roof two-storey form of development which would not be sympathetic to the existing property or area in general. This bulky addition would be an incongruous feature. Whilst I understand a two-storey side extension has been approved at No. 97, this does not justify an unsympathetic addition to the appeal property.
5. I find that the development harms the character and appearance of the host property and area in general. There is conflict with Policies H2/3 of the Bury Unitary Development Plan (1997) (the UDP) which amongst other things seeks to ensure developments are of a high standard and sympathetic to the host property and surrounding area.

6. There is also conflict with Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties (2004, updated 2010) (the SPD) which amongst other things seeks to ensure developments respect the character of host properties and the streetscene.

### *Living Conditions*

7. The proposed development would introduce a first-floor side window in the elevation facing 97 Radcliffe Road. The SPD provides guidance that first floor windows of extensions should be a minimum of 7m between a first-floor habitable rooms directly facing a boundary with a neighbouring property. Whilst this does appear to relate to rear elevations I have not been provided with substantive reasons as to why this should not apply in this situation.
8. The SPD also confirms that extensions sited adjacent or close to a boundary should have a blank side facing the neighbour or obscure glazing and non-opening windows. Whilst there is one small rooflight also proposed to serve the bedroom the main source of natural light and view would be from the proposed first-floor side window, obscure glazed, non-opening window would not, in my view, provide adequate living conditions for future occupiers of the appeal site.
9. In terms of the two-storey extension being provided at No. 97 the proposed first-floor window with clear glazing would look onto a large blank wall close to the shared boundary, this view would also be oppressive for any future occupiers of the bedroom.
10. I find that the first-floor side window would create overlooking and loss of privacy, harming the living conditions of the occupants of No. 97 Radcliffe Road. There is conflict with Policy H2/3 of the UDP and the SPD which seek amongst other things to protect the living conditions of existing and future occupiers.

### **Other Matters**

11. The appellant contends a similar dormer could be constructed under permitted development rights via The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). I am mindful that without the other elements of the scheme at ground floor the rear dormer could not be implemented and therefore I do not consider this a legitimate fallback position. I have not been provided with substantive evidence for instance in the form of a certificate of lawful development to assess what alterations could take place under permitted development rights, as such I give this limited weight.
12. My attention has been drawn by the appellant to other developments in the surrounding area. Whilst photographs have been provided, I have no details relating to the planning history for these developments. Notwithstanding this each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.

### **Conclusion**

13. For the above reasons I conclude that this appeal should be dismissed.

*Chris Pipe*

INSPECTOR