
Appeal Decision

Site visit made on 1 September 2025 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2025

Appeal Ref: APP/T4210/D/25/3369638

20 Cliff Road, Bury BL9 9SP

- 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. Andrew Platt against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71855.
 - The development proposed is described as “garage removed and rebuilt on boundary with neighbour”.
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Decision

1. The appeal is allowed and planning permission is granted for development described as “garage removed and rebuilt on boundary with neighbour” at 20 Cliff Road, Bury BL9 9SP in accordance with the terms of the application, Ref 71855, subject to the following conditions:
 - 1) The development hereby permitted relates to the following approved plans, drawing references: TDS-25-196-00; TDS-25-196-02; and TDS-25-196-03.

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 Matters and Main Issue

3. The Council has confirmed that the drawing numbers as referenced above are those which were considered during the planning application. I have taken into account the same. Additionally, the description of development does not refer to the retrospective nature of the proposal, but it is clear from the parties’ cases and my site visit that this is so. The main issue is therefore the effect of the garage on a) the character and appearance of the area and b) highway safety.

Reasons for the Recommendation

Character and Appearance

4. The appeal site occupies a corner plot, with a generous front garden enclosed by a varied mix of boundary treatments. A detached garage, subject to this appeal, has also been repositioned. It abuts the shared boundary with Number 22 Cliff Road, which features an open paved driveway that offers some degree of spaciousness. Despite this, Cliff Road is predominantly framed and defined by detached garages and gates that open onto it, alongside fencing, hedgerows and mature trees. These features result in a sense of enclosure and an inward facing setting that contributes

to the road's distinctive character and appearance. Cliff Road is also an unadopted highway, discreetly located at the centre of surrounding residential and commercial uses. It is primarily used for access, parking and bin storage.

5. The garage is prominently positioned within the front garden and partially obscures views of the appeal buildings' principal elevation. However, it is sited along a road largely used for vehicular and pedestrian access and which already features similar detached garages. Therefore, the structure does not appear discordant and aligns with the functional purpose of the road. It is also noted that the garage is not a new addition to the site and is an existing feature, albeit in a different location. Furthermore, the proposal maintains the sense of enclosure to this unadopted road. The openness of No. 22's front garden is also maintained, as the garage is primarily concealed by the existing adjacent fence, where its height is only marginally taller than the fence line.
6. For these reasons, the development does not harm the character and appearance of the surrounding area. Accordingly, it does not conflict with Policy H2/3 of the Bury Unitary Development Plan 1996 (UDP) and the Alterations and Extensions to Residential Properties Supplementary Planning Document 6 2010 (SPD). Together, and amongst other things, these require house extensions and alterations to not have a detrimental impact on the character of the surrounding area.

Highway Safety

7. Cliff Road lacks formal footpaths as it is unadopted, with its primary function being for access, parking and bin storage. Vehicle movements, including any manoeuvring or reversing, are therefore expected and common. The road is more akin to a back street for private access serving limited dwellings, where few cars and pedestrians are present. Thus, the potential for conflict between a vehicle reversing into the garage and other road users is minimal. The rough surface and short length of the road, the storage of bins and there being no through traffic results in a natural tendency for vehicles to drive slower. The presence of many garages and driveways fronting onto Cliff Road further indicates it is routinely and safely used by vehicles, with ample space for any reversing movements. The dwellings on Lawrence Street also benefit from on-street parking to their front, reducing the reliance on Cliff Road for vehicle parking.
8. No information has been provided to confirm that the appellant has permission for access rights onto Cliff Road. Nonetheless, as set out, this road appears to be long established for parking and access for the dwellings adjoining it. There is no indication that this arrangement will change. In any case, a permission granted here does not automatically mean the same would be forthcoming elsewhere. Any access disputes over this unadopted highway would also be a private/civil matter.
9. For these reasons, the development does not result in harm to highway safety. Accordingly, it does not conflict with Policy H2/3 of the UDP and SPD. Together, and amongst other things, these require house extensions and alterations to have regard to visibility for pedestrians, cyclists and vehicles.

Other Matters

10. The garage's effect on light for the occupiers of No. 22 was not a contentious matter. Given the sufficient distance and that an existing fence conceals the majority of the garage from No. 22, I do not disagree with the Council's findings in

this regard. Moreover, given that there is a small gap between No. 22 and the garage, any water runoff would be contained within the appeal site.

11. On-street parking is available in the surrounding streets, with each dwelling on Cliff Road having their own off-street parking provision. Therefore, the loss of one street parking space due to the garage's frontage would not significantly reduce parking capacities. Concern has been raised about factual inaccuracies of the planning application. However, I have based my decision on my own site visit and the submitted information, which to my knowledge accurately reflects the appeal scheme.
12. A 2.5 metre height restriction for outbuildings relates to permitted development thresholds and is not applicable to this appeal. Concern relating to the garage materials meeting fire safety standards are covered by building regulations. The loss of property values is not a planning issue. The appellant allegedly not meeting any assurances verbally agreed with are matters that should be taken up with them directly and are not for me to resolve here.

Conditions

13. To provide certainty and for enforcement purposes, it is necessary to impose a condition to specify the approved plans the development relates to. As the development has been fully constructed, a condition for a time limit and to control materials is not necessary. Particularly since I see no reason not to find the materials it has been constructed in unacceptable.

Conclusion and Recommendation

14. For the reasons given above, I recommend that the appeal should be allowed given it complies 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

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the condition stated.

John Morrison

INSPECTOR