
Appeal Decision

Site visit made on 17 December 2025

by Ann Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2026

Appeal Ref: APP/N4205/D/25/3367194
771 Chorley Old Road, Bolton BL1 5SH

- 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 Michelle Williams against the decision of Bolton Council.
 - The application Ref is 19369/24.
 - The development is erection of a summerhouse and shed structure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the application form, omitting wording that is not an act of development. The summerhouse and shed structure has been erected. I am therefore considering this appeal retrospectively.

Main Issue

3. The main issue is the effect of the development on the setting of the Grade II listed building known as '759,759A and 761-773, Chorley Old Road'¹ and on the character and appearance of the area.

Reasons

Significance of listed building

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), places a duty upon me to have special regard to the desirability of preserving the setting of a listed building, defined by the National Planning Policy Framework (the Framework) as the surroundings in which it is experienced.
5. The appeal site, 771 Chorley Old Road (No.771), is a modest two-storey dwelling forming part of a terraced row, all of which is designated as a Grade II listed building. Located on the incline of Chorley Old Road and constructed of stone, with a mix of stone flag, slate and concrete tiled roofs, the list entry suggests the nine individual properties within the listed building were built through piecemeal development from the mid-18th century to the mid-19th century. The properties appear to now all be in residential use.
6. Nos.759 and 759A were built as a shop at the end of the row as part of a single phase with Nos.761 and 763 and the splayed corner and large former shop

¹ National Heritage List for England, List Entry Number: 1387960

windows at No.759 remain evident. The central property in the terrace, No.765, is taller than others in the row and incorporates a distinctive canted angle entrance up steps with a cast iron railing. A plaque above the front door notes it was constructed as a toll house for the Doffcocker Turnpike Trust in 1785. Nos.767 to 773 complete the row as two separate pairs with the appeal property, No.771, projecting forward of neighbouring No.769.

7. At the rear, the listed building incorporates incremental alterations and additions. Due to the topography of the area and previous excavation of part of its rear garden to utilise the basement, No.771, is three storey when viewed from the rear.
8. From the information before me and observations at my site visit, I find the special interest and significance of the listed building to be mainly derived from its architectural and historic interest demonstrating the evolution of a terraced row from the 18th century. Important contributing factors in this are its use of traditional methods of construction and materials and surviving historic fabric. Despite certain alterations to the facades, fenestration and roofs of individual properties in the row, similarities in their age, stone construction and overall domestic form creates an architectural and aesthetic connection between them which makes a positive contribution to the special interest of the listed building.
9. Insofar as is relevant to the appeal, the building's special interest and significance is also derived from its setting, which is the environs in which it is experienced. Its immediate setting includes the main Chorley Old Road to the front with residential development on the opposite side of the road, and at the rear, the garden/yard areas to each individual property. Beyond the gardens is an area of sloping and partly wooded open space that lies on the fringe of Doffcocker Lodge, a reservoir which, from information before me, is a local nature reserve. A part flag stone and sett track runs along the rear garden boundaries of the listed building which becomes a rough path to Doffcocker Lodge. The open and verdant setting to the rear of the listed building contributes to how this designated heritage asset is appreciated and this setting makes a positive contribution to the significance of the listed building.
10. The listed building and associated rear gardens, including that at No.771, are visible from the open space to the rear and the public right of way that links Back Arnold Terrace and Doffcocker Lodge car park with Millstone Road, particularly when trees are not in leaf.

Effect of the development

11. The footprint of the summerhouse and shed structure (the outbuilding) alone would not be particularly disproportionate to the size of No.771 or its garden. However, despite its timber construction, due to its width and box-like form, it appears as a building of a sizeable scale and bulk within the plot. The scale of the outbuilding is exacerbated by its position at the end of the garden on raised land above Doffcocker Lane, which visibly promotes its status above that of a recessive outbuilding.
12. The outbuilding projects above the existing fenced boundaries to either side and is the largest and tallest freestanding structure within the rear gardens of the listed building, the majority of which remain undeveloped. It is clearly visible in views along Doffcocker Lane from Chorley Old Road, in the gap between the Hope and Anchor public house and No.759, where it appears as a prominent and

incongruous form of development within the context of the narrow rear gardens and vegetated open space. Glimpses of the outbuilding can also be obtained between trees from within the area of public open space at the rear of the listed building.

13. I acknowledge that the outbuilding is painted green, adequate outdoor amenity space is retained for occupants of No.771 and it is located some distance from the rear elevation of No.771. This means that when viewed from the rear windows and gardens of individual properties in the listed terrace, it is less conspicuous against the backdrop of fenced and vegetated garden boundaries, some of which are stepped and terraced, and against trees in the open space beyond.
14. However, this does not overcome the fact that, due to its scale and position, the outbuilding does not sit discreetly within the rear garden in views towards the rear elevation of the listed building. I find it competes for attention with the overall domestic proportions of the rear elevation and gardens of No.771, and the wider listed building of which it is part. Thus, as a result of its scale, it weakens the architectural interest and the enduring legibility and relationship between the listed building and its exterior spaces.
15. In reaching this conclusion, I have had regard to the Heritage Statement (HS) submitted by the appellant in support of the development². Notwithstanding the conclusions of the HS and the appellant's claim that the outbuilding presents the least harmful option, there is harm nonetheless. For the reasons stated above, I find that the outbuilding fails to preserve the setting of the listed building and is thus harmful to the significance of the designated heritage asset and to the character and appearance of the area.
16. Paragraph 212 of the Framework requires great weight to be given to the conservation of heritage assets, regardless of the level of harm. Consistent with that approach, paragraph 213 sets out that any harm to, or loss of, the significance of a designated heritage asset including from development within its setting, should require clear and convincing justification.
17. Whilst I have found that the outbuilding would not preserve the setting of the listed building, it does not result in the loss of any historic fabric and could be reversible. Given the overall scale of the outbuilding and that it relates to one part of a larger listed building, the harm to its setting would towards the lower end of 'less than substantial', but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises this harm should be weighed against the public benefits of the development.

Public benefits and Balance

18. I acknowledge that the additional space provided by the development offers an improvement of the housing stock within the area, although it is essentially for the private benefit of the appellant rather than for the benefit of the public at large. I have seen nothing to demonstrate that the continued viable residential use of No.771 or the listed building as a whole is dependent on the development as it has an ongoing residential use that would be unlikely to cease in its absence.

² Heritage Statement, JW Conservation, December 2024 and letter dated 15 May 2025.

19. In the above respects, clear and convincing justification for the harm to the designated heritage assets' significance has not been provided. Overall, the weight that I ascribe to the public benefits that result from the development are not sufficient to outweigh the considerable importance and weight I attach to the harm I have identified.
20. Accordingly, I conclude that the development fails to preserve the setting of the Grade II listed building known as '759,759A and 761-773, Chorley Old Road' and does meet the requirements of the Act. Similarly, it has a harmful effect on the character and appearance of the area. It therefore conflicts with policies JP-P1 and 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 which, amongst other things, seek to ensure development that respects and acknowledges the character and identity of the locality and conserves, sustains and enhances the historic environment and heritage assets and their settings. It also conflicts with guidance in the Council's House Extensions Supplementary Planning Document, August 2012 insofar as it seeks the same aims; and provisions within the Framework which seek to conserve or enhance the historic environment and the character and appearance of the area.

Other Matters

21. The appellant draws my attention to examples of other outbuildings in the rear gardens of the listed building and within the wider area. As set out above, the outbuilding at No.771 is significantly larger than any other freestanding structure within the gardens of the listed building. I have limited information regarding outbuildings in the wider area or whether they relate to a listed building and therefore cannot assess how similar or otherwise they might be to the proposal before me. In any event, I must determine the appeal before me on its own merits.
22. Permitted development rights for outbuildings do not apply to land associated with a listed building. Therefore, the appellant's suggestion that the outbuilding would comply with such rights if the building was not listed is not relevant. Given that the development does not preserve the setting of a listed building and is harmful to the character and appearance of the area, it does not constitute the sustainable development that the Framework seeks to achieve.
23. I have considered all other matters raised by interested people. However, as I have found the development to be unacceptable for the reasons given, it is not necessary for me to reach a conclusion on these matters.

Conclusion

24. The development would conflict with the Act, the development plan and the Framework. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan.
25. Accordingly, for the reasons given, I conclude that the appeal should be dismissed.

Ann Veevers

INSPECTOR