



Appeal Decision

Site visit made on 12 August 2025

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 26th August 2025

Appeal Ref: APP/N4205/W/25/3367471

176 Tonge Moor Road, Bolton BL2 2HN

- 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 Sajid Iqbal against the decision of Bolton Metropolitan Borough Council.
 - The application Ref is 19585/25.
 - The development proposed is proposed change of use from Class E to self contained flat at first floor and erection of rear dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) The effect of the proposal on the character and appearance of the area; and
 - ii) Whether the proposal would provide a safe access for future occupiers.

Reasons

Character and appearance

3. No 176 is a traditional mid terrace property with a ground floor commercial frontage. It is in a predominantly residential area characterised by 2-storey terraced dwellings, a number of which along Tonge Moor Road are similarly in commercial ground floor use. To the rear, the appeal property is one of several neighbouring properties with 2 storey outriggers with gable ends, but other parts of the terrace feature single storey rear extensions. No 166 is a commercial garage premises with a substantial 2 storey gable end rear extension that finishes flush with the rear boundary walls along Back Moorfield Grove. At the other end of the terrace, No 186 features an apparently full width and height rear gable extension. Notwithstanding, the rears of the Tonge Moor Road and Moorfield Grove properties are unified by their traditional, simple rear roof slopes.
4. The dormer would span nearly the full height and width of the main roof of No 176. As such, it would be an overly large feature that would not respect, and it would overwhelm, the roof of its host. The excessively bulky and flat-roofed dormer would disrupt and dominate the rear roofscape of the terrace. It would be a discordant and visually obtrusive feature that would diminish local distinctiveness and historic sense of place. The proposed timber dormer walls and flat rubber roof would not match the traditional slate-roofs that characterise the terraced dwellings in this area. The plans also illustrate the removal of the chimney stack, which is a traditional and characteristic feature of the terraced roofscape.

5. I note the suggestion that the proposed roof dormer could be constructed under permitted development (PD) rights. In this regard, Class B of the Town and Country (General Permitted Development) (England) Order 2015 relates to the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. However, while No 176 was historically a dwellinghouse and the proposal would be a change of use to residential, the appeal property is currently in commercial (Class E) use. There is little substantive evidence that the residential PD rights would be a valid fallback position if the appeal should fail. Therefore, this is not a matter that weighs in favour of the scheme.
6. My attention has been drawn to a rear dormer to 165 Tonge Moor Road. The plans provided illustrate that it differs from the proposal including in terms of its deeper set in from the eaves and roof edges, its materials to match the existing roof and its window alignment. No 165 is in any case on the opposite side of Tonge Moor Road and its rear elevation faces Back Tonge Moor Road. It does not provide a visual context for the proposal. Roof extensions to residential dwellings elsewhere do not provide a justification for the appeal.
7. Therefore, I conclude that the proposal would harm the traditional character and appearance of the area. It would conflict with Policy JP-P1 of Places for Everyone Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039 Adopted March 2024 (the PfE), Policy RA1 of Bolton's Core Strategy Adopted March 2011 and the General Design Principles Supplementary Planning Document and House Extensions Supplementary Planning Document Adopted August 2012. These require, among other things, that proposals respect, complement and acknowledge the character and identity of the locality, including in terms of design, siting, size and scale, and having regard to the predominance of red brick, slate roofed terraced housing.

Whether or not a safe access

8. The proposed flat would be accessed from the rear of No 176 via a door in the main rear elevation and through the enclosed rear yard, which would be shared with the ground floor commercial use. Future occupiers would only be able to access the flat via Back Moorfield Grove, from either Tonge Moor Road or Thicketford Road via side roads and back roads, or via a narrow pedestrian access between the 2-storey side elevations of Nos 164 and 166 Tonge Moor Road.
9. Back Moorfield Grove is a narrow road enclosed to either side by continuous tall boundary walls punctuated by secure garage and pedestrian gates serving the rears of Tonge Moor Road and Back Moor Grove properties. There are few street lights along the back roads and only limited natural surveillance from the first floor bedroom windows in the rears of terraces to either side.
10. I visited during the day, but even then Back Moorfield Road was noticeably quieter than Tonge Moor Road with little obvious sign of residential activity to the rear of properties. At even quieter times and during the dark, the secluded access to the flat and the back road would not be attractive to pedestrians including future occupiers and their visitors. The proposal would not be the creation of places that are safe, with a high standard of amenity, and where crime and disorder, and the fear of crime do not undermine quality of life. As such, the proposal would not align with the aims of the National Planning Policy Framework in relation to creating places that are safe, secure and attractive.

11. I accept that existing occupiers of Tonge Moor Road use the rears for garage access and parking. Residents parking to the rear would then enter their property through a rear door. Nevertheless, the dwellinghouses have pedestrian access both front and back. Occupiers making trips on foot to local services, facilities and public transport would use their front doors, particularly more vulnerable members of the community and during low light and overnight. While my attention has been drawn to the rear access doors to Nos 174 and 178, there is little evidence those properties function in the same way and are directly comparable to the proposal, nor have any of the neighbours written in support of the proposal in this regard.
12. The evidence refers to secure doors and lighting, adhering to Secured by Design principles. However, few details appear to have been provided in this regard. Taking into account my concerns in relation to not only the secluded rear yard but more widely the use of the back road as the only access to the proposed flat, I am not satisfied that the safety and security of future occupiers is a matter that could be adequately addressed by the imposition of planning conditions.
13. Therefore, I conclude that the proposal would not provide a safe access for future occupiers. Accordingly, it would conflict with the aims of PfE Policy JP-P1. This requires, among other things, that proposals are socially inclusive, promoting a sense of community; safe, including by designing out crime, reducing opportunities for anti-social behaviour; and functional and convenient, enabling people to act efficiently with minimal effort.

Other Considerations

14. The appeal site is in an accessible and predominantly residential area, such as is suitable for new residential development. The proposed flat would provide an adequate standard of internal living space for future occupiers. There would be no adverse impacts on neighbouring residential amenity, including in terms of overlooking and privacy. These, and other requirements of planning policy, are generally neutral factors that weigh neither for nor against the scheme.
15. The creation of 1 new residential unit would contribute to the government's objectives of significantly boosting the supply of homes. However, this carries little weight in favour of the proposal.

Conclusion

16. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
17. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR