
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”.
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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