

DELEGATED REPORT

Report by Tom Beirne	Date of report: 04/08/2026	Ref: 73232/FUL
Registration: 18/06/2026	LDfC: 31/07/2026	Expiry Date: 13/08/2026
Site Visit: 30/06/2026	Site Notice: N/A	Press Date: N/A
Objections: 4	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Erection of 1.5m high boundary fence at front/side

Location: 25 Beeston Grove, Whitefield, Manchester, M45 6UD

Description

The application relates to a two storey detached house on the corner of Beeston Grove and Harlech Avenue. Previously the side garden was bounded by a low brick wall with the rear garden fence in by a timber fence running back, in line with the side gable of the house. The general streetscape is characterised by low walls with hedges or shrub planting.

The previous low wall has been removed and the timber fence is in situ. This application seeks to retain it at a slightly lower height of 1.5m.

Relevant Planning History

70678 - Two storey side extension; Single storey rear extension; Garage conversion; Front canopy - Approve with Conditions 13/06/2024
25/0316 - Erection of fencing - 22/08/2025
26/0042 - Erection of fencing - application received.

Publicity

Immediate neighbours notified by letter dated 18/06/2026. Four objections received and summarised below:

- The fence is an eyesore and out of keeping with the area.
- The fence is too high, particularly at the front and front/side.
- The high fence would interfere with visibility at the junction of Beeston Grove and Harlech Avenue and reduce highway/pedestrian safety. These concerns are particularly acute during school drop-off & pick-up periods due to the nearby school.

One representation in support, stating that the fence improves family security without impacting on highway safety.

Weighing the minor adjustment for drivers against a family's wish to keep their children safe, is a compromise well worth making.

Statutory/Non-Statutory Consultations

Traffic Section - The fencing reduces visibility/forward visibility at the junction of Harlech Avenue with Beeston Grove and at the junction/back of the footway at the interface between the access to No. 25 Beeston Grove and the adopted highway to substandard levels, which is seriously detrimental to highway safety. The development is, therefore, contrary to UDP Policy H2/3 Extensions and Alterations and guidance within SPD6 Alterations and Extensions.

Pre-start Conditions - N/A

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN1/2	Townscape and Built Design

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Need - The applicant has stated that the fence was erected in order to enclose rear and

side gardens for safety/security.

Visual amenity - The close boarded fence, as erected, is approximately 1.8m high and runs around the rear, side and part of the front garden boundary. It is proposed by the applicant that the fence is retained in its current position around the boundary but reduced to a height of 1.5m.

Within the streetscape, the fence, whilst functional, is not in the least attractive and is the only one of its kind in the area. Its poor amenity value contrasts quite significantly with the wider streetscape which is characterised by low wall with hedges and shrubs. Even at a lower height of 1.5m, the fence would have a seriously detrimental impact on the character of the immediate locality and would be contrary to UDP Policy H2/3 and associated guidance in SPD6, relating to extensions and alterations.

Residential amenity - The boundary fence, enclosing the side garden area would improve security and privacy to a degree. It is noted however that security/privacy could also be secured by an alternative boundary to a similar height or even a hedge at a greater height. In terms of the residential amenity of the immediate neighbours, apart from the issues relating to its appearance, there are no residential amenity issues arising.

Highway safety - The traffic team have recommended refusal on grounds that the fencing reduces visibility to substandard levels at the junction of Harlech Avenue with Beeston Grove and at the back of the footway at the interface between the accesses to No. 25 Beeston Grove No.1 Harlech Avenue and the adopted highway. This would be seriously detrimental to highway safety and contrary to UDP Policy H2/3 Extensions and Alterations and guidance within SPD6 Alterations and Extensions.

Public representations - The concerns of those making representations have been addressed in the above report, and where appropriate, reflected in the reasons for refusal.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed fence would appear incongruous and overdominant within the streetscape and would be seriously detrimental to visual amenity and character of the locality reason of its appearance, height and position. The proposal therefore conflicts with Unitary Development Plan DP Policies EN1/2 Townscape and Built Design, H2/3 Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The proposed fence, reduces visibility to substandard levels at the junction of Harlech Avenue with Beeston Grove and at the back of the footway, at the interface between the the vehicular accesses at No. 25 Beeston Grove and No.1 Harlech Avenue and the adjacent adopted highway. The fence would therefore be seriously

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detrimental to highway safety and contrary to UDP Policy H2/3 Extensions and Alterations and guidance within SPD6 Alterations and Extensions.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	04/08/2026	HL	04/08/2026