



Appeal Decision

Site visit made on 27 January 2026

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 February 2026

Appeal Ref: APP/P4225/W/25/3375916

679 Manchester Road, Rochdale OL11 3AA

- 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 Tracey Brown against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 25/00504/FUL.
 - The development is described as proposed fencing around part of the perimeter.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) The effect of the development on the character and appearance of the area; and,
 - b) Whether the development would have a positive effect on biodiversity.

Reasons

Character and Appearance

3. The appeal site relates to a two-storey detached building, set back from Manchester Road. Car parking is located to the front of the building, with a low-level hedge defining the Manchester Road boundary. Taller vegetation is located to one corner of the front boundary. A side road from Manchester Road, located adjacent to the site, provides access to the car park. The low-level hedging, along with the set-back of the building, provides a sense of openness to the wide plot frontage.
4. The site lies adjacent to a car garage. This garage has tall black metal railings, with ornamental arrow-head tops, along the Manchester Road frontage. On the opposite side of Manchester Road is a convenience store/post office which has roadside railings of a similar design to the garage. Other boundaries within the wider area comprise a mix of walls and fences of varying heights.
5. The railings at the garage and convenience store are well-spaced which allows for visual permeability. Their dark colour finish and arrow-head design feature adds some interest to their overall design. As such, I do not consider these fences to be

overly harmful features within the surrounding street scene. Furthermore, these fences provide a degree of visual consistency in an otherwise varied street scene.

6. The Castleton Library and Castleton Public Baths are large prominent buildings located close to the appeal site on the opposite side of Manchester Road. These buildings make a positive contribution towards the overall character and appearance of the area and I agree with Council that they ought to be considered Non-Designated Heritage Assets (NDHAs). Their significance lies in their cultural and historical interest along with their architectural features and detailing. The landscaped and open frontage of the appeal site means that the site does not visually compete with these assets in views along Manchester Road.
7. The proposed fence would be positioned along the Manchester Road boundary, before extending into the site adjacent to the access road boundary. The length of the proposed fencing, occupying the width of the frontage, would be significant. The height of the fence would be greater than the existing tall roadside railings of the adjacent garage. Therefore, the height and length of the fencing would introduce a prominent boundary feature.
8. The prominence of the fence would be exacerbated by the proposed close-knit mesh design which would further heighten its visual presence. Together, the length, height and design of the fence would create a defensive roadside boundary which would erode the existing open views across the site. It would contrast starkly with the more permeable railings at the garage and convenience store, resulting in a visually intrusive feature in the street.
9. The fence would be a negative and detracting presence in views along Manchester Road. As such, the fence would visually draw attention away from the nearby NDHAs, eroding their setting. Furthermore, the introduction of a additional roadside boundary type would create further visual incongruity to the area, creating a less coherent street scene.
10. I acknowledge that the fencing would provide a more secure environment for occupants of the building. This is a clear benefit of the proposals. However, I am not persuaded that the design of the proposed fencing is the only manner in which a secure environment for the site could be created. Therefore, while I recognise this benefit, it would not outweigh the permanent harm that would arise to the character and appearance of the area or setting of nearby NDHAs.
11. For the above reason, the development would have a harmful effect on the character and appearance of the area. The development would be contrary to Policies DM1, P2 and P3 of the Rochdale Adopted Core Strategy 2016 (the CS), and Policies JP-P1 and of the Places for Everyone Joint Development Plan 2022-2039 (the JDP). Together, amongst other things, these policies seek to deliver high quality design in development while preserving or enhancing the historic environment.

Biodiversity

12. The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (the Regulations), confirm that the biodiversity gain condition does not apply where a

development impacts less than 5m of linear habitat¹, amongst other requirements. This is the *de minimis* exemption. The existing front boundary includes a hedge which is greater than 5m in length. There is nothing before me to indicate that the hedge should not be treated as a linear habitat for the purposes of the Regulations.

13. The proposed fence would be positioned along the Manchester Road boundary and therefore, at face value, has the potential to affect a linear habitat of more than 5m. However, the appellant suggests that the fence could be installed while retaining the existing hedge. This would not be an uncommon relationship and if the hedge was to be retained, and not degraded, then the development could be exempt as being *de minimis*.
14. On my site visit, I observed that the hedge was compact and filled the depth of the verge between the highway pavement and car park. The proposed site plan² indicates that the fence would be installed within the verge, albeit positioned closer to the car park. This plan does not clearly show the extent of the hedge in relation to the proposed fence position. Therefore, I do not have any detailed information to show whether the hedge would need to be cut back, or whether there would be any conflict between the position of any fence posts and foundations, and the stems or roots of the hedge. Based on my observations on site and the detail on the plans, it is probable that some management of the hedge would be required to enable the fence to be installed.
15. Planning Practice Guidance advises that “when providing reasons for the *de minimis* exemption, an applicant should provide sufficient evidence to support their justification”³. This places the onus on the appellant to demonstrate that a development would meet the *de minimis* exemption. From the evidence before me I cannot be satisfied that the fence could be installed without resulting in the loss or degradation of an existing linear habitat.
16. For the above reasons, insufficient information has been provided to demonstrate that the development would have a positive effect on biodiversity. Therefore, the development is contrary to Policy G7 of the CS and Policy JP-G8 of the JDP. Together, these seek to protect, enhance and create features of biodiversity.

Conclusion

17. For the reasons given above the appeal should be dismissed.

D Cleary

INSPECTOR

¹ Regulation 4(3)(b)

² Ref: TDS-25-196-03

³ Paragraph: 004 Reference ID: 74-004-20240214