



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