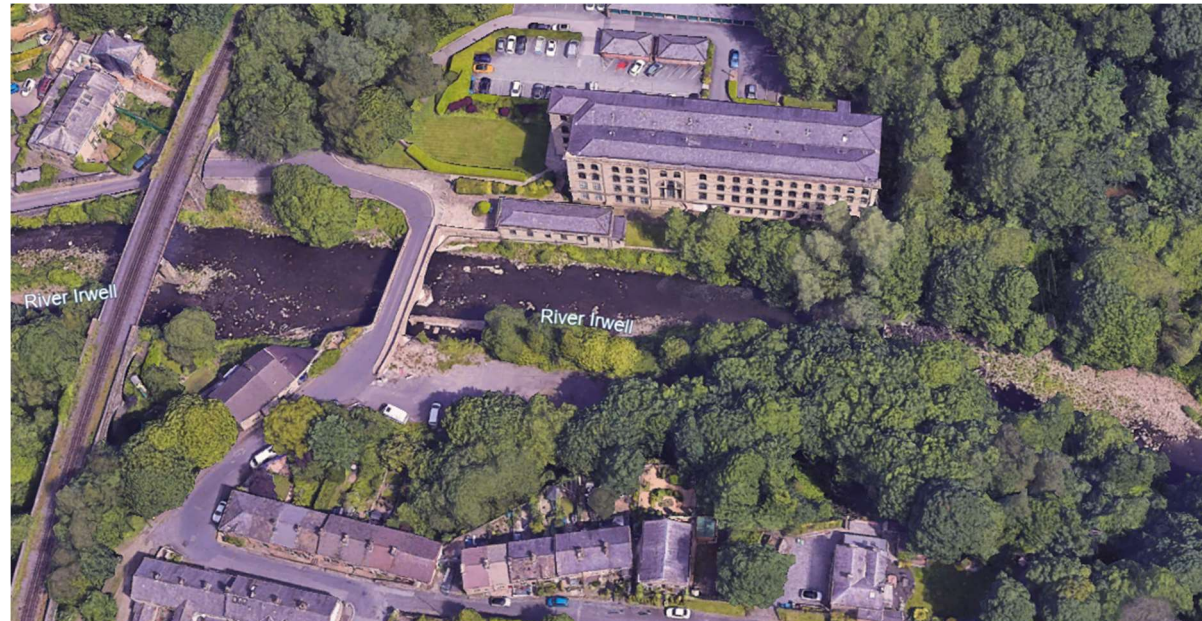


Planning Statement



proposed housing development at

Waterside

Kay Street, Summerseat, Bury

October 2024

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1. INTRODUCTION

This Statement has been prepared by Mellor Architects to accompany a Planning Application for the erection of five detached dwelling houses and associated access and landscaping works on the brownfield site previously used by the former Waterside public house in Summerseat, Bury.

It should be read in conjunction with drawings and other documents from specialist consultants, which focus on specific aspects of the existing site and how it and its environment may be impacted by the proposed development. For brevity those issues are not reiterated in this document but the Statement attempts to set out how the proposals and consequences examined in the other documents and reports are dealt with in compliance with the Authority's planning policies.

2. SITE CONTEXT & LOCATION

The site is located to the east of Kay Street in Summerseat, a riverside settlement in a steep-sided and wooded valley just to the south of Ramsbottom. At this point the River Irwell takes a meandering course through its valley, surrounded by agricultural land, woodland, pockets of nineteenth century industrial development, and twentieth century housing.



Summerseat falls within the Greater Manchester metropolitan district and unitary authority administered Bury Council.

The areas around much of Greater Manchester are rich in industrial heritage and the settlements to the north of Bury are no exception. In order to protect and enhance the industrial and pre-industrial heritage of the Borough the Authority has designated a significant number of conservation areas, which includes the Summerseat Conservation Area, covering an area from the River Irwell to higher Summerseat in the west, and also the Brooksbottom and Rowlands Conservation Area covering the low lying development around the River Irwell and extending to Queens Place and Rowland Road to the south.



As the maps published by the Ordnance Survey show this is an area which saw rapid change in the late eighteenth and nineteenth centuries.

Prior to industrialisation the area was largely rural and the main industry farming, so development was usually small in scale, and sparsely scattered over the surrounding hills and valleys.

During those centuries however, industrialisation of the cotton trade led to construction of large, centralised manufacturing mills in the valleys, close to good sources of water, and replacing the historic cottage industry which had previously existed in the area. This early map of the area was published in 1850

Over the next 50 years or so the pattern of large, centralised mills with their attendant workers' cottages was consolidated, although the wider area remained semi-rural. Another new and dominant feature in the landscape would have been new railway routes linking the growing settlements. At Summerseat the necessity for bridge and viaduct construction made the railway network all the more evident.

The equivalent map of 1894 (below) shows little further change at this scale, although there is an indication that by this time a building had been added to cross the river as part of the bridge.

By the Edwardian period (1908) further buildings are evident nearby, and having the appearance of more terraced houses, but the core manufacturing facility of Hoyles Mill still dominates the river crossing.

By the publication of the OS map in 1930 the pattern of buildings in the landscape had undergone little further change. Today much of the early housing stock remains, although now much modernised and improved, and surrounded by areas of later residential development.



Ordnance Survey 1894



1908



1930

The industrial heritage of the area is now valued differently and is given protection for its preservation. The mill premises are today no longer required for manufacturing, and have been partially removed, with the principal remaining building converted to apartments.

Today the application site falls within the Brooksbottom and Rowlands Conservation Area surrounded by built form which is typical of late eighteenth and nineteenth century industrialisation, having the large four-storey Hoyle's Mill on the north bank of the river and workers' cottages clustered around Kay Street and Hill Street on the south side. Also, key features in the vicinity include the river bridge itself, which was extensively repaired and widening after incurring floor damage in 2015, and to the west, the railway viaduct which carries the East Lancashire heritage railway line across the river valley.



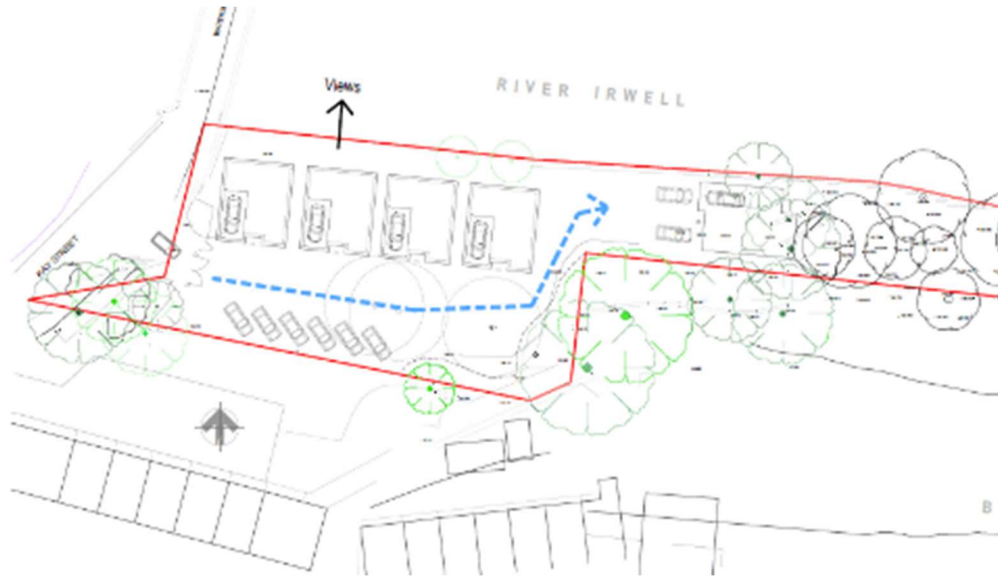
The topography of the Irwell valley has informed the ways in which it has developed to facilitate the new industrial and social requirements of recent centuries, and the development could be accommodated in this landscape and utilise the assets it provided.

Significant changes in ground level dictated where buildings could be erected, but also necessitated the use of bridges, viaducts and tunnels to create rail links between settlements. Where these features remain today they are significant in scale, helping to define the character of the area.

3. PROPOSED DEVELOPMENT

Studies have been made of the site area which, although approximately 2.2 hectares in area, forms a narrow strip of land bounded by the river to the north and by the steep slope of the valley to the south. With access only available from Kay Street at the eastern end there are significant constraints on the amount and form of development possible.

The site also contains several of mature trees, particularly at the narrow eastern end, as well as having more trees along the southern boundary and falling outside the site area. Overall, the site boundary and other constraints require that development is restricted to a narrow band of land running in an east-west direction, and therefore leaving a long, narrow space alongside and parallel to the proposed built form which can provide access to all parts of the site from Kay Street.



The brief for the site was to plan a small number of detached houses which could create a sense of enclosure and containment along the riverbank. Notwithstanding the height and mass of the lost Waterside pub, which was located to form part of the bridge itself and at right angles to the main axis of this site, it was felt that the proposed houses should maintain a domestic height and scale. The scale would therefore be more compatible with existing domestic premises as well as being less likely to cause overlooking of existing dwellings.

As noted above the shape, size and context of the site suggests that buildings be arranged in a linear configuration, which also results in the houses as a group aligning with the existing terraces along Hill Street, as they follow the contours in the vicinity of the site. The four houses are designed to be between two and three stories in height, and are larger than the cottages on Kay Street and Hill Street, but still domestic in scale compared to the much more dominant Hoyles Mill (The Spinnings) on the opposite riverbank. The enforced demolition of the former Waterside public house has changed the dynamic of the river crossing, as the bridge now has an open aspect which is very different from the enclosure created previously by the pub building as part of the bridge.



The fifth plot on the site utilises the eastern end where narrowing makes further extension of the access road untenable.

Each of the first four houses then presents a main entrance elevation to the access road on the southern side of the site and a sense of enclosure to the river corridor to the north. They have outdoor space to the north with views across the river to 'The Spinnings' residential conversion of the former mill to apartments.

Although representing the rear elevation of the houses the north side is seen obliquely from Waterside Road as an approach form the west, travelling towards the bridge.



The section through the site and valley floor (north/south) shows the proposed dwellings in context with the cottages on Hill Street, existing tree planting and Hoyles Mill (now 'The Spinnings') to the north bank.



A section through the site at a point to the east shows the west elevation of the house at Plot 5 in the context of Hill Street, the river and The Spinnings. The new houses sit below the level of Hill Street but sufficiently far enough away for each to be unaffected by the other. The proposed houses are at least 37 metres away from the main Spinnings building and 27 metres from the houses on Hill Street.

4. PLANNING CONTEXT & HISTORY

- 4.1** The Government published the National Planning Policy Framework (NPPF) in 2012, reaffirming the Government's decision that planning decisions must be made in accordance with a formally adopted development plan, unless there existed other material considerations to override this. The NPPF places an obligation on Planning Authorities to ensure that their development plans are in accord with the NPPF principles.

Bury Council adopted a Unitary Development plan in 1997, and in anticipation of a new plan being developed elected in 2007 to save most of the existing policies (except Policy OL7/1) for continued use until the new Plan was adopted.

Since that date the Authority has also adopted the Greater Manchester Joint Waste Development Plan and Greater Manchester Minerals Plan, which supersede the equivalent policies in the Bury UDP.

In March 2024 the Council also adopted the Joint Places for Everyone (PfE) Development Plan, which had been developed over the previous ten years from the Greater Manchester Spatial Framework and has now been adopted by nine of the ten Greater Manchester authorities. The adopted PfE Plan Document will determine development in Bury and the other boroughs until 2039.

4.2 BURY UNITARY DEVELOPMENT PLAN

The following Plan policies have been examined during design of the proposed development, being considered relevant to the application.

H1	Housing Land Provision States that the Council will ensure that sufficient land is identified to provide for 7200 new dwellings within the period mid-1986 to mid-2001.
H1/2	Further Housing Development Lists criteria against which development proposals will be assessed beyond existing housing allocations: • The need to direct development towards the urban area; • The availability of infrastructure; • The need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration; • The suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses; • Other policies and proposals of the Plan.
H2	Housing Environment and Design Outlines that the Council will encourage good design in all residential development.
H2/1	The Form of New Residential Development States that all new residential development will be expected to make a positive contribution to the surrounding area, factors to be considered include: • The height and roof type of adjacent buildings; • The impact of developments on residential amenity; • The density and character of the surrounding area; • The position and proximity of neighbouring properties; • The materials to be included in proposed developments, especially their colour and texture.
H2/2	The Layout of New Residential Development States that new developments will be expected to demonstrate acceptable standards of layout, factors to be considered include: • Car parking provision; • Pedestrian and vehicular access, and provision for public transport; • The possible need for traffic calming measures; • Density; • Space about and between dwellings; • Landscaping and screening;

	• Protection/provision of trees and hedgerows; • Open space/children's play areas; • Design for safety and security; • Access/facilities for the disabled; • The existence of any public rights of way.
H4	Housing Need Outlines that the Council will encourage a range of housing types and tenures as appropriate to the housing needs of the borough.
H4/1	Affordable Housing States that the Council will encourage the provision of affordable housing through negotiation, partnership agreements and the identification of land suitable for such purposes. There will be a particular emphasis given towards encouraging the development of affordable housing as an integral part of large housing developments.
EN1	Built Environment Outlines that the Council will seek to protect, preserve and enhance the character, appearance and amenity of the Borough's built environment.
EN1/1	Visual Amenity States that development will not be permitted where proposals would have a detrimental effect on: • public views of prominent or important buildings, especially those in areas of architectural or historic interest; • the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.
EN1/2	Townscape and Built Design States that the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements
EN1/3	Landscaping Provision Outlines that development proposals will be required to make provision for incidental open space and landscaping to the Council's satisfaction.
EN1/5	Crime Prevention

	Indicated that the Council will encourage development proposals which include environmentally sensitive design features aimed at discouraging crime.
EN2	Conservation and Listed Buildings Outlines that the Council will seek to preserve the Borough's built heritage through the control of development, especially that affecting Conservation Areas, Listed Buildings and areas of local historical importance.
EN2/1	Character of Conservation Areas States that the Council will take action as appropriate to preserve or enhance the Borough's conservation areas. Particular points of interest include measures to: • retain, replace and restore features of historical and architectural interest; • retain and enhance existing landscape features including trees, parks and gardens; • initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes; • remove dereliction and bring unused land or buildings back into beneficial use; • prepare and promote design guidelines to ensure sympathetic development.
EN2/2	Conservation Area Control States that development in the conservation area will only be acceptable where it preserves or enhances the character of the area. Regard will be had to the following criteria when assessing proposed development within a conservation area: • the nature of the development in terms of its bulk, height, materials, colour, design and detailing; • the relationship between the proposed development and the architectural and visual qualities of the surrounding area; • where demolition is proposed, the contribution of any proposed new building to the character or appearance of the area as compared to the building to be demolished;

	• in the case of the re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.
EN2/3	Listed Buildings Outlines that the Council will safeguard the character and setting of listed buildings by not permitting works which would have a detrimental impact on their character, appearance, setting or historic fabric.
EN3	Archaeology States that the Council recognises the importance of archaeological remains as part of the Borough's heritage and will seek the protection of sites of archaeological importance as and when they are found.
EN4	Energy Conservation Identifies that the Council will encourage development that contributes to energy conservation in the Borough and that the incorporation of energy efficiency measures within new development will be encouraged.
EN5	Flood Protection and Defence States that the Council will seek to control development in a manner consistent with flood protection and the maintenance of flood defence systems.
EN5/1	New Development and Flood Risk States that the Council will not permit new development, including the raising of land and the intensification of development, where such development would be at risk from flooding, would be likely to increase the risk of flooding elsewhere, or would adversely affect river flood defences.
EN6	Conservation of the Natural Environment States that the Council will retain, protect and enhance the natural environment of the Borough, particularly in relation to areas of ecological, wildlife and geological importance.
EN6/1	Sites of Nature Conservation Interest (SSSIs and Grade A sites) Outlines that planning permission will not be granted for development in or in the vicinity of a designated or proposed site of national or county/regional importance (including a Site of Biological Importance which has been identified as of national or county/regional importance i.e. Grade A) which would destroy or adversely affect, either directly or indirectly, the nature conservation interest of the site, unless it can be

	demonstrated that other material considerations outweigh the special interest of the site.
EN6/2	Sites of Nature Conservation Interest (Grade B and C sites) Outlines that planning permission will not be granted for development which would damage either directly or indirectly, the nature conservation interests of sites of particular ecological significance (Local Nature Reserves or Grade B and C Sites of Biological Importance) unless conditions can be imposed that would acceptably mitigate those impacts.
EN6/3	Features of Ecological Value States that the effect of land use changes on existing features of ecological or wildlife value will be taken into account when assessing development proposals. Any proposal should seek to retain such features and incorporate them into the development.
EN7	Pollution Control Outlines that the Council will seek to control pollution levels associated with development in accordance with national legislation and prescribed standards.
EN7/3	Water Pollution States that the Council will not permit development which would have an unacceptable adverse effect in terms of pollution upon the water quality of the Borough's water courses and other water features.
EN8	Woodland and Trees States that the Council will support the retention of trees, woods, copses and hedgerows and encourage natural regeneration and new and replacement tree planting throughout the Borough.
EN9	Landscape Outlines that the Council will seek to protect, conserve and improve the landscape quality of the Borough, and will encourage the enhancement of landscapes, where appropriate.
EN9/1	Special Landscape Areas States that in areas identified as Special Landscape Areas, any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas.

EN10	Environmental Improvement States that the Council will seek to improve the environmental quality of the Borough, within which priority will be given to an on-going environmental improvement programme.
EN10/1	Derelict Land Outlines that the Council will encourage the reclamation and beneficial use of derelict land by the public and private sectors, including the redevelopment of derelict sites in accordance with the Council's programme for derelict land reclamation.
EN10/2	Riverside and Canalside Improvement in Urban Areas Outlines that when considering new proposals for development adjoining and adjacent to rivers and canals in the urban area, the Council will, where appropriate, require schemes to include improvements to waterside areas, including tree planting, provision of waterside walks and the refurbishment or clearance of redundant buildings and other structures.
OL1	Green Belt States that the Council will maintain a Green Belt, ensuring that it fulfils the following strategic purposes (copied in full): • To check the unrestricted sprawl of large built-up areas; • To prevent neighbouring towns from merging into one another; • To assist in safeguarding the countryside from further encroachment; • To preserve the setting and special character of historic towns; • To assist in urban regeneration, by encouraging the recycling of derelict land and other urban land.
OL1/2	New Buildings in the Green Belt Outlines that the construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes: • agriculture and forestry (except where permitted development rights have been withdrawn); • essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;

	• limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces; • limited infilling in existing villages as set out under Policy OL1/3.
OL1/3	Infilling in Existing Villages in the Green Belt States that in villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings.
OL5	River Valleys States that the Council will maintain and preserve the open character of the Borough's river valleys.
OL5/2	Development in River Valleys States that within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below: • where the area is designated as Green Belt the established Green Belt policies will apply; or • where the area does not form part of the Green Belt, at least one of the following circumstances is met: - o that the development represents limited infilling to an established valley settlement or industrial area; • that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance; • that the development is required in association with an outdoor recreation or appropriate tourist facility; • that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities; • any other development that would be appropriate in a Green Belt.
HT2/4	Car Parking and New Development States that the Council will require all applications for development to make adequate provision for their car parking and servicing requirements in

accordance with the Council's car parking standards. The policy states the following parking standards for new residential development:

- Resident/Visitor Provision Residents - 1 space per dwelling unit up to 100 sq. m. gross floor area. Residents - 2 spaces per dwelling unit if over 100 sq. m. gross floor area. Visitors - Dwellings with a driveway shall provide one space within the curtilage, otherwise 1 space per 3 dwellings.
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HT4

New Development

Outlines that in considering proposals for new or intensified development, the Council will encourage proposals which:

- support the principles of sustainable development;
- assist the implementation of a balanced transportation strategy;
- minimise the environmental impact of traffic. The policy also states that new development will be encouraged where use can be made of public transport or spare capacity in the existing highway network, provided that this is also in accordance with other policies of the plan

4.3 HISTORY OF THE APPLICATION SITE

There have been other applications submitted previously for this site, as follows:

- 00/37025

Conversion of existing public house into 10 flats and erection of 7 mews cottages.

Received: Fri 29 Sep 2000 | Validated: Fri 29 Sep 2000

Decision: Refused

- 00/37026

Listed Building Consent - Conversion of existing public house into 10 flat and erection of 7 mews cottages

Received: Fri 29 Sep 2000 | Validated: Fri 29 Sep 2000

Decision: Refused

- 63630

Erection of single building containing 16 no. dwellings and associated car parking; Creation of an upgraded vehicular access from Kay Street.

Received: Fri 21 Dec 2018 | Validated: Mon 07 Jan 2019

Decision: Approved with Conditions

- 68459

Variation of condition 2 (approved drawings) following approval of planning permission 63630 - Revision to site plan to accord with approved landscape drawing, Revision to elevations to increase floor to floor heights and lift overrun and Revisions to plans to accord with elevations.

Received: Fri 13 May 2022 | Validated: Thu 09 Jun 2022

Decision: Approved

- 69326

Erection of single building containing 16No dwellings and associated car parking; Creation of an upgraded vehicular access off Kay Street.

Received: Mon 6 Feb 2023 | Validated Mon 6 Feb 2023

Decision: Refused

- 69913

Erection of 5No dwellings with associated road and landscaping and an upgraded vehicular access off Kay Street.

Received: Tues 18 Jul 2023 | Validated: Fri 11 Aug 2023

Decision: Refused

4.4 PLANNING HISTORY FOR ADJACENT SITES

Following application was made for the repair of the road bridge following catastrophic flood damage in 2015

- 62867

Widening works on the upstream side of Kay Street Bridge, Summerseat, to provide a segregated single carriageway and pedestrian footway (Bridge Extension).

Received: Wed 30 May 2018 | Validated: Thu 31 May 2018

Decision: Approved with Conditions

5 JUSTIFICATION AND PLANNING BALANCE

- 5.1 As the schedule of applications at 4.3 shows the site has been the subject of several previous applications for residential development. The first two of these (00/37025 and 00/37026, in 2000) related to the conversion of the former waterside public house prior to its flood damage and subsequent demolition. Setting aside the application for variation of an existing approval (68459), there followed three applications for development of the cleared site. The first (63630) in 2019, was for a single apartment block of 16 dwellings and was approved with conditions, but a subsequent application (69326), also for a single apartment block of 16, was refused. A later application in 2023 (69913) for five detached dwellings was refused.

The current application is similar to the last refusal in that it also comprises five detached dwellings but amendments have been made to address issues raised in the officers' report to elected members for the previous application.

It is clear from analysis of the site and its environs that the settlement around this notable river crossing is dominated by the former Hoyles mill which provides a four-storey apartment block offering significant building mass in a formal relationship with the river and the river valley. In terms of presence it is only challenged in its dominance of the scene by the sweep of the railway viaduct to the west, which because of its transition as a movement corridor through the valley has a quite different relationship with the landscape. The former mill therefore can be acknowledged to hold a dominant position in the settlement, with a mass which in all other respects is out of scale with the village, but nevertheless works because of its historic and social significance, and because the topography of this east Lancashire village is able to accommodate such a feature much more successfully than would, for example, a village in the flat land of the West Lancashire plain.

Around the former mill building are clusters of domestic dwellings. On the one hand there are traditional stone-built cottages which in an informal way climb Hill Street to the south, and in contrast there are later terraced houses off Ruby Street which present a more regular and regimented streetscene to the west of the mill. Though different in character both groups are mainly of 2- 3 storey domestic scale, with equally tight external spaces, particularly along Hill Street.

The removal of the former public house buildings and the bulk of built-form which previously dominated the crossing has significantly changed the dynamic of the site. The northern approach now brings into focus the desolate former pub car park, contrasting sharply with the relatively new stonework and detailing of the modified bridge parapet and hard landscaping. This ground still has the residue of its former use as a car park, though now overgrown with self-seeded plants, and even some the more mature trees which 'naturalise' the site were originally introduced in planting pits as landscaping of the car park.

5.2 HOUSING PROVISION

The Unitary Development Plan recognises the need for the Borough to replace older housing stock in addition to allowing expanded housing provision in the district to meet population growth. The UDP goes on to set out an objective of creating new, energy-efficient housing in good condition which will improve the image of the Borough in the eyes of residents, visitors and investors.

5.3 HOUSING DESIGN

The application site is an unusually long and slender piece of land with entry from one end, which necessarily dictates the way in which it can be developed. The decision to opt for a small number of traditional dwelling houses is predicated on a strategy of using smaller and separate building masses instead of the larger mass created by an apartment block such as the one granted approval in 2019. The latter form would create a tendency towards urbanisation of the site with massing and bulk which would be more consistent with housing developments in a town or city centre. The

existence of a large block on the opposite bank of the river in 'The Spinnings' development does not create an appropriate precedent, but rather the opposite, in that the new development should have a scale much more in accord with the existing houses of the village, which vary from relatively small cottages to larger detached houses such as those found in elevated positions in the upper parts of Hill Street.

The individual houses proposed are to be constructed from traditional, and where possible, natural materials. This will assist in creating buildings which have a consistency with the existing buildings of the village, using natural stone and slate with modern substrates and insulants to ensure that current energy-efficiency and low-carbon features are incorporated and the necessary standards met or exceeded.

Consequently, the format of the houses and their positioning within the site result in a group of dwellings which are consistent with one another within the group but not over-bearing in relation to the existing properties. The houses are positioned away from the Hill Street premises at distances from 27 to 34 metres, and are founded at a lower level so that sightlines from existing houses are minimally impacted, and there is no overlooking nuisance for either party, in compliance with the policies in H2

5.4 THE BUILT ENVIRONMENT

Policy EN1 of the UDP outlines that the Council will seek to protect, preserve and enhance the character, appearance and amenity of the Borough's built environment, and it expands on this objective through attention to the visual amenity, townscape value and landscape provision that new schemes will bring. The present condition of the application site is poor and redevelopment of the site with modern housing stock would achieve the objective of improving the visual amenity of the land and its place in the settlement and river valley, in addition to providing new, energy efficient homes.

The site is located within a named village and there are residential properties on both sides of the river and surrounding the site. As such, the

proposed development would not conflict with surrounding land uses. The previous use of the site was as a car park serving the public house and as such, is already acknowledged to be a brownfield site. Therefore, development of the site for residential uses should be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF regarding brownfield sites in the Green Belt.

Although the site adjoins the riverbank, views of the site from the existing public access areas are most easily obtained from the north-west, when the viewer is turning from Waterside Road to cross the bridge, heading south. At this point the eye is drawn from the side elevation of the Spinnings apartment development, which dominates the view after passing below the railway viaduct, to the view in a south-easterly direction, with the site in the foreground, and the trees and cottages of Hill Street beyond. From an opposite approach, down Hill Street and into Kay Street, the site is almost out of view for drivers and pedestrians until the last minute, and only pedestrians would have sufficient time to observe the view towards the main entrance elevation of the first four new houses. The main 'streetscene' is therefore the riverbank view which has been planned to align the houses along the bank, giving a sense of enclosure and containment to mirror, but be subservient to, that of 'The Spinnings'. East of this point the buildings fall away as the river-edge upstream becomes softened on both banks by woodland.

The modest size of the site does not allow the design layout to provide significant open space as policy EN1/3 proposes and instead the emphasis has been placed on a wish to enhance the different wildlife habitats, which in turn will meet the need to achieve Biodiversity Net Gain across the site as a whole. Where policy EN1/3 dictates that hard landscape is a necessary part of the design the emphasis is placed on the use of natural materials used with careful detailing, such as the opportunity to continue the bridge's paving material into the site, which will assist in 'grounding' the scheme to its setting and surrounding landscape features.

5.5 CONSERVATION AREA STATUS

Bury Council has designated a significant number of conservation areas within the borough, which includes the Summerseat Conservation Area, covering an area from the River Irwell to Higher Summerseat in the west, and also the Brooksbottom and Rowlands Conservation Area covering the low lying development around the River Irwell and extending to Queens Place and Rowland Road to the south.

The application site falls within the latter designated area, surrounded by built form which is typical of late eighteenth and nineteenth century industrialisation, having the large four-storey Hoyle's Mill on the north bank of the river and workers' cottages clustered around Kay Street and Hill Street on the south side.

Policy EN2/1 states that the Council will be concerned to encourage the removal of dereliction and bring unused land back into beneficial use. The utilisation of the application site for a beneficial and compatible use such as housing meets this criterion. Policy EN2/2, concerned with control of conservation areas, requires development to preserve or enhance the area and the proposals have been developed to be of appropriate massing, with attention to the use of materials and colours which are compatible with the context. The designs have been developed to avoid slipping into pastiche or the creation of faux cottage properties. Consequently, each house is unashamedly modern in appearance but with materials employed sympathetically to create dwellings which are clearly of the twenty-first century but stand alongside various historic forms in the conservation area. The existing properties nearby already include a variety of forms - modest stone-built cottages, larger stone houses (eg Summer Hill and Woodbine Cottage), and a converted four-storey mill, as well as brick-built terraced houses lying between the two conservation areas.

5.6 LISTED BUILDINGS

The core of Summerseat and the designated conservation area is dominated by the large bulk of 'The Spinnings', previously Hoyles Mill, and now converted to residential use and listed Grade II. Policy EN2/3 confirms

that the Council will seek to safeguard the character of listed buildings in the Borough, which apart from controlling demolition, alteration or extension of listed buildings will also include preservation of their settings by considering the effect of other development proposed in close proximity to the listed asset. The application site lies across the river from The Spinnings and the new built form is 36 metres away from the main Spinnings building at its closest point, and 47 metres at the Kay Street end of the site.

When approached and viewed from Waterside Road the listed structure presents an end elevation which only gives a partial understanding of the building and its context. However, an attractive oblique view of the Spinnings can be had from Kay Street (looking to the north-east), which allows the viewer to take in the long riverside elevation as well as the west elevation. A initial glimpse of the former mill is had from near the side elevation of 9 Hill Street, although this reveals only part of the west elevation, the remainder being concealed by No 9 and the trees to the rear of the house. A little of the south elevation is revealed as the viewer reaches 3 Kay Street, and a little more from a position outside 2 Kay Street. From a viewing point outside the garage of 1 Kay Street around 50% of the south elevation is in view, the remainder being obstructed by trees growing on the riverbank.

To achieve a full view currently it is necessary to stand close to the point where the carriageway narrows on the bridge. To mitigate the effect that the new development may have had on this view of The Spinnings, the house on plot 1 has been stepped on plan with a reduction in height at the rear to bring the built form closer to the existing lines of obstruction created by the trees.

5.7 ENERGY CONSERVATION

Policy EN4 of the UDP encourages development which will contribute to energy conservation, and the proposed dwellings will be designed to current energy efficiency standards and minimise carbon emissions. The use of photovoltaics has been examined as well as air-sourced heat pumps, and it may be that a mix of technologies will be required to achieve the

desired standards. In particular it must be noted that the site lies to the north a sharp rise in well wooded natural ground levels and this will inevitably restrict the amount of sunlight reaching the site for the maximisation of PV cells.

Regarding the construction of the proposed houses, the employment of natural materials such as stone and slate and traditional constructions methods, although natural materials carry some energy demand for the extraction and transportation, the use will reduce the need for plastics and other man-made materials, and for concrete-based products which are known to bear a high carbon load in manufacture.

The small nature of the site and development does not allow for significant on-site design contribution to the creation or encouragement of low energy forms of transport or reduction of carbon release and release of greenhouse gases. To do so development will be dependent on regional and national initiatives to encourage the supply of green energy to the national grid and the availability and affordability of electrically powered vehicles, including the use of electric vehicles by bus operators.

5.8 FLOOD RISK

It is clear that the site and its history will have concerns for the risk of flood risk and management, which are matters addressed by the UDP in policy EN5/1 in respect of new development. The low-lying land to either side of the river is predominantly classed by the Environment Agency as Flood Zone 2 or 3, meaning much of the land has a probability of flooding from the river. The issue is assessed in the submitted Flood Risk Assessment dated December 2018 prepared by BEK Geo-Environmental, with updated information on the specific site proposals provided by Elluc in November 2024 and including assessment of drainage design in the context of updated flood data. The outcome of the assessment is that the proposed development site is not at risk of flooding from a 100 year event. The data shows that, even after allowing for climate change allowances of 30% overtopping levels in a 100 year event would reach 108.19 AOD, which is 140mm below the lowest existing external ground level on the site. For a 35%

allowance the 100 year event would cause flooding to 108.31 AOD, which is 20mm below the lowest ground level. For a 1000 year event the calculated flood level would be 108.47 AOD, which is 140mm above the lowest ground level based on the existing topography, representing some flooding of the lowest part of the site. In summary the majority of the site would fall within Flood Zone 1 with a small area adjacent to the river within Flood Zone 2.

The flood risk assessments take into account the risks of fluvial flooding and the potential impacts of new development and drainage from the site and conclude that the only the lowest parts of the existing site are at risk of flooding from a 1000 year event, and that the site can be drained safely. The requirements of Policy EN 5/1 have therefore been met.

5.9 DERELICT LAND

The application site has remained unused and derelict since flood damage occurred to the Waterside in 2015 and Policy EN10/1 encourages action for the reclamation and restoration of derelict land within the borough. Although restoration of the bridge itself had created the opportunity to improve the vehicular and pedestrian access across the river with sensitive formation of a new wall and paving, the car park land is in poor condition. It is now much more open to view than previously, when the bulk of the Waterside public house dominated the bridge. In the intervening years the site has continued to degrade as the surfaces have deteriorated and been colonised by tall ruderal vegetation, ephemeral and short perennials, and introduced shrubs which remain unmanaged. Redevelopment of the land and bringing it back to beneficial use is in accordance with the aims of policy EN10/1.

5.10 GREEN BELT

The Unitary Development Plan shows much of the valley, including the areas immediately around Summerseat designated as Green Belt, in accordance with Policy OL2.

A detailed Green Belt assessment of the application site has been undertaken in order to assess the contribution the application site makes to the Green Belt, in accordance with the objectives outlined in paragraph 134 of the NPPF and concludes that the application site does not make any contribution to the purposes of the Green Belt, apart from assisting in urban regeneration by repurposing a derelict site. In this respect the proposed development makes a strong contribution to the Green Belt in the context of a conservation area through regeneration of a derelict site.

5.11 INFILLING OF EXISTING SETTLEMENTS

In accordance with the NPPF the Bury Unitary Development Plan in Policy OL1/3 contains further requirements and objectives in respect of sites which fall within the Green Belt but also make up small and often underutilised pockets of land within the defined boundaries of existing settlements. The Policy and Paragraph 154 of the NPPF state that the construction of new buildings in the Green Belt should be regarded as inappropriate unless the development meets one of a number of exceptions, deemed to be very exceptional circumstances. Item e) of those exceptions relates to the 'limited infilling in villages' which is deemed to be an 'appropriate' exception to the restriction on development of Green Belt land. Paragraph 153 of the NPPF states that when considering an application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless other considerations clearly outweigh potential harm to the Green Belt by reason of inappropriateness, or any other harm resulting from the proposal.

Policy OL1/3 states that in all named villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings. The application site is located within Summerseat village, which is a named village for the purposes of Policy OL1/3 and the site is a vacant brownfield plot with built development to three boundaries (north, south and west). In addition, the land to the east rises steeply, creating a physical barrier. As such, the proposed development should be considered to be an infill plot

in accordance with Policy OL1/3 and bullet point e) of paragraph 154 of the NPPF.

In the case of the Waterside site the land is bound on the two long edges by the river wall and by the higher cottage housing of Hill Street, and the wider view of the settlement illustrates how much this site falls within the core of the village. The additional built form which this application would generate does not extend the settlement boundary into open countryside and is not in any respect an example of the 'ribbon development', which has blighted many other established village centres. The proposal is therefore compliant with Policy OL1/3 and paragraph 145(e) of the national Planning Policy Framework, as it would constitute infilling of land falling within the perceived village boundary. The NPPF also refers to the infilling being 'limited' and although this is not clearly defined it can be generally taken that the intention of the policy is to negate the possibility of over-intensive development of small village sites which would be incongruous in that specific context. The application layout is planned to include only five dwellings and adequate access and parking surfaces, with incidental areas close to the site entrance and the swathe of woodland at the eastern end of the site being left as wildlife habitat. This land is then congruent with remaining woodland which extends well beyond the village boundary. The dwellings are designs to extend over two and in some parts three, storeys, which is consistent with the existing dwellings on Hill Street to the south which vary in height as they accommodate a significant change in the natural ground level.

5.12 DEVELOPMENT IN RIVER VALLEYS

The Bury Unitary Development Plan also makes provision in Policy OL5/2 for the control of developmental changes in the valley, with an exception where the development will not divide open parts of the valley, with Green Belt policies applying where the land is also within that designated area.

The application site is located at the newly restored river crossing with development already on both sides of the river close to the crossing. The narrow site is enclosed by existing development with most open land in the nearby parts of the valley lying to the east and the north-west. The

development of the site will replace a brownfield site with beneficial modern housing and will not create additional division of the open valley. It is therefore compliant with Policy OL5/2.

5.13 CAR PARKING

The proposed development has been designed to have a private and therefore unadopted road access within the site, which will not be maintained at public expense. The site layout allows for adequate manoeuvring of cars, delivery vans, refuse vehicles and fire appliances into the site from Kay Street, with the point of access sited to the south away from the bridge and parapet wall, which will not be altered.

Parking for private vehicles is provided within the curtilage of each property for residents and visitors, with three spaces per house, including single garage space of 6.0 x 3.0 metres. Space has been allocated for larger vehicles such as delivery vans to execute a three-point turn in the turning-head, the only exception being plot 5, which can be regarded as a private drive and has space for residents' cars to turn and exit in a forward direction. The anticipation is that refuse collection will be by private contract but provision has been made for turning within the site, notwithstanding that many private and local authority collection teams habitually reverse into cul-de-sac roads. There is adequate space within the development as planned for delivery vehicles to stand while loading or unloading.

6 CONCLUSION

- 6.1 Repair and redevelopment of the wider site following flood damage in 2015 remains incomplete until the future of this site has been determined. Approval for 16 apartments on the site was granted in 2019 (ref 63630), and the current proposals represent limited infilling within the village boundary would have less visual impact in the conservation area than the four storey block then approved.
- 6.2 The site is well contained within the deep tree belt which covers much of the valley floor and sides and it also falls within the existing developed settlement area of Brooksbottom. It is considered therefore that the introduction of new built form in this location has minimal effect on the openness of the Green Belt. The site no longer serves the Waterside public house as previously, and its use would make a contribution to the local housing stock and minimise pressure for other Green Belt land to be released for development.
- 6.3 The development provides beneficial housing on an acknowledged brownfield site which will improve the conservation area in which it is located. There is minimal effect on other houses along Kay Street and Hill Street, and the setting of The Spinnings, which lying on the other side of the river is the closest listed building in the village, is unaffected by the development.
- 6.4 The site development is for five properties, so any additional traffic generated by the houses is small compared with the existing combined traffic flows of the apartments in the converted mill and older housing stock in Summerseat and surrounding area. The site offers in-curtilage parking (three spaces per dwelling) and space for visitors, so adjacent roads would be unaffected by parked cars. In addition, the site provides space for deliveries and for essential services.

- 6.5 The settlement of Summerseat has a significant number of apartments in the converted mill, as well as traditional terraced houses and cottages, but the housing mix currently lacks the larger houses which this proposal offers, and which would be constructed to high levels of sustainability and quality.

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