

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/01/2026	Ref: 72635/FUL
Registration: 03/12/2025	LDfC: 06/01/2026	Expiry Date: 28/01/2026
Site Visit: 15/01/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Erection of 1.8m high fencing to front and rear gardens

Location: 22 George Street, Prestwich, Manchester, M25 9WS

Description

The application relates to a two storey terraced house on a residential road of similar styled properties. There are flats opposite and an alleyway to the rear. The front garden boundary comprises low wall with a timber panel fence above. At the rear there is a iron railing gate.

The proposal seeks to erected a 1.8m high timber panel fence along the shared side boundary at the front and a similar fence set back 2m from the existing front boundary. At the rear, a similar height fence and gate would be erected around the rear yard.

The applicant has submitted a statement from Bury Occupational Health, stating that the more enclosed private space areas are needed to secure the safety of one of the occupiers and this is accepted.

Relevant Planning History

64580 - Prior notification for proposed single storey rear extension - Prior Approval Required Refused - Ext Prior Approval Required Refused - Ext 02/09/2019
64678 - Prior notification for proposed single storey rear extension - Prior Approval Not Required - Extension 17/10/2019
67898 - Loft conversion with rear dormer - Approve with Conditions 07/03/2022

Publicity

Immediate neighbours notified by letter dated 10/12/2025. No objections.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

H2/3 Extensions and Alterations
SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

Permitted development rights - A fence 1.8m high set back 2m from a highway would be deemed 'permitted development'. The proposed fence at the rear would replace a similar height railings and would also be considered permitted development.

Visual amenity - With the new fence set back from the front boundary, behind an existing tree, the fence would not be particularly prominent within the streetscape and would be acceptable and compliant with UDP Policy H2/3 and guidance in SPD6 Extensions and Alterations. At the rear, the new fence would appear completely in keeping with similar fences at the rear of neighbouring properties.

Residential amenity - Given the modest nature of the proposal, there are no serious residential amenity issues arising. It is noted that there are no objections from neighbours. The new fencing would be acceptable in terms of residential amenity and comply with UDP Policy H2/3 and guidance in SPD6 Extensions and Alterations.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered 2510-20/A, 2510-01, 02 and 10 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	16/01/2026		