

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Christie McDonald
MWT Planning Ltd
Strawberry Fields Digital Hub
Euxton Lane
Chorley
Lancs
PR7 1PS

On Behalf Of:

Mr Ken McMinn
C/O Agent

PART 1 - Particulars of Application

Application Number: 72054

Date of Registration: 25/07/2025

Proposal:

Demolition of 2 no. Stable Blocks; Erection of
5 no. Dwellings and a Stable Building

Location:

Land off Brookbottom Road, Radcliffe,
Manchester, M26 4HX

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 site is located within the Places for Everyone Joint Development Framework JPA7 - Elton Reservoir allocation which requires any proposals within the allocation to be in accordance with a comprehensive masterplan that has been approved by the Local Planning Authority. No masterplan has currently been adopted and the applicant has failed to demonstrate that the proposal site does not need to be included within the wider masterplan to ensure that an integrated approach to the delivery of infrastructure to support the scale of the whole development can be achieved. The proposal would therefore be contrary to Places for Everyone Joint Development Framework JPA7 - Elton Reservoir.
- 2 The proposed development would, by reason of its layout and extent of public realm hard landscaping be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policies of the Development Plan H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, JP-H3 - Type, Size and Design of New Housing, EN1/2 - Townscape and Built Design and JP-P1 - Sustainable Places.
- 3 The proposed dwellings would fail to meet Nationally Described Space Standards (NDSS) for in built storage for all proposed dwellings, and bedroom areas for bedroom 3 for plots 4 and 5. The proposal would therefore fail to comply with Places

for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

- 4 The location of plot 1 would result in unacceptable overlooking of land outside of the applicant's ownership by reason of the sub-standard distances between first floor habitable windows (bedroom 1) and the directly facing boundary and the lack of screening under the control of the applicant. The proposed development therefore conflicts with Unitary Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 5 The siting of the proposed stables would be seriously detrimental to the residential amenities of future occupiers of the proposed residential dwellings, by reason of the 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, JP-S5: Clean Air, JP-P1: Sustainable Places and Supplementary Planning Document 10 - Planning for Equestrian Development.
- 6 The application and submitted plans contain insufficient information in relation to proposed boundary treatments, location of bin storage, and location of covered cycle storage to enable them to be adequately assessed in relation to visual amenity, highway and pedestrian safety. The proposed development therefore conflicts with the following policies of the Development Plan H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, JP-H3 - Type, Size and Design of New Housing, EN1/2 - Townscape and Built Design, JP-P1 - Sustainable Places, JP-C5 - Streets for all, JP-C6 - Walking and Cycling, RT3/3 - Access to the Countryside and RT3/4 - Recreational Routes.
- 7 The proposal results in an unacceptable impact on Public Right of Way (Footpath) No. 28, St. Andrew's, Radcliffe, diverting the route from a path through a stables area to a path along an access road with moving and parked vehicles, with a high likelihood of vehicles parking on the line of the diverted public footpath, obstructing free passage, which would have an adverse impact on users of the right of way, to the detriment of pedestrian safety. The proposed development therefore conflicts with the following policies of the Development Plan H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, JP-P1 - Sustainable Places, JP-C5 - Streets for all, JP-C6 - Walking and Cycling, RT3/3 - Access to the Countryside and RT3/4 - Recreational Routes.
- 8 The application and submitted plans contain insufficient information to properly assess proposals for vehicles to gain access to the site from the adopted section of Hardman Street, or measures to improve the section of Public Right of Way (Bridleway) No. 46, St. Andrew's, Radcliffe, required to facilitate the intensification of use proposed. The proposed development therefore conflicts with the following policies of the Development Plan H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, JP-H3 - Type, Size and Design of New Housing, EN1/2 - Townscape and Built Design, JP-P1 - Sustainable Places, JP-C5 - Streets for all, JP-C6 - Walking and Cycling, RT3/3 - Access to the Countryside and RT3/4 - Recreational Routes.
- 9 The application and submitted plans contain insufficient topographical survey-based information to properly assess the proposed physical impact on the Public Rights of Way that cross/about the site, the proposed access, parking and turning facilities

proposed or the proposed access and arrangements for the storage of adequate refuse collection arrangements for the proposed stables and dwellings. The proposed development therefore conflicts with the following policies of the Development Plan H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, JP-H3 - Type, Size and Design of New Housing, EN1/2 - Townscape and Built Design, JP-P1 - Sustainable Places, JP-C5 - Streets for all, JP-C6 - Walking and Cycling, RT3/3 - Access to the Countryside and RT3/4 - Recreational Routes.

- 10 The proposed servicing arrangements and car and cycle parking/storage provision is inadequate for the stables and dwellings proposed, and is likely to lead to vehicles parking and carrying out manoeuvres on the highway and adjacent Public Rights of Way to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with the following policies of the Development Plan H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, JP-H3 - Type, Size and Design of New Housing, EN1/2 - Townscape and Built Design, JP-P1 - Sustainable Places, JP-C5 - Streets for all, JP-C6 - Walking and Cycling, RT3/3 - Access to the Countryside, RT3/4 - Recreational Routes, HT2/4 - Car Parking and New Development and Supplementary Document 11 - Parking Standard in Bury (2025).

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:

EN1/2	EN1/2 - Townscape and Built Design
EN6/3	EN6/3 - Features of Ecological Value
EN8/2	EN8/2 - Woodland and Tree Planting
OL4/7	OL4/7 - Development Involving Horses
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
HT2/4	HT2/4 - Car Parking and New Development
RT3/4	RT3/4 - Recreational Routes
RT3/3	RT3/3 - Access to the Countryside
JPA7	Elton Reservoir
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland

JP-S2 Carbon and Energy
JP-S4 Flood Risk and the Water Environment
JP-S5 Clean Air
JP-P1 Sustainable Places
NPPF National Planning Policy Framework
SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD10 Development Control Policy Guidance Note 10: Planning for Equestrian Development.

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:

4313-23-05B, 4313-25-14, 4313-23-01, 4313-23-02, 4313-24-12B, 4313-24-13A, 4313-24-10A, 4313-24-11

NOTES TO APPLICANT

Not Applicable

Signed:

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

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On behalf of the Council

Date of Decision: 19/09/2025