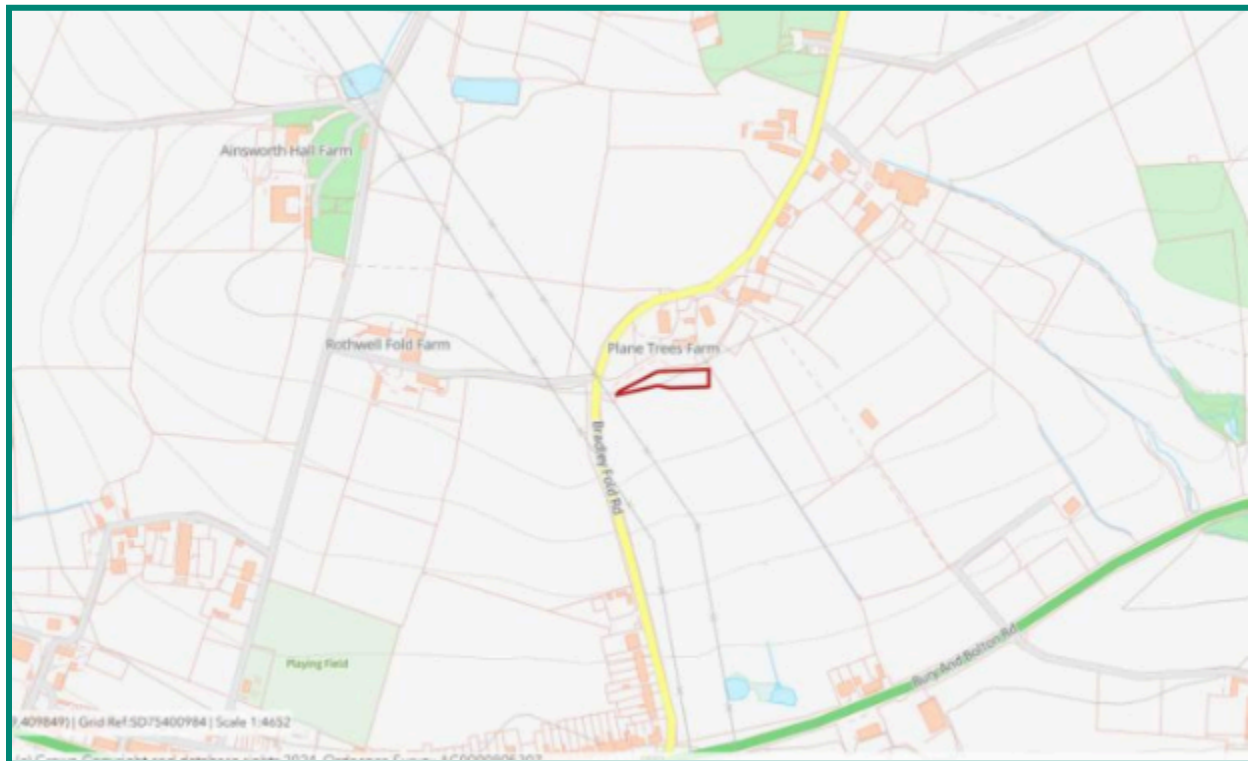


APPELLANT'S APPEAL STATEMENT

12th March 2026

Appeal by Mr and Mrs S O Gara ("The Appellant") against the refusal of planning permission for the erection of stables and menage on land adjoining Plane Trees Farm, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR



At: Plane Trees Farm, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR

Prepared by MacMarshalls Rural Chartered Surveyors & Planning Consultants

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1. INTRODUCTION

- 1.1. This Appeal is made on behalf of Mr & Mrs S O Gara against the decision of Bury MBC (“the LPA”) to refuse planning permission for the erection of stables and menage on land adjoining Plane Trees Farm, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR under application reference 72495/FUL. The application was refused on the 8th January 2026.

2. SITE CONTEXT

- 2.1. The appeal site comprises part of a field located to the east of Bradley Fold Road, Ainsworth. Ainsworth village is located approximately 700 metres to the north of the site. Bolton is located to the west and Bury is located to the east. Bradley Fold Road links up with Bury New Road, which links the two towns. The extent of the site is shown below as Figure 1.

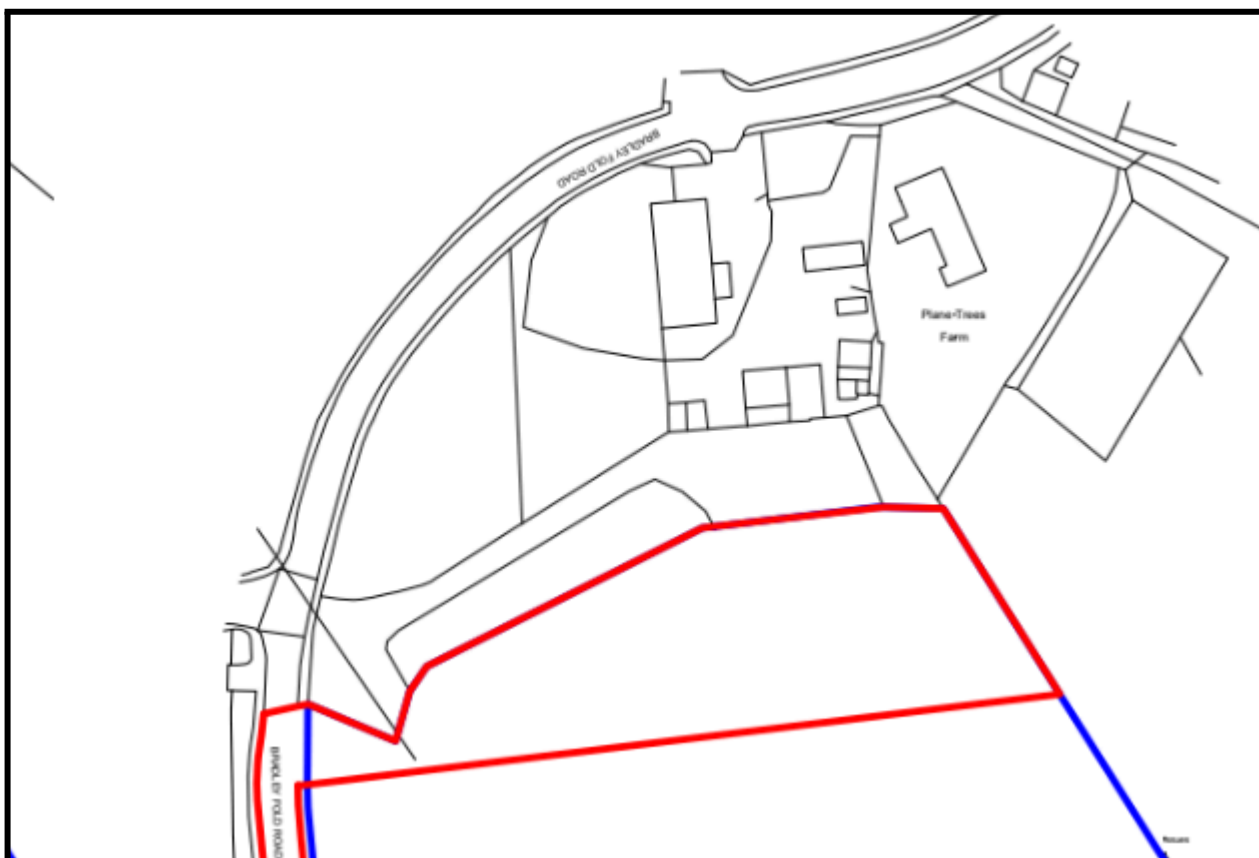


Figure 1: Location Plan of the site

- 2.2. The appeal site comprises a field, which slopes up gently from south to north. To the north of the site is a hay barn, to the east are further agricultural fields and to the south is the host field, which is within the ownership of the applicant. To the west is the site access leading onto Bradley Fold Road. Two photographs shown below identify the site when viewed from the south.



Figure 2: Photographs taken from the south towards the site

2. THE PROPOSAL

- 2.1 The appeal relates to a refusal of a stable block and a menage. The proposed development would be for personal use and no commercial activities would be carried out. The applicant as part of any appeal decision would be willing to accept a condition to ensure that the proposal is for personal use only.
- 2.2 The proposed stable block will be in a 'U' shape and set well in the site from the access point. The stable block would be capable of accommodating five horses. Alongside and to the east the proposal includes a menage area. The menage area is proposed with a timber fence surround, no lighting is proposed.
- 2.3. This Statement of Case draws directly on the Supporting Planning Statement (November 2025) submitted with the application and demonstrates that the refusal is not supported and that the proposed development is acceptable in accordance with the Development Plan.

3. REASON FOR REFUSAL

3.1. The application was refused under delegated powers on 8th January 2026 for the following reasons:

1. The proposed development would, by reason of its isolated location be a prominent and visually intrusive feature in the Green Belt and Landscape Character Area and would therefore be seriously detrimental to visual amenity and the surrounding area.

The proposed development would therefore conflict with policies EN1/2, OL4/7, JP-G1 and JP-G9.

2. The proposed development would, by reason of its size and domestic style design, introduce an incongruous and discordant feature within the Green Belt and Landscape Character Area which would therefore be seriously detrimental to visual amenity and amenity in the surrounding area. The proposed development would therefore be contrary to policies EN1/2, OL4/7, JP-G1 and JP-G9.

3. The proposal would result in the intensification of use of a sub-standard field maintenance access in a hazardous position on the highway network in close proximity to the existing bend on Bradley Fold Road and at a point where visibility is restricted, which will lead to unacceptable conflicts between vehicles on the adopted highway to the detriment of the free flow of traffic and road safety. The proposed development would therefore be contrary to policies EN1/2, JP-C5 and JP-C8.

4. The proposal does not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, and therefore is detrimental to road safety and maintaining the free flow of traffic. The proposed development would therefore be

contrary to policies EN1/2, JP-C5 and JP-C8.

5. The proposed servicing and car parking provision is inadequate and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposed development would therefore be contrary to policies EN1/2, JP-C5 and JP-C8.
6. The application contains insufficient information to ensure that surface water from the proposed development and hardstanding will not be discharged onto the adopted highway in a hazardous position on the highway network. The proposed development would therefore be contrary to policies EN1/2, JP-C5, JP-C8 and JP-S4.

4. MATTERS NOT IN DISPUTE

- 4.1. Whilst the application was refused for a number of reasons, there are aspects of the proposal where there is common ground that the development is acceptable in respect of:
 - 4.1.1. Residential amenity in terms of noise and disturbance.
 - 4.1.2. Biodiversity and ecology (subject to conditions).
 - 4.1.3. The proposal is an appropriate form of development in the Greenbelt.
- 4.2. No objections to the proposal from Environmental Health - Contaminated Land, Conservation Officer or Greater Manchester Ecology Unit. It is noted that there is no consultation response in relation to drainage matters, despite refusal on these grounds.

5. ASSESSMENT

Policy Context – Local Plan Policy and the NPPF (2024)

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan includes the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), and the National Planning Policy Framework (NPPF, December 2024). It is also noted that there is a Supplementary Planning Document 10- Planning for Equestrian Development relevant to this appeal.
- 5.2. The key local policies in the determination of the appeal are: EN1/2 Townscape and Built Design, OL1/2 New buildings in the Green Belt, OL4/7 Development Involving Horses, HT2/4 Car Parking and New Development, JP-C5 Streets For All, JP-C8 Transport Requirements of New Development, JP-G1 Landscape Character, JP-G8 A Net Enhancement of Biodiversity and Geodiversity, JP-G9 The Green Belt, JP-P2 Heritage, JP-S4 Flood Risk and the Water Environment, JP-C2 Digital Connectivity, JP-S2 Carbon and Energy.
- 5.3. The appeal site lies outside defined village boundaries and within a land which is designated as Green Belt. Paragraph 153 of the Framework states that substantial weight must be given to any harm to the Green Belt. Inappropriate development is, by definition, harmful and should not be approved except in very special circumstances. Very special circumstances will exist only where the harm to the Green Belt *and* any other harm is clearly outweighed by other considerations. It is not considered that Very Special circumstances are demonstrated, however the appeal is not made on these grounds, nor has the application been refused on the basis of inappropriate development in the Green Belt.
- 5.4. Policy OL1/2 refers to new buildings in the Green Belt, and is a policy which is broadly in accordance with the Framework. It identifies that new buildings may be appropriate for essential facilities for outdoor sport and outdoor recreation. Paragraph 154 of the Planning Framework states that for development in the Green Belt it is inappropriate unless one of the exceptions set out applies. In the case of this appeal Paragraph 154 (b) is relevant and relates to the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation,

cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The appeal proposal is therefore not inappropriate development in the Green Belt.

Reasons for refusal 1 and 2- Visual amenity, Landscape and Green Belt

- 5.5. It is unclear why two separate reasons have been included within the decision notice, as they both deal with similar matters under the same policies, and shall therefore be considered as one for the purposes of this statement.
- 5.6. The refusal relates to its isolated location, being prominent and visually intrusive. The Local Planning Authority considers that the development would result in seriously detrimental impacts on visual amenity. Other matters relate to size and domestic style design and impact on Landscape Character. The proposed development is considered by the LPA to be contrary to policies EN1/2, OL4/7, JP-G1 and JP-G9.
- 5.7. As is shown on the aerial image of the site, the proposal is not in an isolated location, nor visually prominent. The proposal would be viewed in the context of existing built development, closely related to the existing buildings in the locality. These buildings include agricultural buildings, with this development therefore in-keeping, and the type and form of development expected in a rural setting.



- 5.8. In a more local context the site is screened from the road by existing planting, further limiting any visual impact of the development. These impacts of the development are further limited by the land levels which result in the proposed development being on lower land to the existing buildings to the North. These land levels in themselves would restrict the view of the proposed development from several vantage points and even where visible the low level design and nature of the building would not appear out of context or at odds with its surroundings, and therefore no significant visual impact would exist.



- 5.9. Reference is made to visual amenity, with regards to the buildings in the locality, as is acknowledged by the officer report the nearest residential dwelling is over 40 metres from the proposed development. At this distance the impact would be negligible on this property.
- 5.10. It is assumed that the reference to the size and domestic appearance is related to the stable building only. The Council's SPD (SPD10) states that 'stables should be well designed, take the appropriate fire safety precautions, ensure the welfare of horses, and be in keeping with their surroundings'. It goes on to refer to the design with reference to a mono pitch or shallow sloping roof, and large enough for a horse to stand up with at least 0.9m clearance above its head and of an adequate size. With regards to tack rooms and hay stores these are referenced and stated that these should be part of the same building complex, and be of a size that is similar to an individual stable.

- 5.11. The stable building as proposed has a shallow sloping roof, with a ridge height of 3.7872m. This is a standard height of a stable building, inclusive of storage provision within the same building. The very nature of its design and scale does not reflect that of a domestic building, and is in accordance with the Council's own guidance note.
- 5.12. For completeness, whilst unclear if the concerns relate to the menage, this will also be addressed. The proposal is inline with the SPD which advises that the typical size should be no larger than 40 x 20 metres, the proposal is for these exact measurements. It is located close to existing development, set away from the road, screened by hedgerows, with a low level post and rail fence around the boundaries. The menage is there fully compliant with the Councils own guidance.
- 5.13. Overall, in respect of the first two reasons for refusal, the development by virtue of its siting close to existing built form does not result in an isolated development, in fact far from it. It is read in the context of a wider spread of existing built development. The visual impacts are limited by virtue of its low level design and siting, positioned close to existing buildings and set away from the main highway. The sloping land levels lend themselves to a resultant development with limited visual impacts. The nearest dwelling is over 40 metres from the development and therefore would not be impacted in terms of visual amenity. The design of both the stable block and the menage is in accordance with the Councils own guidance. The development is appropriate development in the Green Belt that preserves its openness, and does not conflict with the purposes of including land within it. The appeal proposal is not therefore considered to be contrary to either Local or National Planning policies.

Reason for refusal 3, 4 and 5- Highways and access

- 5.14. Turning to the third, fourth and fifth reasons for refusal again it is unclear why these are formed as three separate reasons for refusal, as they all relate to the safe operations of the highway and same policies in the reasons for refusal. The Local Planning Authority considers that the proposal would result in the intensification of use of a sub-standard field maintenance access in a hazardous position on the highway network. The reasons then go out to reference the lack of suitable accommodation for vehicles to enter and leave the site in a forward gear, and therefore is detrimental to road safety and maintaining the free flow of traffic. The final highway aspect relates to issues in relation to servicing and car parking provision being inadequate and likely to lead to vehicles parking and carrying out manoeuvres on the highway to

the detriment of the free flow of traffic and road safety. The Local Planning Authority considers that the development would therefore be contrary to policies EN1/2, JP-C5 and JP-C8.

- 5.15. It should be noted that the appeal proposal does not seek to create a new access, but simply utilise the existing field access which is not subject to any limitations. The intensification of the use would not exist. The land is already used for the grazing of horses on the land and the proposal is not for a commercial enterprise, but for the personal use of the applicant. The creation of on site stables and exercise area would in fact reduce traffic movements as horses would not need to leave the site for the purposes of shelter and/or exercise. The use of the access will therefore likely reduce, rather than intensify as suggested by the LPA. This element of the refusal notice is unfounded.
- 5.16. With regards to the access road and suitable accommodation for vehicles the proposed development is not located on the highway edge. There is sufficient space to easily turn within the site to exit the site in a forward direction. Should it be considered that a turning area should be added to the proposed access area, this matter can be dealt with by condition to be agreed with the Local Planning Authority before the development is first brought into use. Reference to servicing and parking provision on site again is a matter that could be addressed by condition if considered necessary. However, as this is for personal use it is unclear as to why the Local Planning Authority is of the view that there would be significant needs for parking, certainly to the extent that would be of detriment to the free flow of traffic.
- 5.17. The Framework is clear at paragraph 116 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. As is set out above, it is our view that no detrimental impacts on the highway would exist, however even in a situation where it was considered there was a highway impact, this would not be severe.

Reason for refusal 6- Surface water and drainage

- 5.18. The final reason for refusal (reason 6 on the decision notice) relates to insufficient information in respect of surface water and drainage and concerns with respect to the discharge onto the adopted highway. The Local Planning Authority considers that the proposal is contrary to policies EN1/2, JP-C5, JP-C8 and JP-S4.

- 5.19. The development proposed is not directly adjacent to the highway, in fact it is some distance, on a grassed area of land which in itself provides a permeable runoff area. This development is not seeking to create an expanse of hardsurfacing adjacent to the highway, which may raise such concerns. Instead this is a small-scale equestrian development, located away from the edge of the highway, on a grassed field. The development would clearly not result in a level of surface water run-off which would have a detrimental impact on the operations of the highway. The impact of this development in direct relation to surface water on the highway is unfounded.
- 5.20. In terms of the design of the menage, the details provided with the application indicate that the menage would be constructed using silica sand, wax and fibre. Silica sand promotes effective drainage with fibre slowing drainage due to increased moisture retention, This material allows for the construction of a well drained all-weather riding surface. However, if there are concerns with regards to surface water this is again a matter that can be dealt with via a suitable worded condition.

6. CONCLUSION

- 6.1. Whilst there are six reasons for refusal listed on the decision notice, many of those reasons are interrelated and rely on the same policies. The alleged conflict with the Framework, the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP) are for the reasons set out in this Statement of Case not demonstrated.
- 6.2. The proposal is compliant with the Councils own supplementary planning guidance relating to equestrian development and relevant Local Plan policies.
- 6.3. The Local Planning Authority's refusal rests on 6 limbs, none of which withstand scrutiny:
- The visual impact of the development, the impact of landscape and visual amenity are unfounded. The development is appropriately sited in the context of existing development, is sensitively located, screened by existing planting, on lower land, set away from the highway edge, and is small scale in nature. All these factors limit the visual impact of the proposal.
 - Matters related to the safe operations of the highway are unfounded, and where necessary can be controlled by appropriately worded conditions.

- Surface water concerns in relation to its impact on the highway, given both the nature of the development, and its distance from the highway can not be demonstrated, Again, however this is a matter that could be controlled by an appropriately worded condition.
- 6.4. There are therefore no material considerations which indicate that planning permission should be withheld. The appeal proposal complies with the Development Plan when properly interpreted and in line with the Framework.
- 6.5. Accordingly, the Inspector is respectfully requested to allow the appeal and grant planning permission for the development.

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Ref: C79-10 Appeal Statement

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