
Appeal Decision

Site visit made on 25 September 2025

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 October 2025

Appeal Ref: APP/N4205/W/25/3370049

42 Horeb Street, Bolton BL3 6LG

- 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 Zamir against the decision of Bolton Metropolitan Borough Council.
 - The application reference is 20245/25.
 - The development proposed is described as 'Proposed erection of a single storey extension at the rear of house at 42 Horeb Street, Bolton'.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the living conditions of occupiers of 44 Horeb Street and 57 View Street, with specific regard to matters of outlook, light and privacy.

Reasons

3. The appeal property is a two-storey terraced dwelling within a residential area. The terrace steps down, due to land levels falling to the northeast. As a result, the adjoining property at 44 Horeb Street is at a lower ground level. Land levels also fall notably to the northwest, and so the facing dwelling to the rear, 57 View Street is set at a much lower ground level. The host property has a modest sized garden to the rear with fencing to its boundaries.
4. The proposed single storey rear extension would be positioned up to the shared boundary with No 44. It would extend for 4m, 2.9m to eaves height and 3.8m to ridge height. Given the ridged design, the roof would slope away from the shared boundary. However, the proposed extension would reflect the floor level of the existing dwelling, which is set higher than that of No 44. Consequently, the side wall of the proposed extension would extend considerably over the height of the existing fence.
5. A large, unobscured window exists to the ground floor rear elevation of No 44, close to the shared boundary. Given the height, projection and proximity of the proposed extension over and above the existing fence, it would appear imposing in views from this window, and so, it would have an overbearing impact on the outlook for occupiers of this neighbouring property. It would also have an overbearing impact on the outdoor space immediately to the rear of No 44. I appreciate that views would remain from this window to the north, where the aspect is more open, and that a small area of alternative amenity space exists to

the side of No 44, which although unaffected by traffic noise from the side road, is not private. Nevertheless, the effect of the proposal on the living conditions of occupiers of No 44 would be harmful. This harm is not addressed by No 44 being a rental property, or even if occupiers are out at work for large parts of the day.

6. With regards to the same property, the Council also raises concerns with the loss of natural light. The rear elevation of No 44 faces northeast, and so rear facing windows and the rear garden, are already shaded for a large part of the day. While I acknowledge the change in levels, the proposal would be single storey only. Given this, and the northeastern orientation, I am not convinced that the proposal would have a significant impact on the level of light available to No 44.
7. In relation to 57 View Street, the change in levels is such that the ground floor of the host property is on level with the first floor of this property. First floor windows at No 57 appear to serve bedrooms. The proposal would provide an extended lounge with patio doors facing to the rear.
8. Given the notable change in levels between the host property and No 57, the existing fence would provide some screening from within the proposal to the ground floor windows and garden of this neighbour. However, as the boundary fence is set at the garden level of No 42, and the proposed floor level of the extension would be higher, reflecting the host dwelling, it would not screen views from the extended lounge towards the bedroom windows at No 57, at a distance which the Council advises would be only 9.7m. As a result, the occupiers of No 57 would experience an unacceptable loss of privacy to these upper windows.
9. The appellant has suggested that floor levels within the extension could be lowered, the roof design altered, or higher fencing installed. However, I must consider the plans before me, and in any event, some of these options could in themselves cause harm. Obscured glazing of the patio doors could be secured by condition, but as this would be the only opening serving this extended lounge, this would not provide a satisfactory outlook for occupiers of the host property.
10. With regards to No 57, the Council also considers that the proposed extension would be overbearing. The proposal would add additional bulk much closer to the shared boundary, when there is already a flat roof outbuilding positioned close to the shared boundary. However, the extension would be single storey only and when viewed from No 57, it would sit within the context of the host dwelling, which already comprises a large part of the outlook for occupiers of this neighbouring property, given the proximity and change in levels. As such, while the proposal would have some impact in this regard, it would not be harmful.
11. Nevertheless, for the above reasons, I conclude that there would be harm to the outlook of occupiers of 44 Horeb Street, and there would be harm to the privacy of the occupiers of 57 View Street. The proposal would conflict with policy JP-P1 of Joint Development Plan¹ and policy CG4 of Bolton's Core Strategy², which collectively, require that new development is compatible with surrounding land uses and occupiers, protecting amenity and privacy.

¹ Places For Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022 to 2039, March 2024.

² Local Development Framework Bolton's Core Strategy Development Plan Document, March 2011, Shaping the Future of Bolton.

Other Matters

12. The proposal would provide the appellant with additional living space which would be a more affordable option than re-locating. Other residents in the area may then wish to benefit in the same way. Such benefits do not outweigh the identified harm.

Conclusion

13. The proposal would conflict with the development plan when taken as a whole, and there are no other material considerations, including the Framework, which indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S Brook

INSPECTOR