

REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	18 November 2025
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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**Planning Appeals Lodged
between 13/10/2025 and 09/11/2025**



Application No.: 71572/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Wells

Location: 15 Bishops Road, Prestwich, Manchester, M25 0HT

Appeal lodged: 04/11/2025

Appeal Type:

Proposal: Loft conversion with raised ridge and front and rear dormers

Application No.: 72082/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: PUS Construction

Location: Land to south of 390 Manchester Road, Ramsbottom, BL9 5NB

Appeal lodged: 28/10/2025

Appeal Type: Written Representations

Proposal: Application for permission in principle for proposed residential development between 7 to 9 no. dwellings

Application No.: 72186/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mrs Sam Clague

Location: 84 Holcombe Road, Tottington, Bury, BL8 4AY

Appeal lodged: 20/10/2025

Appeal Type: Written Representations

Proposal: Rear dormer; extension of the existing side dormer, and front canopy along with cladding to front & rear elevations

Total Number of Appeals Lodged: 3

**Planning Appeals Decided
between 13/10/2025 and 09/11/2025**



Application No.: 71399/FUL Decision level: DEL Recommended Decision: Refuse Applicant: Mr Mohammed Iqbal Hussain Location: 17 Bloomfield Drive, Bury, BL9 8JX Proposal: Extension to rear gable end roof; 2m fence to side boundary	Appeal Decision: Allowed Date: 28/10/2025 Appeal type: Written Representations
Application No.: 71444/FUL Decision level: DEL Recommended Decision: Refuse Applicant: Mr Mohammed Amirinejad Location: Land at Harper Fold Road & Canute Street, Radcliffe, M26 3BX Proposal: Erection of 2 no. dwellings	Appeal Decision: Dismissed Date: 28/10/2025 Appeal type: Written Representations
Application No.: 71734/FUL Decision level: DEL Recommended Decision: Refuse Applicant: Mr Refoel Weissbraun Location: 50 Craigwell Road, Prestwich, Manchester, M25 0FE Proposal: Erection of a garden fence.	Appeal Decision: Dismissed Date: 21/10/2025 Appeal type: Written Representations
Application No.: 71792/FUL Decision level: DEL Recommended Decision: Refuse Applicant: Mr Hatel Patel Location: 28 Alnwick Drive, Bury, BL9 8BZ Proposal: First floor rear extension; Installation of 1 no. obscure glass first floor window to each side elevation	Appeal Decision: Dismissed Date: 28/10/2025 Appeal type: Written Representations
Application no. 71855 Decision level: DEL Recommended decision: Refuse Applicant: Mr Andrew Platt Location: 20 Cliff Road, Bury, BL9 9SP Proposal: Demolition of existing garage & erection of new garage	Appeal decision: Allowed Date: 13/10/2025 Appeal type: Written reps

Appeal Decision

Site visit made on 29 September 2025 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/T4210/D/25/3369996

17 Bloomfield Drive, Bury BL9 8JX

- 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. Mohammed Iqbal Hussain against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71399.
 - The development proposed is described as a “part gable end roof to the rear, to gain additional headroom at first floor and 2 meter high fence to the side boundary”.
-

Decision

1. The appeal is allowed and planning permission is granted for a “part gable end roof to the rear, to gain additional headroom at first floor and 2 meter high fence to the side boundary” at 17 Bloomfield Drive, Bury BL9 8JX in accordance with the terms of the application, Ref 71399, 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 drawing numbers: PP-13596515v1; IPS/R/17/BL98JX SHT 3 of 5 – Revision A; and IPS/R/17/BL98JX SHT 5 of 5 – Revision A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building and fence.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter and Main Issue

3. The existing plan shows a lower section of fencing towards the front of the site. However, the erected version on site has a consistent taller fence line around the front and side boundary. Nonetheless, there is sufficient information to make an informed assessment of the development from both the plans and what I saw on site, and I have referred to it accordingly. The Council does not object to the proposed rear roof extension, and I find no reason to disagree. My recommendation therefore focuses on the proposed fence. The main issue in regard to which is its effect on highway safety.

Reasons for the Recommendation

4. The appeal site relates to a two storey detached dwelling located on a prominent corner plot. Fencing has been erected to the side and front boundaries to create an enclosed side garden. It is adjacent a sharp bend in the road, with no on street parking restrictions and a speed limit of 20 miles per hour. There is also an open driveway with a dropped kerb, providing vehicular access to the front of the site. The surrounding area is residential and features a wide carriageway flanked by public pavements. Properties are also set well back from the street due to their generous front gardens and driveways, where these features contribute to an open and spacious setting.
5. The high fence erected on site currently restricts visibility from the driveway to one side. The proposal would address this by setting it back so it would not extend past the main dwelling's front elevation. It would also be chamfered at the corner closest to the highway. This new layout would significantly improve sightlines, by enabling vehicles entering, emerging, or reversing out from the driveway, to better observe any oncoming traffic navigating the bend. Views of pedestrians coming from the currently concealed side of the driveway would also be enhanced. Moreover, given the location of the dropped kerb, vehicles leaving or entering the driveway would do so directly from the south, away from the bend. As such, the proposal represents an improvement over the current arrangement and would reduce potential conflicts between vehicles from the driveway and other road users.
6. The proposed fence's tall height would reduce forward visibility for drivers approaching the bend from either direction to a substandard level. However, its proposed setback and chamfered layout would help to mitigate its overall impact by reducing the extent of the fence. Bloomfield Drive is also lightly trafficked with a low speed limit. It is set within a small residential estate, with each dwelling benefitting from off-street parking. On-street parking is, therefore, typically low in demand and vehicle movements, including any manoeuvring or reversing, are expected and common. As such, motorists would tend to proceed through the estate with caution at reduced speeds. The sharp bend in the road also naturally discourages speeding due to restricted visibility ahead.
7. Notably, properties adjacent the outer side of the bend all have driveways and dropped kerbs. On-street parking to this section and side of the road would therefore be generally avoided. Thus, drivers travelling towards Sunny Bank Road would typically not need to stop when passing the bend, as this side would generally be free of on-street parked vehicles. Whilst on-street parking is possible to the inside of the bend, the carriageway is wide enough for a driver travelling towards Goodison Road to overtake them. Any on-street parking would also narrow the carriageway and further encourage slower driving.
8. Consequently, the proposal's layout, the local traffic and road context and parking constraints would ensure that drivers would have adequate time and visibility to respond to any potential hazards when approaching the bend from either direction. For these reasons, and despite the reduction of forward visibility, the intervisibility of the highway would be acceptably maintained and would result in an acceptable impact upon highway safety overall. Accordingly, it would not conflict with Policy H2/3 of the Bury Unitary Development Plan 1996 and the Alterations and Extensions to Residential Properties Supplementary Planning Document 6 2010.

Together, and amongst other things, these require house extensions and alterations to have regard to visibility for pedestrians, cyclists and vehicles.

Other Matters

9. The Council's Traffic Section set out, amongst other things, that the proposed fence would breach a condition under a previous planning permission. I have not seen a copy, but I have explained above why the fence subject of the appeal would not be the source of harm such that dismissal thereof would be justified.

Conditions

10. To provide certainty and for enforcement purposes, it is necessary to impose the standard time limit and specify the approved plans. A condition is also necessary for materials to match those used on the existing building and the fence, to maintain the character and appearance of the area.

Conclusion and Recommendation

11. For the reasons given above, I recommend that the appeal should be allowed in the circumstances set out and subject to the conditions explained, given it would comply with the development plan and there is nothing compelling to suggest a decision other than in accordance therewith.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed and planning permission granted, subject to the stated conditions.

John Morrison

INSPECTOR



Appeal Decision

Site visit made on 7 October 2025

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 October 2025

Appeal Ref: APP/T4210/D/25/3371315

50 Craigwell Road, Prestwich, Bury, M25 0FE

- 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 Refoel Weissbraun against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71734.
 - The development proposed is erection of a garden fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development the subject of this appeal has already taken place and is referred to below as “the development.”
3. The appellant draws my attention to the supporting statement submitted alongside the planning application which states that he “...proposes to reduce the fence height from 3.5 metres to 3.2 metres, minimising its visual impact...To further minimise the visual impact and enhance the appearance...(he) has agreed to add climbing plants on a trellis over the fence...”
4. In this regard, the appellant states that the appeal property’s garden sits roughly 1.5 metres above street level. The Council notes that it is proposed to retain the fence at a reduced height, whereby the fence itself would be reduced from 2.4m to 2.1m in height.

Main Issues

5. The main issues in this case are the effect of the development on the character and appearance of the area, and its effect on highway safety.

Reasons

Character and appearance

6. The appeal property is a two-storey detached dwelling situated in a prominent location at the corner of Craigwell Road and Edenfield Road. The surrounding area is residential and is characterised by the presence of detached and semi-detached two-storey dwellings which tend to be set back from the road behind gardens and/or parking areas.

7. The setting-back of dwellings from the road combines with the presence of gardens, gaps between dwellings, planting and occasional street trees to provide the area with a green, open and spacious character.
8. During my site visit, I observed that the presence of low brick boundary walls is a striking feature of the area. These low boundaries enhance the area's sense of openness and spaciousness and afford views of front gardens and/or the planting within them. Some of the boundaries have hedges rising above them and these help to soften the built-up appearance of the area as well as contribute to its sense of greenery.
9. The appeal property has a low brick boundary wall which wraps around its front and side garden. Its side garden faces Edenfield Road, whilst its front garden faces Craigwell Road, from which a small gateway leads to the front of the dwelling. Craigwell Road rises from Edenfield Road such that the appeal dwelling's side garden sits considerably above the street level of Edenfield Road.
10. The development comprises a tall fence built immediately behind the low brick wall adjacent to Edenfield Road and set back from Craigwell Road, such that it is level with the front elevation of the appeal dwelling. The tall height of the fence combined with its prominent location, the raised height of Craigwell Road above Edenfield Road and the solid appearance afforded by the fence's close-boarded construction, result in it looming above Edenfield Road as a stark, visually intrusive and unduly dominant feature.
11. The harm arising from this is severely exacerbated as a result of the fence appearing entirely out of keeping with the general form of boundary treatments in the surrounding area. Resultantly, the development appears highly incongruous within its surroundings.
12. Given all of the above, I consider that the development appears as an intrusive feature, out of keeping with its surroundings and to the detriment of the area's green, open and spacious qualities.
13. I therefore find that the development harms the character and appearance of the area, contrary to the National Planning Policy Framework; to Policy H2/3 of the Bury Unitary Development Plan (1997. Saved 2007); and to the Council's SPD¹, which together amongst other things, seek to protect local character.

Highway Safety

14. The fence rises immediately behind the appeal property's boundary with Edenfield Road and presents a tall, impermeable barrier level with the front elevation of the appeal dwelling. This results in the fence obscuring views of Edenfield Road to the south from Craigwell Road. This is especially noticeable as one travels towards the junction of the two roads from Craigwell Road.
15. I find that the position and the tall impermeable nature of the fence combine to impede visibility to the south as cars head towards Edenfield Road from Craigwell Road. As a consequence, drivers are presented with a restricted view of other road and pavement users, including cyclists and pedestrians. I find that this places

¹ Supplementary Planning Document 6: Alterations and Extensions to Residential Properties (Adopted 2004, Updated 2010).

cyclists, pedestrians and other road users within a residential area at risk from vehicles pulling out from Craigwell Road with reduced visibility.

16. The appellant, in support of his case, states that a previous boundary impeded views. However, whether or not this was the case I have found that, for the reasons set out above, the development the subject of this appeal would result in harm to highway safety, and this harm is not something that is reduced by the presence of a different boundary at some point in the past.
17. Consequently, I find that the development harms highway safety, contrary to the National Planning Policy Framework; to Policy H2/3 of the Bury Unitary Development Plan; and to the Council's SPD, which together amongst other things, seek to provide for highway safety.

Other Matters

18. In support of his case, the appellant considers that an overall boundary height of 3.2 metres combined with a trellis providing climbing plants over the fence would minimise visual impact and enhance the appearance of the development. However, the fence would still appear as a very tall, solid, unduly dominant and incongruous feature that would appear out of keeping with its surroundings, resulting in significant harm.

Conclusion

19. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

Appeal Decision

Site visit made on 30 September 2025

by **J Hobbs MRTPI MCD BSc (hons)**

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/T4210/W/25/3367342

Land between Harper Fold Road and Canute Sreet, Radcliffe

- 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 Mohammed Amirinejad against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71444.
 - The development proposed is erection of 2 No. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner above is duplicated from the Application Form. However, I amended one of the names of the roads to “Harper Fold Road” to reflect the Appeal Form. During my site visit I observed that this was the correct name of the road.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and,
 - highway safety, with particular regard to the provision of off-street parking.

Reasons

Character and appearance

4. The appeal site is an area of grassland surrounded by several land uses. The development to the north and west largely comprises of terraced blocks of two-storey housing, there is also some commercial uses within these blocks. Most of these dwellings are tall, narrow, are of a simple form, and they have a high footprint to plot ratio. This area is characterised by high density development. To the south is more suburban style development comprising of bungalows, semi-detached, and detached houses. The bungalows tend to have a simple form. This development has a much lower footprint to plot ratio than the terraced houses. To the east is a school and a care home. The scale of those buildings is larger than nearby dwellings, but they are set within spacious grounds. The appeal site provides a transition between high density terraced block development and the spacious residential, school, and care home development.

5. As the proposed bungalows would be separated from the high density development by a road, they would be primarily viewed alongside the spacious bungalows to the south. The proposed bungalows would have a higher footprint to plot ratio than the existing bungalows and there would be limited circulation space around them. As such, the proposed bungalows would appear cramped and as an overdevelopment of the appeal site, especially when viewed alongside the existing spacious development.
6. The proposed bungalows would include box dormers to both the front and rear elevations, and conjoined porches. These projections would add significant massing to the dwellings and result in the proposed bungalows having a complex form. The form of the proposed bungalows would appear incongruous when viewed alongside the simple form of both the existing bungalows and terraced houses.
7. Most of the proposed fenestration would have a horizontal emphasis; this would appear similar to the fenestration within the existing housing to the south of the site as well as the nearby school. Moreover, the proposed bungalows would be rendered. Whilst render is not a common external finish to properties in the area, some of the buildings including the care home have been rendered. Accordingly, these aspects of the design of the proposed bungalows would not appear out of place. Nevertheless, the proposal would have a harmful effect overall, for the reasons given above.
8. I note that the appeal site is not within a conservation area, in proximity to a listed building or any other heritage asset. Similarly, the site does not accommodate any protected trees. Nonetheless, this does not alter my assessment on the effect of the proposal on the character and appearance of the area.
9. I conclude that the proposal would have a harmful effect on the character and appearance of the area. The proposal would be contrary to policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan, August 1997 (UDP). These policies indicate that all new residential development will be expected to make a positive contribution to the form and quality of the surrounding area, and the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character of the Borough's towns, amongst other matters. The proposal would also be contrary to paragraph 135 of the National Planning Policy Framework where it advises that planning decisions should ensure that development is sympathetic to local character.

Highway Safety

10. The proposal includes two off-street vehicle parking spaces for each of the proposed dwellings. The application plans do not detail how these spaces would be accessed, but it is common ground between the parties that access would be taken from Canute Street. The appeal site extends significantly to the south beyond the siting of the proposed bungalows. Although there is a lighting column within the pavement between the appeal site and Canute Street there would still be sufficient space to provide an appropriate access without needing to move the lighting column. Similarly, there would be sufficient space within the site to provide turning space to allow vehicles to enter and exit the site in a forward gear. The detailed design of the access could be secured by condition.

11. The proposal includes a policy compliant provision of off-street parking, and the creation of an access would only result in the loss of a small amount of on-street parking. Whilst there may be increased demand for parking during school pick up and drop off times and when the nearby takeaway or community centre are busy, there is no substantive evidence of parking stress in the area.
12. The amount of vehicle movements generated by 2 two-bedroom bungalows would be modest and there is no substantive evidence to indicate that a modest increase in vehicle movements would have a severe impact on the road network. Appropriate visibility for both pedestrians and vehicle drivers around the proposed access could be secured by condition. Furthermore, the introduction of fencing would reduce the visibility across the site, but there would still be sufficient visibility around existing junctions.
13. Restrictions on the movement of construction vehicles and the timing of deliveries during the construction period could be secured within a construction management plan, which could be secured by condition. Likewise, appropriate refuse storage facilities and collection arrangements could be secured by condition.
14. The public highway around the appeal site is used by school children and occupiers of the care home. As above, it has not been demonstrated that the proposal would have an unacceptable effect on highway safety or that it would have a severe impact on the road network. Accordingly, school children and occupiers of the care home could continue to use the highway network safely. In completing this assessment, I have had due regard to the Public Sector Equality Duty set out under the Equality Act 2010. The protected characteristics of age and/or disability may be relevant to some of the people using the highway around the appeal site. As the proposal would not have a harmful effect on highway safety for any users, it would not be contrary to the need to eliminate discrimination of people with protected characteristics, advancing equality of opportunity for those persons, and fostering good relations between them and others.
15. I conclude that the proposal would not have a harmful effect on highway safety. In this regard, the proposal would be in accordance with UDP policies H2/2, HT2/4, and HT6/2, and policies JP-C5 and JP-C6 of Places for Everyone Joint Development Plan Document, March 2024 (PfE). These policies indicate that the Council will require developments to make adequate provision for their car parking and servicing arrangements, and the design of streets will follow a Street for All approach including by providing appropriate space for servicing, amongst other matters. The proposal would also be in accordance with Development Control Policy Guidance Note 16, Design and Layout of New Development in Bury, October 2008, where it advises that development should integrate car parking in a sensitive manner.

Other Matters

16. The appeal site is in proximity to services and facilities necessary to support the everyday needs of future occupiers. Accordingly, future occupiers would be able to access these facilities by sustainable transport modes. The proposed dwellings would include high levels of insulation, energy-efficient glazing, and solar panels; the layout has also been designed to maximise natural light and ventilation. Furthermore, the proposed floorspace would be larger than the Nationally

Describe Space Standard¹. Notwithstanding this, these benefits do not outweigh the development plan conflict and harm identified above.

17. The appellant has also highlighted several policies within the PfE that the proposal would comply with. Nonetheless, for the reasons given above, the proposal would be contrary to the development plan when considered as a whole.

Conclusion

18. The proposal conflicts with the development plan, when read as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR

¹ Technical housing standards – nationally described space standard.



Appeal Decision

Site visit made on 29 September 2025 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/T4210/D/25/3370423

28 Alnwick Drive, Bury BL9 8BZ

- 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 Hatel Patel against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71792.
 - The development proposed is for a first floor rear extension and two new obscure glass windows to both sides.
-

Decision

1. The appeal is dismissed.

Appeal Procedure and Main Issue

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal scheme. The main issue in which is its effect on the living conditions of the occupiers of Number 26 Alnwick Drive (No. 26) with specific regard to light and outlook.

Reasons for the Recommendation

3. The appeal site comprises a two storey detached property with an existing single storey rear extension. Both the appeal building and the adjacent dwelling at No. 26 share level rear elevations and are positioned in close proximity, due to their narrow side passages. Both dwellings also benefit from substantial north facing rear gardens, with No. 26 featuring a rear patio.
4. Given the orientation of the rear gardens and the appeal building's existing rear extension, No. 26's patio area and rear elevation openings already experience a level of overshadowing. As such, the proposal would not result in a significant reduction of light compared to the existing situation. It, therefore, would not harm the living conditions of the occupiers of No. 26 in respect of light.
5. The proposal would sit within the same footprint as the existing single storey rear extension. However, and notwithstanding the Council's acceptance of its compliance with the 45 degree rule (as specified under the Alterations and Extensions to Residential Properties Supplementary Planning Document 6 2010 (SPD)), its projection forward of the level rear elevations, together with its height and roofline matching the original dwelling, would result in a looming and imposing presence. Its large scale combined with the close siting to the shared boundary would lead to an unacceptable reduction in the quality of outlook from No.26's patio. Views from this area would be dominated by the side elevation of the

proposal and this would diminish the quality of experience from within their rear garden. This harm would extend to No. 26's rear elevation openings, albeit to a lesser degree, given that the existing single storey rear extension already limits outlooks.

6. For these reasons, the proposal would cause unacceptable harm to the living conditions of the occupiers of No. 26, with specific regard to outlook. Consequently, the appeal scheme would be contrary to Policy H2/3 of the Bury Unitary Development Plan 1997 and guidance within the SPD. Together, and amongst other things, these seek to ensure that development proposals consider the amenity of adjacent properties.

Other Matters

7. I have not been provided with full details of the other nearby planning approvals cited. Therefore, I cannot be sure that they represent a sufficient comparison to the appeal scheme, such that I would change my findings. The difference in rear projections between that specified under permitted development rights and the appeal scheme does not override the identified harm. Moreover, any fallback in respect of permitted development rights in this instance is unproven as such and may require the submission of a scheme under the prior approval regime. Such is not before me, and I cannot be sure of what the outcome of what one would be.
8. The matter of the proposal's effect on living conditions in terms of privacy was not a contentious one in the appeal. Given the distance of the proposed new windows and that they would be obscure glazed, I do not disagree with the Council's findings in this regard.
9. I have had due regard to the Public Sector Equality Duty set out under Section 149 of the Equality Act 2010, which sets out the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
10. The proposal would accommodate a relative with complex caring needs, as well as elderly parents in the near future. Additional space is required to meet evolving household needs, and a dismissal of the appeal would require the family to search for a new property. The proposal would support the appellant's caring responsibilities and enhance their family's quality of life. I attach considerable weight to the benefits the development would afford them.
11. However, there is no sufficiently conclusive evidence to demonstrate that the appellant's requirements cannot be met through alternative measures, which might have a lesser impact than the appeal scheme. I remain to be convinced that the proposed extension is the only way to achieve the outcome the appellant desires. Therefore, a refusal of planning permission is a proportionate and necessary approach to protect the wider public interest given the harm identified upon the living conditions of the occupiers at No. 26, which would remain in perpetuity.

Conclusion and Recommendation

12. For the reasons given above, the appeal proposal would conflict with the development plan and material considerations do not indicate a decision other than

in accordance therewith. I therefore recommend that the appeal should be dismissed.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR

Appeal Decision

Site visit made on 1 September 2025 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2025

Appeal Ref: APP/T4210/D/25/3369638

20 Cliff Road, Bury BL9 9SP

- 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. Andrew Platt against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71855.
 - The development proposed is described as “garage removed and rebuilt on boundary with neighbour”.
-

Decision

1. The appeal is allowed and planning permission is granted for development described as “garage removed and rebuilt on boundary with neighbour” at 20 Cliff Road, Bury BL9 9SP in accordance with the terms of the application, Ref 71855, subject to the following conditions:
 - 1) The development hereby permitted relates to the following approved plans, drawing references: TDS-25-196-00; TDS-25-196-02; and TDS-25-196-03.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The Council has confirmed that the drawing numbers as referenced above are those which were considered during the planning application. I have taken into account the same. Additionally, the description of development does not refer to the retrospective nature of the proposal, but it is clear from the parties’ cases and my site visit that this is so. The main issue is therefore the effect of the garage on a) the character and appearance of the area and b) highway safety.

Reasons for the Recommendation

Character and Appearance

4. The appeal site occupies a corner plot, with a generous front garden enclosed by a varied mix of boundary treatments. A detached garage, subject to this appeal, has also been repositioned. It abuts the shared boundary with Number 22 Cliff Road, which features an open paved driveway that offers some degree of spaciousness. Despite this, Cliff Road is predominantly framed and defined by detached garages and gates that open onto it, alongside fencing, hedgerows and mature trees. These features result in a sense of enclosure and an inward facing setting that contributes

to the road's distinctive character and appearance. Cliff Road is also an unadopted highway, discreetly located at the centre of surrounding residential and commercial uses. It is primarily used for access, parking and bin storage.

5. The garage is prominently positioned within the front garden and partially obscures views of the appeal buildings' principal elevation. However, it is sited along a road largely used for vehicular and pedestrian access and which already features similar detached garages. Therefore, the structure does not appear discordant and aligns with the functional purpose of the road. It is also noted that the garage is not a new addition to the site and is an existing feature, albeit in a different location. Furthermore, the proposal maintains the sense of enclosure to this unadopted road. The openness of No. 22's front garden is also maintained, as the garage is primarily concealed by the existing adjacent fence, where its height is only marginally taller than the fence line.
6. For these reasons, the development does not harm the character and appearance of the surrounding area. Accordingly, it does not conflict with Policy H2/3 of the Bury Unitary Development Plan 1996 (UDP) and the Alterations and Extensions to Residential Properties Supplementary Planning Document 6 2010 (SPD). Together, and amongst other things, these require house extensions and alterations to not have a detrimental impact on the character of the surrounding area.

Highway Safety

7. Cliff Road lacks formal footpaths as it is unadopted, with its primary function being for access, parking and bin storage. Vehicle movements, including any manoeuvring or reversing, are therefore expected and common. The road is more akin to a back street for private access serving limited dwellings, where few cars and pedestrians are present. Thus, the potential for conflict between a vehicle reversing into the garage and other road users is minimal. The rough surface and short length of the road, the storage of bins and there being no through traffic results in a natural tendency for vehicles to drive slower. The presence of many garages and driveways fronting onto Cliff Road further indicates it is routinely and safely used by vehicles, with ample space for any reversing movements. The dwellings on Lawrence Street also benefit from on-street parking to their front, reducing the reliance on Cliff Road for vehicle parking.
8. No information has been provided to confirm that the appellant has permission for access rights onto Cliff Road. Nonetheless, as set out, this road appears to be long established for parking and access for the dwellings adjoining it. There is no indication that this arrangement will change. In any case, a permission granted here does not automatically mean the same would be forthcoming elsewhere. Any access disputes over this unadopted highway would also be a private/civil matter.
9. For these reasons, the development does not result in harm to highway safety. Accordingly, it does not conflict with Policy H2/3 of the UDP and SPD. Together, and amongst other things, these require house extensions and alterations to have regard to visibility for pedestrians, cyclists and vehicles.

Other Matters

10. The garage's effect on light for the occupiers of No. 22 was not a contentious matter. Given the sufficient distance and that an existing fence conceals the majority of the garage from No. 22, I do not disagree with the Council's findings in

this regard. Moreover, given that there is a small gap between No. 22 and the garage, any water runoff would be contained within the appeal site.

11. On-street parking is available in the surrounding streets, with each dwelling on Cliff Road having their own off-street parking provision. Therefore, the loss of one street parking space due to the garage's frontage would not significantly reduce parking capacities. Concern has been raised about factual inaccuracies of the planning application. However, I have based my decision on my own site visit and the submitted information, which to my knowledge accurately reflects the appeal scheme.
12. A 2.5 metre height restriction for outbuildings relates to permitted development thresholds and is not applicable to this appeal. Concern relating to the garage materials meeting fire safety standards are covered by building regulations. The loss of property values is not a planning issue. The appellant allegedly not meeting any assurances verbally agreed with are matters that should be taken up with them directly and are not for me to resolve here.

Conditions

13. To provide certainty and for enforcement purposes, it is necessary to impose a condition to specify the approved plans the development relates to. As the development has been fully constructed, a condition for a time limit and to control materials is not necessary. Particularly since I see no reason not to find the materials it has been constructed in unacceptable.

Conclusion and Recommendation

14. For the reasons given above, I recommend that the appeal should be allowed given it complies with the development plan and there is nothing compelling to suggest a decision other than in accordance therewith.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the condition stated.

John Morrison

INSPECTOR