



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.