



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: 26 August 2025

Appeal Ref: APP/N4205/W/25/3364231

19 Palace Street, Bolton BL1 2DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Abdul Ahmed against Bolton Metropolitan Borough Council.
 - The application Ref is 18885/24.
 - The development proposed is change of use of rear commercial unit to C3 dwelling self-contained flat with first floor extension to create another self contained C3 dwelling flat.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of rear commercial unit to C3 dwelling self-contained flat with first floor extension to create another self contained C3 dwelling flat at 19 Palace Street, Bolton BL1 2DR in accordance with the terms of the application, Ref 18885/24, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: HAD3872-01 – Location and Site Plans; HAD3872-02 and HAD3872-03 – Existing Plans; HAD3873-04 – Existing Elevations; HAD3872-05 – Proposed Plans; HAD3872-06 – Proposed Plans 02; HAD3872-07 – Proposed Elevations; HAD3872-08 – Existing and Proposed Sections; HAD3872-09 – Existing and Proposed Site Plans; HAD3872-10 – Proposed Refuse Plan.
 - 3) The external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The Council failed to determine the application within the prescribed time limits. Although there is no formal decision on the application, the Council's evidence to the appeal indicates that had it been in a position to determine the application it would have granted planning permission subject to conditions.
3. The proposal is in a conservation area and in the setting of listed buildings. Consequently, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. Based on the evidence, I consider that the main issue is the effect of the proposal on the character and appearance of the area bearing in mind the special attention that should be paid to the desirability of preserving the settings of the Grade II* listed building “Church of St George” (Ref: 1388252) (LB1) and the Grade II listed “Walls, railings, gate piers and gates to churchyard of Church of St George” (Ref: 1388253) (LB2), and the extent to which it would preserve or enhance the character or appearance of the St George’s Conservation Area (the CA).

Reasons

5. The CA, including extension dated 2006, has a strongly linear built form centred on the densely developed townscape along St George’s Road. This is a wide thoroughfare flanked by early 19th century terraced housing interspersed by prestigious townscape buildings including LB1. Formerly part of Little Bolton before its abolition, the CA remains a cohesive and locally distinctive historic townscape. Insofar as relevant to the appeal, the significance of the CA is associated with the architectural and historic interest of the Georgian and nineteenth century buildings that illustrate the development and former prosperity of Bolton.
6. The Church of St George (LB1) dates from 1796 and it is finished in brick with a slate roof and stone dressings. It is an imposing 2-storey building with a single span roof, round arch windows and it has a 4-stage tower with pedimented west doorway, triple bell chamber lights beneath segmental archways in its upper stage and a stone parapet with ball finials. The walls, railings, gate piers and gates to churchyard of Church of St George (LB2) enclose the curtilage of LB1. LB2 dates from the late 18th century and comprises ashlar gate piers, stone retaining walls, and cast-iron spearhead railings and gates.
7. LB1 is a substantial detached building in an elevated position above St George’s Road. While there are other large and tall buildings nearby, these are widely separated from LB1 by footways and roads. The closest buildings to either side and the rear, including the appeal property, are modest in scale. In this regard, the subservient scale of the immediately surrounding buildings and the open views around the LBs, which comprise their setting, contribute to the historic legibility and special interest of LB1 as a prominent and early brick-built urban church.
8. No 19 lies to the rear of LB1 and it is an extended but originally modest 2-storey dwelling house with a brick frontage and hipped roof with side gable. It has a flat-roof rear extension, comprising a 2-storey residential extension and a long single storey commercial unit. The side elevation facing Back Palace Street is blank and finished in painted render. The side elevation facing LB1 is finished in painted render to the original dwelling and brick to the extension, the 2-storey part of which has domestic windows while the single storey part has utilitarian windows and door opening illustrative of its commercial use.
9. The 19th century dwelling is in keeping with the historic townscape, although its narrow detached form is unusual in the context of the wide frontages and terraces that characterise the CA. However, while it might replace historic outbuildings, the contemporary extension is not sympathetic to the surrounding historic built environment. Consequently, the existing extension fails to make a positive contribution to the CA or the setting of the LBs.

10. The proposed first floor extension would finish at the same height as the existing 2-storey extension, roughly 5.5m. Taking into account its footprint and dimensions, the proposal would be more in keeping with the surrounding built environment. The flat roof would not be in keeping with the hipped and gable roofs that characterise historic residential terraces and dwellinghouses in the area. Nonetheless, there are other flat-roof buildings locally and it would relate to a degree to the elevational treatment of LB1 with its parapets and recessed shallow roofs.
11. The proposal would be finished in external materials to match the existing building. This would result in a long brick facade facing the LBs, reminiscent of the historic terraces and dwellings in the area. The dimensions of the proposed window openings would not have the vertical emphasis of the early 19th century windows in the CA. However, the frames of the casement style windows would introduce some vertical detail. This elevation would not in any case be prominent in views of the CA or the LB from surrounding streets.
12. The proposed render to the side elevation facing Back Palace Street would not be a traditional finish. However, taking into account the existing elevation, the proposal would result in a relatively small increase in the extent of rendered wall. The increased height of the extension would be visible in views towards LB1 from Back Palace Street. However, this street rises away from the appeal site such that views of the upper elevation, roof and tower of the listed church would be largely unaffected. Back Palace Street is not in any case a key view of LB1 or the CA.
13. Taking all this into account, I find that the design and the relatively small increase in the scale and height of the proposal, in line with the existing 2-storey extension, would not be visually obtrusive or discordant in this location. The redevelopment of the dilapidated commercial unit for housing would make at worst a neutral, and at best a slight positive, contribution to the setting of the LBs and to the character and appearance of the CA. Consequently, the proposal would not be detrimental to the setting of the LBs or the character or appearance of the CA.
14. Given the above, I conclude that the proposal would preserve the settings and thereby the special interest of the listed buildings and the character and appearance of St George's Conservation Area. This would satisfy the requirements of the Act, paragraph 210 of the National Planning Policy Framework (the Framework) and it would not conflict with Policies JP-P1 or JP-P2 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039 Adopted March 2024 (the PfE). These policies seek, among other things, to ensure that proposals conserve and enhance the historic environment, heritage assets and their settings. Therefore, the proposal would be in accordance with the development plan.

Other Matters

15. I note that the heritage statement considers No 19 to be a non-designated heritage asset for the purposes of the report. However, there is little evidence that this is reflected in the conservation area appraisal or that it is the view of the Council. Indeed, while No 19 may be an example of a working class home, it is not significantly old and it has been extended and internally converted and its original fixtures and fittings have been largely removed. Irrespective, the proposal would

be to the rear of No 19 and the limited internal alterations to the already degraded original building would not result in harm to a heritage asset.

16. The Council has not provided an appeal statement of case but it has provided a list of development plan policies relevant to the determination of the application. In addition to heritage (Policy JP-P2), these relate to sustainable places (JP-P1), the type, size and design (JP-H3) and density (JP-H4) of new housing, and transport requirements (JP-C8).
17. The proposal is in an accessible town centre location having regard to services, facilities and sustainable transport. In the absence of evidence to the contrary, the housing density appears appropriate to the location and the flats would provide a reasonable standard of internal living space. The Highway consultee raises no concerns in relation to access, sustainable transport or highway safety and I see no reason to disagree. The redevelopment of the unkempt commercial unit would be an effective use of land. The creation of 2 new residential units would contribute to the Government's objective of significantly boosting the supply of homes. Consequently, and noting that the Council would have approved the application, I find that the proposal would accord with the development plan as a whole and the Framework.

Conditions

18. The Council suggests planning conditions in the event the appeal was allowed. I have assessed these against the tests set out in the Framework.
19. In addition to the standard time limits condition, a condition specifying the approved plans is necessary in the interests of certainty and visual amenity. A condition specifying the external materials is also necessary in the interests of the character and appearance of the area.

Conclusion

20. For the reasons set out above, and as the proposal would accord with the development plan, I conclude that the appeal should be allowed.

Sarah Manchester

INSPECTOR