

NOTICE OF REFUSAL OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mr Steven Hartley
Hartley Planning & Development Associates
Ltd
Swallow Barn, Lower Chapel Hill
Hurst Lane
Rawtenstall
Rossendale
BB4 8TB

On Behalf Of:

Mr & Mrs J & C Brown
C/O Higher Golinrod Farm
Manchester Road
Walmersley
Bury
BL9 5NA

PART 1 - Particulars of Application

Application Number: 71446

Date of Registration: 13/02/2025

Proposal:

Installation of a slurry pond

Location:

Twine Valley Farm, Church Road,
Shuttleworth, Ramsbottom, Bury, BL0 0HH

PART 2 - Particulars of Decision

The Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **REFUSED** for the carrying out of the development referred to in Part 1 hereof for the following reasons:-

- 1 The application, submitted plans and supporting information contain insufficient information in relation to siting of the proposed slurry pond, changes in levels, fencing and the impermeable UV-stabilised plastic floating cover to enable them to be adequately assessed in relation to visual amenity, impact on the Green Belt and landscape character. The proposed development would therefore be contrary to Development Plan Policies:
OL4/5 - Agricultural Development
OL1/2 - New Buildings in the Green Belt
EN1/2 - Townscape and Built Design
JP-G9: The Green Belt
JP-G1: Landscape Character
JP-P1: Sustainable Places
Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt
National Planning Policy Framework
- 2 The applicant has failed to demonstrate that the changes in level at the site fall under General Permitted Development Order Part 6, Class A, para A(b) and would not lead to land instability or soil pollution. As such the proposal would fail to comply with Paragraphs 197 and 187e of the National Planning Policy Framework.

- 3 The development would be seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise, smell, disturbance and general activity associated with the proposed use. The proposed development therefore conflicts with the following policies of the Development Plan:
EN1/2 - Townscape and Built Design
EN7/2 - Noise Pollution
JP-S5: Clean Air
JP-P1: Sustainable Places

- 4 The application and submitted plans contain insufficient information in order to adequately assess the potential impact of the proposed additional vehicle movements on the adjacent public right of way network namely 183RAM BYWAY (BOAT) and 184RAM FOOTPATH which make up the access to the site. The proposed development therefore conflicts with Development Plan Policies:
JP-C5: Streets for All
JP-C6: Walking and Cycling
JP-C8: Transport Requirements of New Development
RT3/3 - Access to the Countryside
RT3/4 - Recreational Routes

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.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- EN6/3 EN6/3 - Features of Ecological Value
- JP-C8 Transport Requirements of New Development
- OL1/2 OL1/2 - New Buildings in the Green Belt
- OL4/5 OL4/5 - Agricultural Development
- RT3/3 RT3/3 - Access to the Countryside
- RT3/4 RT3/4 - Recreational Routes
- JP-P1 Sustainable Places
- JP-S5 Clean Air
- EN7/2 EN7/2 - Noise Pollution
- EN1/2 EN1/2 - Townscape and Built Design
- JP-G9 The Green Belt
- JP-C2 Digital Connectivity
- JP-S2 Carbon and Energy
- JP-S5 Clean Air
- SPD8 Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
- SPD10 Development Control Policy Guidance Note 10: Planning for Equestrian Development.
- NPPF National Planning Policy Framework

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 27/06/2025