
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: 12th November 2025

Appeal Ref: APP/N4205/W/25/3369719

Land adjacent to 472 Chorley Old Road, Bolton BL1 6AG

- 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 Three Sisters Investments Ltd against the decision of Bolton Metropolitan Borough Council.
 - The application reference is 18960/24.
 - The development proposed is Erection of a three storey building comprising of 12 Flats.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above, I have taken the description of the development from the appeal form as this accurately reflects the proposed plans, which show 12 flats, whereas the application form refers to 26 No 1 bed studio apartments.
3. There are discrepancies between the submitted plans, a matter which has not been raised by the main parties. In particular, the plan showing the side elevation contains a projecting element to the front roof slope, which is not shown on the plans showing the front elevation. It is imperative that plans are accurate, to avoid any uncertainty about what is proposed, and to understand the likely effects of the development.
4. I have considered the possibility of seeking amended plans, albeit I am mindful that the appeal process should not be used to evolve a scheme. However, for the reasons set out below, I have found the proposed development to be unacceptable. Amending the proposed plans to address the inconsistencies alone, would not be sufficient to overcome my concerns with the proposal. As such I have not pursued this matter, and I have assessed the proposal as it has been presented to me.

Main Issues

5. The Council's decision notice referenced two refusal reasons, the second referring to a lack of information in relation to designing out crime. An updated Crime Impact Statement has accompanied the appeal and in light of this information, the Council does not seek to pursue this second refusal reason. However, interested parties also raise this issue.
6. Noting the above, the main issues in this appeal are (a) the effect of the proposed development upon the character and appearance of the area, and (b) whether the

proposed development would provide satisfactory living conditions for the future occupiers, with regards to safety.

Reasons

Character and Appearance

7. The appeal site comprises an area of part grass and part hardstanding, prominently positioned on the corner of Chorley Old Road and New Barn Street. Land levels gradually rise from east to west. The surrounding area is predominantly residential in character, albeit there are a number of commercial uses located along Chorley Old Road. Surrounding housing largely consists of modestly sized, two storey terraced housing, faced with brick or stone. Some larger buildings exist within the locality and are in a mix of uses, including the building immediately adjacent to the appeal site. This neighbouring building displays some features of architectural quality. In its present condition, the appeal site does not make a positive contribution to the character or appearance of the area.
8. The proposal would introduce a three-storey block of apartments to this corner site. The roof line would be stepped and the building line staggered to give the impression of four townhouses, referencing the terraced housing in the locality. The proposal would mainly utilise red brick, which would be consistent with the mix of brick and stone materials in the area.
9. However, terraced housing within the locality is generally two storeys only and so the greater height and overall size of the proposal would not respect the size and scale of housing within this area. To then break up the massing of what would be a larger building, and to add visual interest, the appeal scheme incorporates a number of design features, which are not typical of the area. These features include a castellated roof line, the use of vertical render bands, and the use of inset balconies and glazed balustrades, the extent of which creates a horizontal emphasis. Together, these features result in an overly detailed design that would be at odds with the more simple appearance of the existing terraced housing, the fenestration of which typically has a vertical emphasis. Consequently, the proposal would not represent a high standard of design which respects and acknowledges the character and identity of the locality. The inclusion of landscaping at ground floor level along the site frontage would do little to mitigate this harm.
10. I acknowledge that the plan showing part of the street scene demonstrates that the proposal would not be dissimilar in height or width to the existing building to the east. However, I agree with the Council that in other respects, the appeal scheme would not relate well to this neighbouring building, including in terms of its proportions and fenestration treatment. The proximity of the two buildings would only emphasize this contrast.
11. While some fenestration is included to the side elevation facing New Barn Street, the fenestration of the rear elevation is limited to two windows and a door. While at the back of the building, this elevation would be visible to passersby on New Barn Street. Such an expanse of brickwork would represent a poor standard of design, appearing stark and oppressive.
12. For these reasons, the proposed development would be harmful to the character and appearance of the area. The proposal would therefore conflict with policy OA5

of Bolton's Core Strategy¹ (CS) and policy JP-P1 of the Places for Everyone Joint Development Plan² (JDP), which collectively and amongst other matters, require new development to respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials, be visually stimulating through the use of quality design, and conserve and enhance the physical environment.

Safety

13. I have considered the document titled Crime Impact Statement, prepared by Graphite Security and dated 23 December 2024. This updated report evaluates the proposed design in light of potential risks relating to safety and crime, as well as identifying measures to mitigate such risks. A condition could be imposed to secure these recommendations. The Council accepts that the report is adequate in terms of JDP policy JP-P1, which aims to ensure that places are safe, by designing out crime and reducing opportunities for anti-social behaviour. I have been provided with no substantive evidence to the contrary, and so I have no reason to disagree with the Council. Consequently, the proposal would provide acceptable living conditions with regards to safety, and I find no conflict with JDP policy JP-P1.

Other Matters

14. The proposal would provide 12 additional flats utilising previously developed land. This would make a positive contribution to the Government's objective of significantly boosting the supply of homes, as well as choice. The appeal site is located within an urban area of Bolton, within a reasonable distance of a range of services and facilities, and so it would be in an accessible location. I note the appellant's commitment to delivering sustainable methods of construction and energy management throughout the lifetime of the building. The submitted evidence also suggests a net gain in biodiversity.
15. The appellant's submissions reference the provision of a commuted sum towards affordable housing. There is no mechanism before me to deliver this, or evidence to suggest that it is necessary on planning grounds. As such, this is not a matter that I can afford any weight.
16. While noting the representations from interested parties relating to parking congestion, the Council does not sustain any concerns relating to other matters, such as amenity, highway safety, flood risk, or space standards. From the available evidence, I have no reason to disagree. Nevertheless, these are neutral matters that do not carry weight for or against the proposal.

Planning Balance and Conclusion

17. For the reasons set out above, the proposal would conflict with the development plan when taken as a whole.
18. The Council confirms that it is unable to demonstrate a five-year supply of deliverable housing sites. At the present time, only a 3.7-year supply can be

¹ Local Development Framework Bolton's Core Strategy Development Plan Document Adopted 2 March 2011, Shaping the Future of Bolton.

² Places For Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 – 2039, Adopted 21 March 2024.

demonstrated. Therefore, paragraph 11 d) of the National Planning Policy Framework (the Framework) is engaged.

19. The application of policies in the Framework that protect areas or assets of particular importance do not provide a strong reason for refusing the development proposed. Therefore, it is necessary to consider whether any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
20. There is no dispute that the proposal is within a highly accessible location. It would utilise previously developed land. Paragraph 125 of the Framework states that in decisions, substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.
21. The Framework also advises that the delivery of high-quality buildings and places is fundamental to what the planning and development process should achieve, with good design a key aspect of sustainable development. Planning decisions should deliver development which adds to the overall quality of the area, is visually attractive as a result of good architecture, and is sympathetic to local character, including the surrounding built environment. Given my conclusions in relation to the first main issue, the appeal scheme would fail to meet these requirements. The harm to the character and appearance of the area would be substantial, and so the adverse impacts of approving the development would significantly and demonstrably outweigh the benefits. Therefore, the proposal would not be sustainable development for which the presumption in favour applies.
22. The proposed development would conflict with the development plan and there are no material considerations, including the Framework, worthy of sufficient weight, that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

S Brook

INSPECTOR