
Appeal Decision

Site visit made on 5 September 2025

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Appeal Ref: APP/N4205/D/25/3369336

38, Dunstan Street, Bolton BL2 6AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mistoria Group against the decision of Bolton Metropolitan Borough Council.
 - The application is reference 20103/25.
 - The development proposed is for a single-storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal is made retrospectively for development already constructed.

Main Issues

3. The main issues are the effect of the proposed development upon (i) the character and appearance of the area, and (ii) the living conditions of the occupiers of Nos. 36 and 40 Dunstan Street in terms of their outlook.

Reasons

Character and appearance

4. No. 38, Dunstan Street is a mid-terraced, two-storey dwelling dating from the nineteenth century and located in a mainly residential area. It has a rear amenity space with a length of approximately 6 metres, and it adjoins the back street to the terrace where the majority of adjoining properties have brick walls of about 2 metres in height facing it. While there are exceptions, it is not the norm for extensions to have a length which meets the rear boundary of the rear amenity space, as in this case, and this adds positively and distinctively to the character and appearance of the area.
5. The appealed, single storey rear extension abuts the back street, taking up virtually the whole length of the amenity space. It has a width of about 2.8 metres and has a flat roof of a similar height. The overall floor area of the extension takes up the vast majority of the rear amenity space, leaving only a small amount of land along the side of it which provides a narrow access way to the back street.

6. The extension cannot be seen from the main road and an outrigger to No 32, Dunstan Street on the end of the terrace also hides it to some extent when viewed from Belvoir Street. However, the extension is still visible when viewed from that direction, and by its height exceeding that of the generally uniform height to boundary walls to the back street, it has a visually adverse impact in terms of the character and appearance of the area, made more visually incongruous by its location in the middle of the row.
7. Therefore, I conclude that the extension does not accord with policy JP-P1 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024 (PfE), which aims to protect and conserve the character and appearance of areas within which development is proposed, or with chapter 12 of the National Planning Policy Framework 2025 (the Framework) which requires the same. While the LPA considers that the development does not accord with policy CG4 of the Bolton Core Strategy 2011 (CS), this policy is concerned with ensuring that development is compatible with surrounding land uses and occupiers rather than with the character and appearance of the area.

Living conditions of the occupiers of No'd 70 and 74 Thicketford Road

8. The SPD refers to the significant number of terraced houses in the Borough which, by reasons of age, density, size and design, are much more restricted in terms of space available to meet the needs of their occupiers, particularly those built before the second world war which were often built without modern day facilities.
9. The SPD considers that extensions should be considered sympathetically, while at the same time balancing other considerations such as the impact upon neighbours, though the benefits of improving the living conditions of residents of the extended properties should attract substantial weight.
10. While, in accordance with the SPD, I afford substantial weight to the improved living conditions which the appeal extension affords, I consider that by its very close proximity to the boundaries to the properties to either side and by its length and height, it has a substantial and unacceptable impact upon the occupiers of Nos. 36 and 40 Dunstan Street in terms of their outlook.
11. Therefore, I conclude that the appealed extension does not accord with CS policy CG4 which requires development to be compatible with and to protect the amenities of surrounding occupiers, or with the SPD which requires the same. PfE policy JP-P1 is less pertinent in this regard, excepting that it requires a high level of amenity for outdoor environments, which in this case, would be adversely affected by the impact of the extension upon the outlook from such spaces.

Other Consideration

12. The appellant has referred to another rear extension of approximately 6 metres in length and which has been approved by the LPA. However, I do not know of the specific details of the case, and in any event, I have determined the appeal based upon its individual merits.

Conclusion

13. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

INSPECTOR

S. Hartley