

5 PLANNING POLICY CONTEXT

Introduction

- 5.1 The purpose of this Chapter is to provide a summary of the planning policy framework applicable to the Proposed Development. This policy Chapter should be read in conjunction with the technical Chapters of the ES which address the policies that relate specifically to each of the disciplines (refer to **Chapter 6-11**).
- 5.2 The planning application for the Proposed Development must be considered in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states '*if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the Plan unless material considerations indicate otherwise.*'
- 5.3 Accordingly, this Chapter presents a summary of the relevant policies within the Development Plan for the area which, in the case of Bury Council, comprises of the following documents:
- The Bury Unitary Development Plan (1997).
 - The Bury Supplementary Planning Documents.
 - Material Considerations – Emerging Policy including:
 - Places for Everyone Plan
 - Emerging Bury Local Plan
 - Emerging Prestwich Neighbourhood Plan
 - Other Material Considerations includes 'Love Prestwich Village' (2009).
- 5.4 Due regard must also be had to other material considerations relevant to the proposal, including the National Planning Policy Framework (Framework) and the Planning Practice Guidance (PPG).
- 5.5 Bury Council are in the process of preparing a new Local Plan: the Bury Local Plan. This document is, however, not at an advanced stage as the Council have not published a Regulation 18 or 19 Local Plan for consultation, as of yet. The Plan is delayed due to the Council awaiting the adoption of Places for Everyone ("PfE"), the proposed strategic plan for Greater Manchester. The Local Development Scheme (February 2022) has set a target

to adopt the new Local Plan by mid-2024, however given that PfE is yet to be adopted at the time of writing, this timeframe is unlikely to be achieved.

- 5.6 It is not the purpose of this Chapter to assess the Proposed Development against the relevant policies of the Development Plan. For that, reference should therefore be made to the application's Supporting Planning Statement (Asteer Planning, December 2023). However, the purpose of this chapter is provide an outline of the relevant policies of the Development Plan, relevant to the application.

The Development Plan

Bury Unitary Development Plan (1997)

- 5.7 The relevant adopted Development Plan Document ('DPD') is the Bury Unitary Development Plan (adopted 29th August 1997).
- 5.8 The Bury Unitary Development Plan ("UDP") was adopted in 1997. The UDP sets the policy for the future development or protection of land in the Borough and its policies and proposals currently form the basis for the Council's decisions on planning applications. The policies within the document that are of relevance include:
- Prestwich Town Centre Area (Area AR1 – Longfield Centre / Bury New Road);
 - Existing Shopping Centres (Policy S1);
 - Shopping in Other Town Centres (Policy S1/2);
 - Control of New Retail and Non Retail Development (Policy S2)
 - All New Retail Proposals Assessment Criteria (Policy S2/1)
 - Prime Shopping Area and Frontages (Policy S2/2);
 - Secondary Shopping Areas and Frontages (Policy S2/3);
 - S3/1/29 - The Longfield Centre, Prestwich;
 - Town Centres (Policy TC1);
 - Town Centre Enhancement and Development (Policy TC2);
 - Mixed Use Development (Policy TC2/2);
 - Proposals for New and Improved Community Facilities (Policy CF1);

- 'Offices' (Policy EC5);
- Small and Growing Business (Policy EC4);
- Housing Land Provision (Policy H1);
- Housing Need (Policy H4); and,
- Affordable Housing (Policy H4/1).

5.9 The relevant Bury Council Supplementary Planning documents (which are not part of the development plan, but which set out the Council's guidance on how development should come forward) include:

- SPD 1 - Open space, sport and recreation provision in new housing development (2015);
- SPG 2 - Wildlife links and corridors (2001);
- SPG 3 - Planning out crime in new development (2001);
- SPG 4 - Percent for public art (2003);
- SPG 5 - Affordable housing provision in new residential developments (2004);
- First Homes Policy Position Statement (2022)
- SPD 7 - Managing the supply of housing land in Bury (2009);
- SPD 11 - Parking standards in Bury (2007);
- SPD 12 - Travel plans in Bury (2007);
- SPD 14 - Employment land and premises (2011); and
- SPD 16 - Design and layout of new development (2008).

Emerging Places for Everyone Plan

5.10 The Places for Everyone Plan ("PfE") is proposed to provide the strategic planning policy framework that will underpin the growth of Greater Manchester over the next 20 years. Some relevant policies that support the regeneration of Prestwich include:

- Policy JP-Strat 12 (Main Town Centres) - which states that *"the role of the main town centres as local economic drivers will continue to be developed, providing the primary*

focus for office, retail, leisure and cultural activity for their surrounding areas. Development here will offer a significant opportunity to reduce levels of poverty and deliver inclusive growth. Opportunities to further increase the population catchments of these centres will be taken, including significantly increasing the resident population of the main town centres by providing a mix of type and size of dwellings supported by the necessary infrastructure and amenities including new and improved public spaces and green infrastructure. This will be achieved alongside, rather than displacing, the range of non-residential uses in the centres. Housing growth along the key public transport corridors into the main town centres will also be promoted, further increasing the population catchments of those centres. The role of the main town centres as major public transport hubs will be developed and supported by a network of active travel routes, enabling residents to have improved access to opportunities across Greater Manchester as well as within the centres themselves”.

- Policy JP-Strat 6 (Northern Areas) - states that there will be a strong focus on making as much use as possible of suitable previously-developed (brownfield) land through urban regeneration, enhancing the role of the town centres and diversifying the residential offer.
- Policy JP-H 1 (Scale, Distribution and Phasing of New Housing Development) - supports the brownfield first approach in PfE.
- Policy JP-H 4 (Density of New Housing) - seeks to deliver densities of new residential development at a minimum of 120dpa on sites that are within 400m of Metrolink Stops.

5.11 The PfE Plan is currently undergoing Examination by an Independent Planning Inspector. If found sound and adopted, the PfE would form part of the statutory Development Plan for Bury.

Emerging Bury Local Plan

5.12 The Council is now working to replace the adopted UDP with a new document called the Bury Local Plan. Until the new Local Plan is adopted, the UDP will continue to be used to make planning decisions.

Prestwich Neighbourhood Plan

5.13 A new Neighbourhood Plan is being prepared for Prestwich. On 7th June 2023, the Council's Cabinet approved applications for the designation of a Neighbourhood Area and Neighbourhood Forum for Prestwich Village.

- 5.14 If adopted, the Neighbourhood Plan will form part of the statutory development plan with regard to development within Prestwich Village. At present, there are no published timescales for the adoption.

Love Prestwich Village (2009)

- 5.15 The 'Love Prestwich Village' Strategy is non-statutory document (but will be a material consideration in planning decisions) that sets out a proposal to develop and promote Prestwich as a 'sustainable urban village' with a reputation for being a distinctive, ethical and creative place where people live and work and where the village centre provides the focus for the life of the local community.

National Planning Policy Framework (NPPF)

- 5.16 The National Planning Policy Framework (NPPF) was updated in December 2023, the Framework applies to both plan-making and decision-taking. It highlights the three objectives that inform sustainable development – economic, social and environmental – that should be pursued in mutually supportive ways.
- 5.17 Paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. This has three inter-related objectives that are set out at paragraph 8.
- 5.18 Paragraph 8 highlights that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives:
- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being, and,

- An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.19 Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.20 Paragraph 38 states that LPAs should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.21 Paragraph 39 states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

5.22 Paragraph 47 emphasises that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

- 5.23 Paragraph 85 states that Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- 5.24 Paragraph 90 states Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:
- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
 - b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
 - c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
 - d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
 - e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
 - f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 5.25 The NPPF goes on to define Main Town Centre Uses as:

“Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

5.26 Paragraph 97 states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

5.27 Paragraph 114 states that for specific applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

5.28 Paragraph 123 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land.

- 5.29 Paragraph 131 stresses the importance of creating high quality buildings and places. Good design is highlighted to be a key aspect of sustainable development, creates better places to live and work, and helps make development acceptable to communities.
- 5.30 Paragraph 135 states that planning policies and decisions should ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Summary

- 5.31 This Chapter of the ES serves to provide the planning policy framework for the subsequent Chapters of the ES that address individual topics. Reference should be made to the Supporting Planning Statement (Asteer Planning, January 2024) for further information.