



Planning Statement

Pyramid Park, Bury

Prepared on behalf of Bury Council

July 2024

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1. Introduction

- 1.1 Hive Land & Planning have prepared this Planning Statement ('statement') on behalf of Bury Council ('the Applicant') to support a full application for infrastructure works comprising the main vehicular access road (and ramp) into the site from Market Street and remediation works. The proposed development is on land to the west of Market Street, located within Bury town centre. This planning application is submitted as the first stage of a wider Planning Strategy for delivery of residential development on the Site.
- 1.2 This Statement will assess and justify the proposals in the context of all relevant planning policies and other relevant material considerations.

About the Applicant

- 1.3 Bury Council, as landowner, has secured Brownfield Land Release Funding (BLRF) to unlock the site for future residential development, helping the Council to realise the ambitions set out in the Town Centre Masterplan and wider housing growth plans in Bury Town Centre.
- 1.4 The next step of the process is to secure full planning permission for the remediation and infrastructure works facilitated by the successful BLRF bid and these works are the subject of this planning application. This will enable viable future residential development of the Site.
- 1.5 The funding agreement required the council to be under contract by the end of March 2024 to comply with the grant terms and conditions. In accordance with the grant terms, the land must be released to a developer by March 2027. Therefore; the planning strategy for the Site is informed by this requirement and the need to provide an incumbent contractor with certainty of delivery.

Land Ownership and Land Agreements

- 1.6 With reference to plan (see Figure 1), the future residential development proposals are within a defined area of the Site.
- 1.7 The full application for access and remediation works is not the same as the application boundary for residential development which is forth-coming. Land within the red line boundary for this full application is owned by Bury Council. Whilst TfGM do not own any land within Pyramid Park, it is important to note

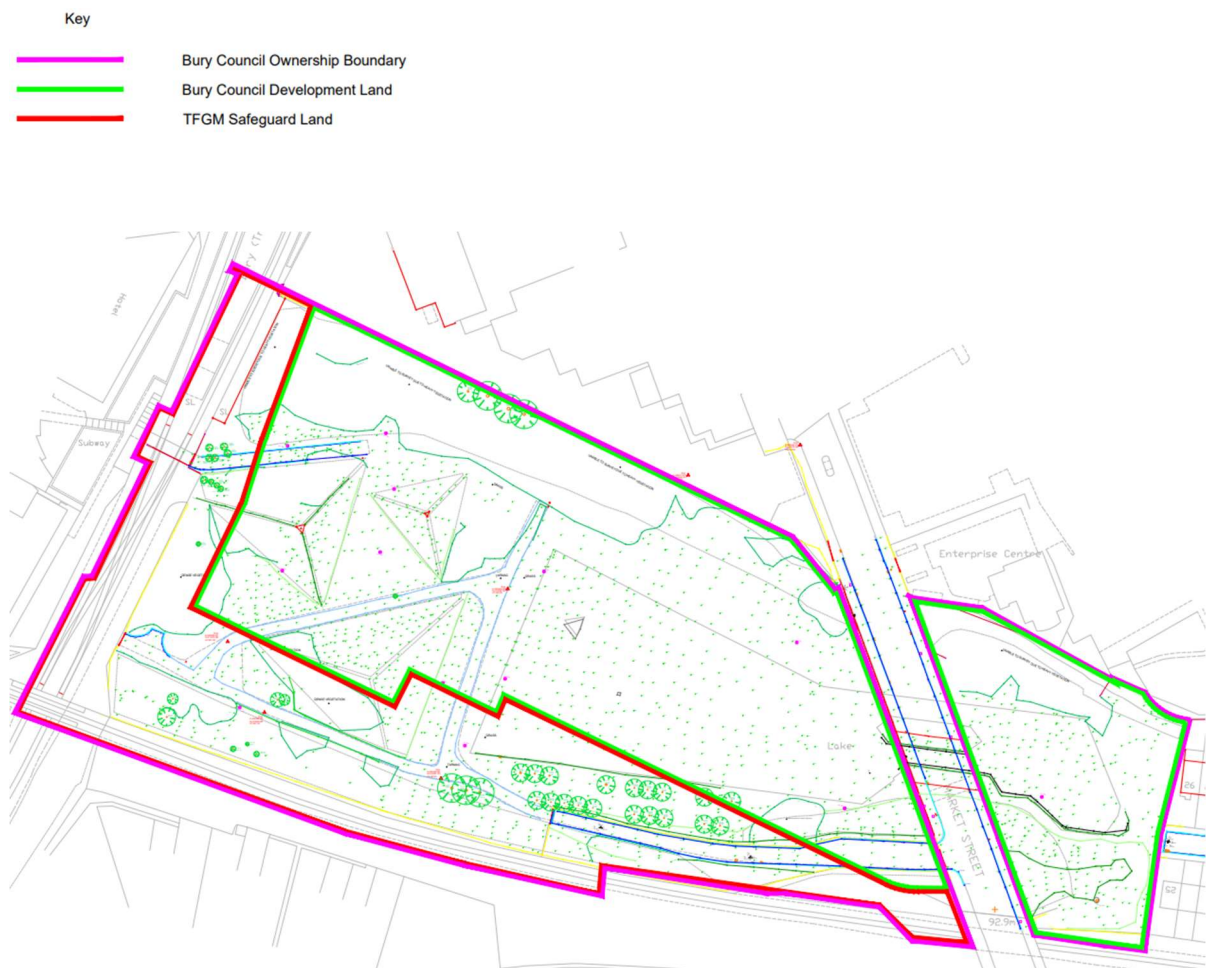
that consideration has been given to the relationship between future residential development within the green line and land which has been safeguarded for use associated with the Metrolink in the future.

1.8 Relevant land agreements within the red line boundary are as follows:

- Outer pink boundary on the plan denotes Bury Council ownership;
- Red line area has been agreed to be 'safeguarded' for operational use by TfGM and;
- Forthcoming residential development boundary is green.

1.9 For the purpose of this planning application, land remediation will need to extend beyond the green boundary denoted in Figure 1, particularly in respect of the southernmost pyramid which encroaches into an area of land which is safeguarded for TfGM's operational use. Remediation will largely relate to removal of the pyramids and historic foundations to a certain depth.

Figure1: Pyramid Park Land Ownership



Planning Strategy

1.10 In order to comply with funding requirements and to dispose of the Site to a developer, the planning strategy comprises the following stages:

- Stage 1: Full planning application for the access road and land remediation works (this planning application). This will meet funding requirements and enable viable future development of the Site. The application site boundary would cover the whole site (pink boundary), including both Bury Council and land safeguarded for TfGM's current and future infrastructure transport requirements.
- Stage 2: Outline planning application for residential development. The incoming developer will submit an outline planning application for residential development within the green boundary. Once planning permission is secured, the freehold of the Site will be transferred to a developer for delivery purposes.
- Stage 3: Reserved matters application. The Developer will be responsible for the submission of the reserved matters application, the final BNG strategy and any associated off-site contributions, which will be established in stages 1 and 2 (as agreed with GMEU).

1.11 This approach will de-risk the Site and give confidence to the market that what is proposed is deliverable. The incoming developer would then take responsibility for both the outline planning application and the submission of a reserved matters application.

The Proposed Scheme

1.12 The description of the proposed development is:

"Land remediation, construction of a vehicular access road and footway from Market Street, along with associated infrastructure and structural works."

1.13 This application is for full planning permission for the development of a single vehicular access road and land remediation works associated with enabling future delivery of residential development on the Site. The access point for which approval is sought is to the adjoining adopted highway and does not include internal access routes through the Site

- 1.14 Further details of the proposed development are provided within Section 3 of this Statement and the Design and Access Statement ('DAS').

Pre-Application Process

- 1.15 Bury Council has engaged extensively with the Local Planning Authority and its statutory consultees through the pre-application process to address specific topic areas and issues across the three stages of the proposed development. The specific outcomes of these discussions are reflected in the Section 3 of this Statement.

Planning Application Documents

- 1.16 This Statement has been submitted as part of a suite of documents that together comprise the full planning application. The table below identifies the documents that have been submitted.

Table 1: Application documents

Document	Prepared by
Cover Letter	Hive Land & Planning
Application form	Hive Land & Planning
Planning Statement	Hive Land & Planning
Site Location Plan (ref: 14111-CRH-ZZ-XX-DR-4000-P1)	Campbell Reith
Scheme drawings - General Arrangement Option 1 (ref: 14111-CRH-ZZ-XX-DR-5000-P1) (Assumes the Councils Active Travel will be implemented) - General Arrangement Option 2 (ref: 14111-CRH-ZZ-XX-DR-5001-P1) (Excludes active travel specification, in case GM Mayor's C&W Challenge Fund funding is not secured)	Campbell Reith
Existing and Proposed Contours and Levels Plan (ref: 14111-CRH-ZZ-XX-DR-5010-P2)	Campbell Reith
Existing and Proposed Contours and Levels Plan (ref: 14111-CRH-ZZ-XX-DR-5011-P2)	Campbell Reith
Contour Plan and Sections (ref: 14111-CRH-ZZ-XX-DR-5012-P2)	Campbell Reith
Preliminary Earth Works Cut and Fill (ref: 14111-CRH-ZZ-XX-DR-5013-P2)	Campbell Reith
Preliminary Earth Works Cut and Fill (ref: 14111-CRH-ZZ-XX-DR-5014-P2)	Campbell Reith
Site Constraints Plan (ref: 14111-CRH-ZZ-XX-DR-4002-P1)	Campbell Reith
Site Remediation Plan (ref: 14111-CRH-ZZ-XX-DR-4001-P2)	Campbell Reith
Preliminary Ecological Assessment (ref: 9302.02.001)	TEP
Biodiversity Net Gain Baseline Briefing Note and Matrix (ref: 9302.01.002)	TEP
Ecology Desk Study (ref: 9302.01)	TEP
Geotechnical and Geo-environmental Desktop Study (Ref: 13819-CRH-XX-XX-LQ-RP-0001_P02)	Campbell Reith
Phase 2 Interpretive Report (Contamination) (ref: 13819-CRH-XX-XX-RP-LQ-0002)	Campbell Reith
Land Quality Statement (ref: 14111-CRH-XX-XX-RP-LQ-0001 Rev P01)	Campbell Reith

Drainage Technical Note (ref: 14111-CRH-XX-XX-RP-C-0002)	Campbell Reith
Transport Technical Note (ref: 14111-CRH-XX-XX-RP-C-0003)	Campbell Reith
Remediation Strategy (ref:14111-CRH-XX-XX-RP-LQ-0001-P01_Rem Strat)	Campbell Reith

Structure of the Planning Statement

1.17 The remainder of this Statement is structured as follows:

[Section 2: Site and Surrounding Area](#)

[Section 3: Proposed Development](#)

[Section 4: Planning Appraisal](#)

[Section 5: Conclusion](#)

2. The Site and Surrounding Area

The Application Site

- 2.1 The Site (Location Plan provided at Figure 1) is a 3ha parcel of land located to the west of Market Street in the south of Bury Town Centre. The Site was formerly a railway station and sidings before being reclaimed as a public open space in the 1970s. The Site is currently comprised of three distinctive grass pyramids, areas of grass interspersed with pockets of shrubs/low trees, informal walking routes and an area of hard standing, previously used as a pond.
- 2.2 The Site is at a lower level than its surroundings, with embankments rising to the north and south creating a bowl effect. Market Street, at the eastern boundary, is elevated above the Site on a red brick bridge, with bridge tunnels providing east to west connectivity to land adjacent to Town Fields Close. The East Lancashire Railway Line is situated on an embankment to the south of the red line boundary and the Bury-Manchester Metrolink line is located to the west of the red line boundary with Q-Park, Premier Inn and 3 Knowsley Place beyond. Bury College's Woodbury Centre is located to the north.
- 2.3 Vehicular access to the Site is currently via a gated ramp from Market Street.

Figure 2: Site Location Plan



Sustainable Transport Connections and Local Facilities

- 2.4 The Site is located on the southern edge of Bury town centre with easy access to the town's retail and leisure facilities, as well as the town's excellent transport connections. Bury Interchange, which comprises Metrolink stop, bus station and a cycle hub is within a 5 minute walk. The Metrolink provides services to Manchester City Centre and connections to the wider City Region. The bus station provides connections to Manchester City Centre, Ramsbottom, Bolton, Rochdale, Tottington, Heywood, Farnworth and Pendleton. Given the Site's proximity to Bury Town Centre, there are a range of services and facilities within reasonable walking distance (under 2km). The Rock Shopping Centre, Bury Market and other shopping facilities in Bury Town Centre are all within a 10 minute walk.
- 2.5 There is a wealth of key services and facilities within walking distance of the Site. There are several educational institutions including Holy Trinity C of E Primary School (0.2 km) and St Marie's RC Primary School (0.4km) are within a 10-minute walk of the Site. Bury C of E High School is the closest secondary school to the Site (1.2 km) and The Derby High School located to the south of the Site (1.7 km). Bury College is located on two campuses immediately to the north and south of the Site.
- 2.6 The closest hospital with an A&E department is Fairfield General Hospital, 3.5km from the Site to the north east of Bury. There are also number of doctors and dental surgeries within the local area.
- 2.7 TfGM are currently progressing the business case for a Tram-Train Pathfinder project which could extend the reach of the rapid transit network from Bury towards Oldham via Heywood and Rochdale.
- 2.8 In the near future, there is the potential for additional Metrolink infrastructure to be located within the westerly area of this Site, and Bury council has worked extensively with TfGM to ensure the westerly and southern areas of the site are safeguarded for such use (as well as existing operational requirements), with longer term aspirations to improve the Metrolink infrastructure at the Interchange.

Planning History

- 2.9 We have undertaken a review of the relevant planning history for the Site and application 48937 is the only relevant planning history to consider. The application is for change of use of land to builder's compound including two storey office block and car parking until 31st January 2010. The application was

approved in January 2008 and the development comprised 300 sq m temporary office cabins located to the west of the Site with access from GMPTE access road to the north of the Site.

- 2.10 It is considered that the Planning History at the Site does not have any direct implications for what is proposed as part of this planning application.

3. Proposed Development

- 3.1 A more detailed description of the proposed development for which full planning permission is sought is now provided.

Description of Development

- 3.2 The proposals seek full planning permission for:

“Land remediation, construction of a vehicular access road and footway from Market Street, along with associated infrastructure and structural works.”

- 3.3 The application is submitted in full, with approval sought in respect of access and remediation of land to facilitate future residential development.
- 3.4 The submitted plans provide further details in respect of the approach to design and certain technical matters. The application site area extends to 2.9 hectares and the Proposed Development comprises the following elements:

Access

- 3.5 Approval is sought for the construction of a vehicular access road (including footways and turning head) and the access improvements onto Market Street. This represents an upgrade to the existing access route on to the site. Two Options have been presented for consideration in order to account for Bury Council's emerging proposals to deliver an active travel route along Market Street:
- General Arrangement Option 1 demonstrates the proposed access arrangements with the active travel pedestrian/cycling route implemented;
 - General Arrangement Option 2 demonstrates the proposed access arrangements without the active travel pedestrian/cycling route being implemented.
- 3.6 The reason for providing two options at this stage is to build sufficient flexibility in to the planning permission that will allow either option to be implemented, depending upon the status / progress of the

active travel scheme proposals at the time the access and infrastructure works are to be implemented. The latter is subject to a successful business case approval from GM Mayor's C&W Challenge Fund.

- 3.7 The access road (5.5m vehicular carriageway) is to start at the same position as the existing ramped access and from that point will and the road will fall in to the site on land in the Council's ownership. The access will see the incorporation of a footway (2m width on western side), a Vehicle Restraint System (on both sides) and associated retaining structures. A turning head will then be provided at the termination of the access road, which is compliant with the Local Highway Authority's requirements. A 5m easement from the retaining structure adjacent to the land safeguarded for TfGM operational use has also been allowed for.
- 3.8 Ultimately the access road will ultimately serve a scheme of a minimum of 148 residential units and adaptations to the current proposed termination point will need to be made accordingly, although the principle of residential development does not form part of this planning application and so details relating to the internal road layout will be the subject of a future planning application.
- 3.9 There is no requirement to make any alterations to the existing bridge structure on Market Street and therefore there would be no need to enter into an Agreement in Principle with the Local Highway Authority at this stage.

Site Remediation

- 3.10 This planning application is accompanied by a Remediation Plan (Ref: 4001-P2) which provides a clear indication as to which area of land will be the subject of the remediation works. There will be tree retention in areas and any mitigation measures, for example grass reseeded, are identified.
- 3.11 Regular meetings have taken place with TfGM to establish the extent of the remediation boundary and there has been regular liaison between Bury Council and TfGM to ensure that access to the land to the south/west needed for the current maintenance of and future infrastructure works and extension to the Metrolink network is safeguarded. Some encroachment on to the land safeguarded for TfGM has been agreed in order that the pyramids can be remediated in their entirety and so the remediation boundary encompasses this additional land. This additional land will not then form part of the red line boundary for the future residential development proposals and will remain unhindered to allow TfGM to bring forward

any scheme in the future. This includes provision of land for the proposed westerly access infrastructure at Townside Fields (below the Premier Inn).

Pre-Application discussions with Bury Local Planning Authority

Access and Remediation

- 3.12 A formal request for pre-application advice was submitted to Bury Council Local Planning Authority on 27th October 2023 in relation to the proposed delivery of new infrastructure comprising of an access road (and ramp) from Market Street and land remediation works at Pyramid Park, Bury. Whilst the proposals do not form part of the intended planning application, the new infrastructure is ultimately to serve a scheme comprising c.148 residential units (subject to review in line with PfE policy), which was outlined within the pre-application request.

Planning Policy comments

- 3.13 The principle of the proposed infrastructure development was considered acceptable, as was the longer-term residential development.
- 3.14 The site is allocated for Community facilities and Business use under policies CF2/1/2 and EC1/2/6 of the Bury Unitary Development Plan (UDP). The Bury Town Centre masterplan identifies the site for residential (Zone H – Southern Gateway). The site also hosts a Site of Biological Importance and falls within the defined Bury town centre.
- 3.15 On balance, the planning policy team concluded that given that the UDP allocation has not come forward for its intended employment use, the requirements in the NPPF to support applications for alternative uses where there is no reasonable prospect of an application coming forward for the use allocated in the plan is supported in principle. Added to this, and although not related specifically to this application, it was acknowledged that the site is identified for residential use in the Bury Town Centre Masterplan and the Places for Everyone focus on expanding the resident population of main town centres, means that the principle of residential development is accepted on the site and there would not be a requirement to provide evidence of 12 months marketing. Following feedback from Planning Policy, the forthcoming updated Local Plan is expected to redesignate the site for residential use.

- 3.16 The above comments relating to the principle of residential development go beyond the scope of this planning application, but nonetheless provide a clear indication of the acceptability in principle of residential development at the site and is therefore supportive of the preparatory infrastructure and remediation works proposed as part of this planning application.

Ecology

- 3.17 As part of the pre-application process, GMEU were consulted directly following a written response received. A meeting was held with David Dutton (GMEU) and the LPA case officer dealing with the pre-application request (Dean Clapworthy). The Applicant and their representatives, including Hive Land & Planning as planning consultant and TEP as ecology consultant also attended the meeting.
- 3.18 The purpose of the meeting was to establish acceptable principles to align the longer term planning strategy with the phasing and delivery of BNG improvements, as well as the timings of ecological surveys to support each application. At the meeting the following points were agreed with GMEU:
- Much of the land safeguarded for TfGM operational use will remain untouched and the section of Pyramid on this safeguarded land is acknowledged by GMEU to be of little ecological value and what replaces it will effectively be a 'like-for-like' replacement.
 - This planning application for access and remediation will need to include clear indication as to which areas would be disturbed (a Remediation Plan has therefore been submitted that shows this). There will be tree retention in areas and any mitigation, for example grass reseeding, would need to be identified.
 - A baseline for BNG purposes would be established as part of this planning application stage.
 - BNG strategy for future retention / mitigation can be secured through condition as part of this initial planning application. If detailed ecological surveys cannot be completed before this initial planning application is determined, a Grampian planning condition can be put in place to ensure that surveys are completed and the retention / mitigation strategy is agreed before remediation works commence on Site.
 - The outline planning application (OPA) for residential development will be informed by the Preliminary Ecological Appraisal work. The OPA could be submitted in advance of species survey work taking place. Determination of the application would however need to take the outcome

of the survey work in to account. The OPA would need to include a Parameters Plan which would establish areas proposed for built development and areas to be protected/enhanced as green infrastructure. A BNG Assessment would need to be provided with the OPA, in line with the outputs of the detailed survey work and principles established by the Parameters Plans and associated mitigation strategy agreed based upon the latest assessment.

- The incoming Developer (identified as part of Bury Council's disposal process) will be responsible for the submission of the reserved matters application, the final BNG strategy and any associated off site contributions. The baseline and offsite location for mitigation would have been agreed during Stages 1 and 2.

Access, Highways and Transport

- 3.19 Bury Council's Highways Officer provided comments in relation to the request for pre-application advice and a number of meetings were held between representatives of the project team (primarily Campbell Reith as Highways Consultant, Bury Council as the Applicant and Hive Land & Planning as planning consultant).
- 3.20 The discussions centred around the ability to adopt the access road and any associated structure in the future, the specific design of the Market Street junction including how it could tie in with the emerging active travel scheme, the specifications needed for the access road and associated design of the turning head (within Pyramid Park) and general highway safety considerations.
- 3.21 The accompanying Highways Technical Note (paragraphs 2.1 to 2.8) provides a summary of the meetings held and the specific design measures that have been incorporated in to the final access design are provided at paragraphs 3.1 to 4.1, which reflect the nature of agreements that had been reached during the pre-application discussions.
- 3.22 The Planning Officer also noted that finishing materials for any proposed retaining structures should be sympathetic in the context of the surroundings and should not have unacceptable impacts on visual amenities of the area or the street scene.

TGM and Metrolink

3.23 As a key stakeholder, regular meetings have been held with TfGM for a prolonged period of time and have covered a wide range of matters including, but not limited to, the remediation and access strategy proposed as part of this planning application.

3.24 Based upon the feedback received, the designs and remediation strategy have incorporated measures to ensure that the land safeguarded for future improvements remains unhindered. Another request was the access rights currently enjoyed are maintained and so the continued ability to provide vehicular access to land to the south and west for Metrolink access has been integrated in to the access design accordingly.

Public Rights of Way Officer

3.25 An assumed Public Right of Way exists through the site and it has been requested that an application is made for a temporary closure whilst the remediation works are being undertaken and so this will be implemented at the appropriate stage.

Contaminated Land

3.26 Detailed discussions have taken place between Campbell Reith and the Environmental Protection Officer (EPO), who provided comments regarding the potential risks of contamination associated with the site and advice in respect of the proposed remediation strategy.

3.27 In line with the National Planning Policy Framework, the site is ultimately being prepared for a sensitive end use (residential) and so the EPO recommended that the following contaminated land conditions are placed on any grant of permission:

- Contaminated Land Preliminary Risk Assessment, Site Investigation, Detailed Risk Assessment and Remediation Strategy
- Contaminated Land implementation of Remediation Strategy and Site Verification Report.
- A preliminary discussion has taken place between the EPO and Environment Agency and about whether the solid making up the pyramids could be deemed 'discarded material' or not and subject to a separate application and permitting. In agreement with the Environment Agency and although this is not a statutory requirement, this has been fully explored via an independent consultancy (CL:AIRE) who have reviewed the Phase I desk study report, Ground Investigation Interpretative Report (Contamination), Land Quality Statement and Draft Remediation Strategy.

3.28 Ongoing discussions are being held with CL:AIRE to address points raised in relation to the material within the pyramids. CL:AIRE is supportive of the approach in general and the Applicant will continue to address the points raised in the draft report, along with the wider discussions taking place with the EPO on points of detail.

3.29 Whilst the CL:AIRE report is in draft form at this point, the following outcomes are agreed:

- CL:AIRE has not found any evidence to suggest that the materials on site including the pyramids should be considered to be discarded material and therefore waste.
- The material within the pyramids has been well characterised with many samples and both geotechnical and chemical testing.
- CL:AIRE would support in principle, the use of Definition of Waste in the Code of Practice (DoW CoP) at this site for the proposed works, subject to the four factors of DoW CoP being demonstrated (see next point).
- CL:AIRE will provide recommended next steps will be provided to assist with the four factors of DoW CoP. For info, this is mainly now around demonstrating suitability for use, which will be confirmed in the remediation specification and earthworks specification; and demonstrating volumes to be reused, this will be confirmed once detailed levels are presented.
- A Material Management Plan will be required for DoW CoP, “Qualified Person” review and declaration prior to commencement of the works. Verification will need to be submitted once works have been completed.
- There was plastic noted within one trial pit (TP04A, which is not within the pyramids), this material (plastic) is not considered to be suitable for reuse under DoW CoP. As a result, the proposed specifications will identify this material as unacceptable material for reuse.

Air Quality

3.30 The Environmental Protection Officer highlighted that the site is located within an Air Quality Management Area. The recommendations from the Officer related to the subsequent application for residential development and not the infrastructure and remediation works which are the subject of this planning application.

- 3.31 The recommendations, which related to measures to reduce impact on air quality, will therefore be considered as part of the future outline planning application for residential uses at the Site.

Drainage

- 3.32 The Lead Local Flood Authority (LLFA) request that a suitable drainage strategy, including a plan for the existing culvert which is presumed to have originally fed the (now redundant) pond that was located on the site. A pre-application enquiry was also lodged with United Utilities regarding the proposed surface water outfall.
- 3.33 A Drainage Technical Note is therefore submitted with the planning application for consideration that deals with these and other flood risk, geology and surface water considerations.

Principle of Residential Development

- 3.34 Whilst not forming part of this infrastructure and remediation planning application, pre-application advice was sought regarding the residential scheme proposed in the future during the funding bid preparation stage (February 2023) to inform the wider planning strategy for the Site.
- 3.35 A pre-application meeting was held with Bury Council as LPA on 20th February 2023 to discuss the principle of development on the Site and to present a range of options for a scheme comprising c. 148 residential dwellings. Following the pre-application meeting, the Officer helpfully sent through a letter of in principle support for the development to supplement the BLRF bid which was being prepared for submission at the time. Although it was acknowledged that further pre-application discussions would be needed in respect of the specific details of the residential scheme once they are available.
- 3.36 Whilst this planning application is not for residential development at this stage, granting planning permission will ensure that the necessary access and remediation works can be undertaken to facilitate a future residential development. As discussed in Section 1 of this Planning Statement, the funding arrangements, land ownership and disposal of the Site require a staged approach to the planning strategy.
- 3.37 In terms of residential development, Bury UDP **Policy H1/2** "Further Housing Development" states that in assessing proposals for housing development on sites not identified in the Plan, the Council will direct development towards the urban area and consider the availability of infrastructure and the suitability of the site within the context of surrounding land uses.
- 3.38 Building on this, the Places for Everyone Joint Development Plan Document (which has recently been adopted) does not identify a specific residential allocation for the site but does provide general policies

which support the development of town centres sites, such as Pyramid Park, for residential uses. Policy JP – Strat 12 Main Town Centres supports increasing the residential population of the Greater Manchester town centres by providing a mix of new dwellings supported by the necessary infrastructure and amenities.

- 3.39 The Site is located within Character Zone H ‘Southern Gateway’ identified within the Bury Town Centre Masterplan (March 2022), which is a wider strategic site identified in the masterplan, incorporating land between Knowsley Street and Town Fields Close and land at Belle View. In land use terms, the supporting text to Character Zone H states that the Council are looking for the delivery of high quality, high density residential development for a range of needs, including family housing, apartments and housing for older people. The future residential development of the Site is therefore considered to be appropriate within the context of the Masterplan.
- 3.40 **Paragraphs 123 to 126** of the NPPF states that planning policies and decisions should promote an effective use of land in meeting their need for homes. Policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. Local planning authorities should take a proactive role in identifying and helping bring forward land that may be suitable for meeting development needs.
- 3.41 The future residential development of Pyramid Park is therefore considered to be acceptable in principle when considering the location, surrounding land uses and the implementation of the Bury Town Centre Masterplan as a catalyst for positive change and this planning application will deliver crucial infrastructure and land remediation works that will help these key objectives to be met in the future.

4. Planning Appraisal

Development Plan

- 4.1 This section of the Statement summarises the national and local planning policy context, along with any other material considerations relevant to the consideration of the proposed development.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004, as amended by section 93(2) of the Levelling-up and Regeneration Act, requires that determination must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise.
- 4.3 The statutory development plan for the purposes of determining this planning application comprises:
- Places for Everyone Joint Development Plan Document (March 2024)
 - Bury Unitary Development Plan (1997);
 - Greater Manchester Joint Waste DPD (2012); and
 - Greater Manchester Joint Minerals DPD (2013).
- 4.4 The Minerals and Waste Plans are not considered to be of relevance to the scheme proposals. The Places for Everyone Joint Development Plan Document (PfE) and the Bury UDP most pertinent to the proposed infrastructure and remediation works and are addressed within this planning appraisal.
- 4.5 The relevant PfE policies are as follows:
- JP-Strat12 Main Town Centres
 - JP-J1 Supporting Long Term Economic Growth
 - JP-P1 Sustainable Places
 - JP-S4 Flood Risk and the Water Environment
 - JP-G8 A Net Enhancement of Biodiversity and Geodiversity
 - JP-G7 Trees and Woodland
 - JP-C8 Transport Requirements of New Development

- JP-C1 An Integrated Network, C5 Streets for All & C6 Walking and Cycling
- JP-P5 Education, Skills and Knowledge

4.6 The relevant Bury UDP policies are as follows:

- EC1 Employment Land Provision
- EC1/2 Land Suitable for Business (B1) and Office Use (EC1/2/6 – Townside Fields, Bury)
- EN1/2 Townscape and Built Design
- EN5 Flood Protection and Defence
- EN5/1 New Development and Flood Risk
- EN6 Conservation of the Natural Environment
- EN6/2 Sites of Nature Conservation Interest
- EN6/3 Features of Ecological Value
- EN8 Woodland and Trees
- HT2/6 Replacement Car Parking
- HT6 Pedestrians and Cyclists
- HT6/1 Pedestrian and Cyclist Movement
- CF2 Education Land and Buildings (CH2/1/2 – Land at Townside Fields for expansion of Bury College)

Emerging Planning Policy

4.7 The **Bury Local Plan** is at an early stage of production having last been subject to an Issues and Options consultation in October 2018 and future progress is likely to take place now PpE is adopted. This emerging plan is therefore not considered to carry any material weight in respect of this planning application.

Other Material Considerations

Bury Town Centre Masterplan (March 2022)

- 4.8 Bury Town Centre Masterplan was approved by the Council's Cabinet on 9th March 2022 following consideration of consultation responses. The Masterplan is a long term vision for growth and development over a 15 to 20 year period. The Masterplan identifies development opportunities across the town centre to compliment proposals to improve Mill Gate Shopping Centre, including the creation of new homes to encourage town centre living. Given that the Masterplan is a more up to date document than the Bury UDP, it is considered to hold significant weight in the decision making process.

National Planning Policy Framework (December 2023)

- 4.9 The **National Planning Policy Framework** (NPPF) sets out the Government's planning policies and how these are expected to be applied in policies and decision making. The NPPF is a material consideration in the determination of this planning application and was last updated in December 2023. It confirms at **Paragraph 7** that 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. It identifies at **Paragraph 8** that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role – contributing to building a strong, responsive and competitive economy;
- A social role – supporting strong, vibrant and health communities; and
- An environmental role – contributing to protecting and enhancing our natural and built historic environment.

- 4.10 **Paragraph 11** of the NPPF outlines that decisions should apply a presumptive in favour of sustainable development, which would mean approving development proposals that accord with an up-to-date development plan without delay. Given that the Bury UDP was adopted in 1997 it is considered that a number of policies are out of date.

- 4.11 **Paragraph 47** states that planning law requires applications to be determined in accordance with an up-to-date development plan, unless material considerations indicate otherwise. **Paragraph 56** states that

planning conditions should be kept to a minimum and only imposed where they are necessary, and **Paragraph 57** stipulates that planning obligations must only be sought where they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in kind to the development.

- 4.12 Specific guidance within the NPPF is discussed in greater detail in this Section in relation to the principle of development and other material considerations which arise from the proposed development.

Summary

- 4.13 The weight to be attributed to relevant development plan policies and other material considerations has now been established and the remainder of this section now considers the application proposals in this policy context. The following are the primary matters:

- Principle of Development
- Other Material Considerations:
 - Highways and Transport
 - Biodiversity Net Gain and Ecology
 - Ground Conditions and Contamination
 - Flood Risk and Drainage
 - Arboriculture

- 4.14 We now consider the proposed development in the context of relevant development plan policies and all other relevant material considerations, including the NPPF.

Principle of Development

- 4.15 This planning application relates solely to the construction of a new access road and land remediation works that will help to facilitate the future residential development of Pyramid Park. The principle of residential use on the Site is therefore not the subject of this planning application and so we now consider the principle of development of the access road and remediation works proposed.
- 4.16 There is no automatic presumption against the proposed development contained within any UDP or PfE policy.
- 4.17 With reference to the Proposals Map, Townside Site of Biological Importance located within the Site boundary. Policy EN6/2 of the UDP states that planning permission will not be granted for development which would damage either direct or indirectly, the nature conservation interests of particular ecological significance on the Site unless conditions can be imposed that would acceptably mitigate those impacts.
- 4.18 Since the UDP was adopted, the open water and marshland characteristics cited within the SBI designation have changed as supported by the findings of the Preliminary Ecological Assessment undertaken by TEP. Discussions have taken place with GMEU as to the survey work that is required to justify firstly remediating, and then developing the land in question and these surveys are capable of being conditioned, as per the requirements of UDP Policy EN6/2. More commentary regarding BNG and wider ecology implications is provided later in this Section.
- 4.19 UDP Policy EN10/1 is supportive of proposals that bring derelict or contaminated land back in to active use. Whilst the proposals subject of this planning application do not relate to the proposed residential development, the principle of remediating derelict land is supported by UDP Policy as a matter of principle.
- 4.20 An assessment of relevant planning policy and other material considerations therefore confirm that the principle of development is acceptable.

Other Material Considerations

Highways and Transport

- 4.21 **Paragraph 114 of the NPPF** requires applications for development to ensure safe and suitable access to the site and detailed pre-application discussions have been held with Bury Council's Local Highway Authority officer, the Public Rights of Way Officer and Bridge Maintenance Engineer. These discussions have shaped the configuration of the access road and the level of detail requested to support the proposals is submitted with the planning application.
- 4.22 The proposed development itself will not result in any traffic generation (other than the temporary impact of additional vehicular movements during the construction period) and so it is not necessary to consider any impacts upon the capacity of the wider highway network at this stage. The pre-application discussions have therefore focussed on the technical specifications of the proposals, ensuring that the proposed access road, as it enters the site, is capable of supporting a residential development of scale (c. 148 dwellings – likely to increase in line with PfE policy) in the future. The potential future adoption of the access road has also influenced the final design and level of detail that has been provided.
- 4.23 Two general layout drawings for the access arrangements have been submitted for determination:
- General Arrangement Option 1 (ref: 14111-CRH-ZZ-XX-DR-5000-P1) (assumes Active Travel scheme on Market Street)
 - General Arrangement Option 2 (ref: 14111-CRH-ZZ-XX-DR-5000-P1) (Excludes Active Travel scheme on Market Street)
- 4.24 The General Arrangement Layout options are the result of agreements reached with the Local Highway Authority and other consultees during the pre-application stage. Two options are submitted because during the pre-application stage, emerging proposals were made available regarding an active travel scheme that is to be delivered along Market Street by Bury Council. Option 1 therefore details the junction arrangements with the active travel scheme implemented/integrated, whilst Option 2 shows the access layout should the active travel proposals not be implemented at the time of carrying out the access road works.

4.25 Dialogue is continuing in respect of the timing of delivery of the active travel scheme and so it is the intention at this stage to progress with Option 1, which is considered to be the optimum solution. Approval is also sought for Option 2, to allow for a degree of flexibility, but only in the event that the active travel scheme does not come forward. A condition can be attached to the planning permission to that effect and this approach was agreed with the LPA/LHA during the pre-application stage.

4.26 Specific details of the meetings held and the nature of discussions that took place are provided at paragraph's 2.1 to 2.8 of the Transport Technical Note prepared by Campbell Reith that accompanies this planning application. Paragraph's 3.1 to 4.1 then summarise the key aspects of the design that have been agreed and integrated in to the general arrangement drawings that have been submitted. The following is a summary of the key design principles that have been established:

- 25m Visibility Splays for 20mph road at the proposed junction
- Horizontal alignment of the road for the first 13.7m on entry from Market Street and then a 1 in 20 gradient maintained for the remaining 130m along the ramp
- 5.5m carriageway width accommodating 2-way traffic movements and a 2m footway along the western edge, with Vehicle Restraint Systems then installed alongside the footway on the western edge and 0.6m from the carriageway edge on the eastern side (adjacent to the land safeguarded for TfGM/verge). A Typical Road Cross-Section is provided at Figure 1 of the submitted Transport Technical Note.
- Turning head at the point the access road subject of this planning application terminates, compliant with Bury Council's Standard Detail SD38/8.
- Details of the proposed retaining structures as shown on the Contour Plan and Sections drawing (ref: 14111-CRH-ZZ-XX-DR-5012-P2).

4.27 As requested by the LHA, Swept Path Analysis has also been undertaken using a 12m Rigid Truck and it has been demonstrated that all turns in to, within and out of the site can be made without encroachment on to the adjacent footways, verges, or parking spaces along Market Street.

- 4.28 In addition to the above, there has been close liaison with TfGM as owner of Metrolink assets, in order to ensure that their current and future operational requirements remain unhindered as a result of the proposals. The existing access from Market Street is used by TfGM to gain access to a maintenance gate on the far western boundary that provides access to the existing track. Bury Council (as Applicant) have accounted for the continued access to this maintenance gate during the construction period and once the scheme has been implemented.
- 4.29 TfGM also highlighted a potential extension to the Metrolink Network to the east, along the southern boundary of the Site and any easements required for this have been taken in to account within the scheme design, which ensures that the proposals (and the residential development proposed in the future) do not prejudice the future delivery of this expansion to the Network.
- 4.30 The plans and associated survey work confirm that the design of the proposed access road is compliant with the requirements of Bury Council as Local Highway Authority and take in to account all comments received from other key consultees during the pre-application process. The proposals therefore accord with UDP Policy HT4.

Biodiversity Net Gain and Ecology

Biodiversity Net Gain

- 4.31 PpE Policy JP-G8 “A Net Enhancement of Biodiversity and Geodiversity” states that a net enhancement of biodiversity resources will be sought. As the site is currently designated as an SBI, the most relevant requirement is “*protecting sites designated for their nature conservation and/or geological importance, with the highest level of protection given to international and then national designations.*” The policy states that development will be expected to follow the mitigation hierarchy of:
- i. Avoiding significant harm to biodiversity, particularly where it is irreplaceable, through consideration of alternative sites with less harmful impacts, then
 - ii. Adequately mitigating any harm to biodiversity,
 - iii. Adequately compensating for any remaining harm to biodiversity
- 4.32 The policy states that development should avoid fragmenting or severing connectivity between habitats, achieve a measurable Biodiversity Net Gain (BNG) of no less than 10% and make appropriate provision

for long-term management of habitats. Development proposals should be informed by the findings and recommendations of the appropriate biodiversity/ecological assessment(s) in the PFE evidence base and/or any updated or appropriate biodiversity/ecological assessments submitted as part of the planning application process.

- 4.33 As part of the proposed remediation and infrastructure works, existing areas of ecological value on site would be disturbed, some of which would be removed and so achieving a 10% BNG in respect of the works that comprise this planning application submission would not be possible.
- 4.34 Detailed discussions were therefore held with GMEU during the pre-application process and a BNG planning strategy has been agreed for the future development of the Site that comprises a staged approach. The intention is to secure approval for the remediation and infrastructure works subject of this planning application and then carry out the works in order to fulfil BLRF funding requirements. An outline planning application for the residential development of the site would then follow (to be submitted by the incoming developer). Bury Council will then seek to dispose the Site and the selected developer would then take responsibility for the submission of a reserved matters application and the implementation of the approved scheme, which would comprise residential development along with any landscape and biodiversity mitigation / enhancements.
- 4.35 This represents a challenge from a BNG perspective in respect of the infrastructure and land remediation application in isolation as areas of ecological value would potentially be removed as part of the necessary infrastructure and site remediation development phase, which would not be mitigated until the implementation of the reserved matters scheme, attached to a separate outline planning application.
- 4.36 The following are therefore the key stages that have been agreed with GMEU and this planning application comprises Stage 1:

Planning Stage	BNG / Ecology Requirements
Stage 1: Detailed Planning Application for Access Road and Land Remediation Works Applicant: Bury Council	• Application needs to be submitted as a 'first phase' in order to help satisfy BLRF funding requirements • The application site boundary covers the whole site (pink boundary), including both Bury Council and the TfGM safeguarded land.

	- Land remediation will need to extend beyond the Bury Council development land boundary on to the TfGM safeguarded land, particularly in respect of the southernmost pyramid which encroaches into the TfGM safeguarded land (as shown on the submitted Site Remediation Plan). Remediation will largely relate to removal of the pyramids and historic foundations to a certain depth. Much of the TfGM safeguarded land will remain untouched and the section of Pyramid on TfGM safeguarded land is acknowledged by GMEU to be of little ecological value and what replaces it will effectively be a 'like-for-like' replacement. - Planning application will include clear indication as to which areas would be disturbed. There will be tree retention in areas and any mitigation, for example grass reseeding, would be identified. - A baseline for BNG purposes would be set at this stage but ecology surveys not required upon submission of planning application. - BNG strategy for future retention / mitigation can be secured through condition. If surveys cannot be completed before application is determined, a Grampian planning condition can be attached to the planning permission to ensure that surveys are completed and the retention / mitigation strategy is agreed before remediation works can commence at pace on Site.
Stage 2: Outline Planning Application for Residential Development Applicant: Incoming Developer	- Outline planning application (OPA) for residential development on Bury Council owned land. Will be informed by the Preliminary Ecological Appraisal work and species surveys. Determination of the OPA would need to take the outcome of the survey work in to account, as well as any implications for the characteristics of the SBI. - Will include a Parameters Plan which would establish areas proposed for built development and areas to be protected/enhanced as green infrastructure. - BNG Assessment to be provided with the outline planning application, in line with the outputs of the detailed survey work and principles established by the Parameters Plans and associated mitigation strategy agreed based upon the latest assessments.
Stage 3: Land Disposal and Reserved Matters Application	Upon receipt of outline planning permission for residential development, Bury Council will be seeking to dispose of the land to a Developer.

Applicant: Incoming Developer	The Developer will be responsible for the submission of the reserved matters application, the final BNG strategy and any associated off site contributions (if required). The baseline and offsite location for mitigation would have been agreed during Stages 1 and 2 respectively.
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4.37 In line with the above strategy, this application is supported by a Biodiversity Net Gain Baseline Briefing Note and Matrix, prepared by TEP, which sets out the results of the baseline assessment and the current BNG position. The Site has a current baseline score of 16.81 Biodiversity Units, comprising 4.87 grassland units (medium distinctiveness), 3.69 heathland and scrub units, 1.68 woodland and forest units and 6.57 individual tree units.

4.38 Although no post-development calculations have been undertaken yet, it is acknowledged that there will be a net loss. Future development will ultimately be required to provide 10% net gain through on and off site mitigation, thereby satisfying the requirements of PFE Policy JP-G8, however more will be known about the level of net loss at through work undertaken for OPA at Stage 2, which is addressed in the table above.

Ecology

4.39 To consider wider ecological impacts beyond BNG requirements, TEP have also prepared an Ecology Desk Study (EDS) and a Preliminary Ecological Appraisal (PEA).

4.40 The PEA confirms that there are no Statutory Designated Sites close enough to the Site to be affected by the proposed development. A key consideration from an ecological perspective is the presence of Townside Site of Biological Importance within the Site boundary, which is a Non-statutory Designed Site for which UDP Policy EN6/2 is relevant. The policy states that planning permission will not be granted for development which would damage either direct or indirectly, the nature conservation interests of particular ecological significance on the Site unless conditions can be imposed that would acceptably mitigate those impacts.

4.41 The SBI was designated in 2005 and the key characteristics were the open water and marshland. However, since 2005, further surveys had been carried out in 2012 which confirmed that the open water habitat had been lost, but that marsh and swamp habitats were still present and the site could still support a population of smooth newts in some seasonal pools within the marsh.

- 4.42 TEP then undertook surveys in 2022 and 2023, which have concluded that the marsh and swamp habitats have been further degraded and now do not seem suitable for supporting populations of breeding amphibians. The PEA therefore recommends that a National Vegetation Classification (NVC) survey is carried out in order to determine whether or not the site still contains the habitats listed in the SBI designation, or if the site has degraded to no longer contain priority marsh and swamp land. Should the results of these surveys become available before determination of this planning application they will be made available to GMEU for consideration, otherwise it is anticipated that they will be required by condition.
- 4.43 The PEA also assessed the Habitats, Flora and Fauna that are present or could support habitats at the Site. It concluded that no notable habitats were present and unlikely that any protected species would be affected as a result of the proposed development. It is however acknowledged that other habitats will be lost (woodland, marsh and scrub habitat) and so mitigation for their loss has been suggested primarily in the form of replacement tree planting as part of any future scheme for residential development and it is also recommended that the Japanese Knotweed present on site needs to be controlled and treated in line with an invasive species plan.
- 4.44 In respect of fauna, the PEA concludes that there is no suitable habitat present suitable for otters, reptiles or brown hares. The loss of scrub and woodland habitats could however have impacts upon birds, invertebrates and hedgehogs and there are signs of badger activity and one tree was found to have low potential to support roosting bats. Mitigation is therefore recommended, namely:
- **Badgers and other mammals.** A pre-commencement badger survey to be undertaken on site and the surrounding 30m (where possible), to ensure badgers have not ranged into the site. The pre-commencement survey should take place no earlier than 3 months prior to commencement of development. A Precautionary Working Method Statement (PWMS) is recommended for notable mammals including badgers to set out the working methods that will need to be adhered to throughout the duration of works to avoid impacts on such species should they range into the site during construction operations.
 - **Bats.** Ahead of the clearance of vegetation on site, including the removal of the tree considered to have low potential for bat roost, pre-commencement inspections of the potential roost

features will be undertaken in order to confirm whether or not roosting bats are present. A further nocturnal bat survey will be required between April and October to confirm the presence or absence of roosting bats in this feature. It is also required that during the construction of the proposed residential development (although this is not the subject of this planning application), a sensitive lighting strategy will be required to minimise the effects of lighting on any commuting or foraging bats in the area. Bat boxes should be installed on new buildings and new or retained trees as mitigation for any potential roost sites that will be lost as a result of the development.

- **Nesting birds.** Works should be completed outside of the nesting period (typically March to August inclusive). Where avoidance of the nesting period is not practicable, a nesting bird check must be carried out by an ecologist no more than 24 hours prior to the works, to confirm that no active nests are present. Consideration for bird boxes should be given on new buildings and new or retained trees as mitigation for any potential nesting sites that will be lost as a result of the development
- **Invertebrates.** A National Vegetation Classification survey would determine if the plant species present within the site would support any priority species. A bug hotel should be added to the design proposals for the future residential development to mitigate for the loss of any potential habitat for invertebrates as a result of the development.
- **Hedgehogs and other mammals.** Precautionary Working Method Statement for notable mammals to include hedgehog is recommended to set out the working methods that will need to be adhered to throughout the duration of works to avoid impacts on these species that may be encountered during the construction stage.

4.45 It is worth noting that some of the above mitigation measures relate to the future residential development, but as per the approach being taken in respect of BNG, the baseline position has been established now in line with the phased planning strategy for the future residential development of the Site.

4.46 Discussions have taken place with GMEU as to the survey work that is required to justify firstly remediating, and then developing the Site and these surveys are capable of being conditioned, as per the requirements of UDP Policy EN6/2 and PfE Policy JP-G8.

Ground Conditions and Remediation Works

- 4.47 The Site was formerly a railway station and sidings before being reclaimed as a public open space in the 1970s. The Site is currently comprised of three distinctive grass pyramids, areas of grass interspersed with pockets of shrubs/ low trees, informal walking routes and an area of hard standing, previously used as a pond.
- 4.48 Land remediation is being undertaken to level the Site and prepare it for future residential development. Remediation will largely relate to removal of the pyramids and historic foundations to a certain depth and so a considerable amount of work has been undertaken by Campbell Reith to understand the ground conditions and potential for contamination that exists on Site.
- 4.49 A Land Remediation Plan (ref: 14111-CRH-ZZ-XX-DR-4001-P2) has been submitted that shows the extent of land that is to be remediated as part of this planning application and the following reports have also been submitted for consideration and should be referred to:
- Geotechnical and Geo-environmental Desktop Study (Ref: 13819-CRH-XX-XX-LQ-RP-0001_P02)
 - Phase 2 Interpretive Report (Contamination) (ref: 13819-CRH-XX-XX-RP-LQ-0002)
 - Land Quality Statement (ref: 14111-CRH-XX-XX-RP-LQ-0001 Rev P01)
 - Remediation Strategy (ref: 14111-CRH-XX-XX-RP-LQ-0001-P01_Rem Strat)
- 4.50 Detailed discussions have been (and continue to be) undertaken with Bury Council's Environmental Protection Officer in respect of the Remediation Strategy and works are to be carried out in accordance with the methodology that is to be agreed prior to determination of this planning application, ensuring compliance with UDP Policy EN10/1.

Flood Risk and Drainage

- 4.51 A Drainage Technical Note (ref: 14111-CRH-XX-XX-RP-C-0002) prepared by Campbell Reith accompanies this planning application. A more detailed drainage strategy will be required to supplement the forthcoming outline planning application for residential development and so the Technical Drainage

Note only relates to the infrastructure and remediation works proposed as part of this planning application.

- 4.52 With reference to the Environment Agency (EA) Flood Map, the whole site is located within Flood Zone 1 and so has a less than 0.1% chance of flooding each year. The EA map for Surface Water Flood Risk indicates that a the majority of the site is at a low to medium risk of surface water flooding and a small section at the western boundary (which lies on TfGM safeguarded land outside of the land proposed for remediation and future residential development) as having a high risk of surface water flooding.
- 4.53 In respect of the proposed development, there is no requirement for a foul water drainage connection as this will be determined in association with the forthcoming scheme for residential development. In respect of surface water drainage and in line with the SuDS drainage hierarchy, as a result of the made ground present on site and the potential for contamination as a result of previous land uses a soakaway drainage solution would not be possible. Added to this, topographical constraints exist owing to the outer edges of the Site being higher than the centre.
- 4.54 The proposal is therefore to provide an attenuation tank within the turning head of the proposed site access which then connects into manhole 4202 at an agreed restricted flow of 5l/s as per the proposed drainage layout in Appendix A of the accompanying Drainage Technical Note. This approach has been agreed with United Utilities in relation to the access road only and further works are to be undertaken to ascertain as to whether the outfall can be achieved by gravity or if a pumping solution is required.
- 4.55 A comprehensive drainage strategy is to be established as part of the future residential development, but for the purpose of delivering the access road it has been demonstrated that an acceptable drainage solution exists that would not give rise to flood risk on the site or elsewhere, in accordance with UDP Policy EN5.

Arboriculture

- 4.56 Some tree removal will be necessary in order to carry out the land remediation works, but the number and location of trees to be removed will be contingent on finalising and agreeing the land remediation strategy with Bury Council's Environmental Protection Officer. The majority of trees are however located around the perimeter of the site and are to be retained as they fall outside of the land that is to be remediated. Any mitigation is then to be implemented as part of the forthcoming residential development

in the form of a comprehensive landscape strategy that will see any trees lost replaced, and additional planting integrated into the development.

- 4.57 This follows the same phased approach that is to be undertaken in respect of BNG and ecological mitigation, ensuring that the proposals comply with UDP Policies EN8 and EN9.

5. Conclusion

- 5.1 This Planning Statement has been prepared to support a full planning application which has been submitted on behalf of Bury Council for the development of an access road and land remediation works that will help unlock the site to facilitate the future residential development of land at Pyramid Park to the south of Bury Town Centre. The Site extend to approximately 3 hectares and incorporates land in Bury Council ownership, with a small area of land to the south and west within land safeguarded for TfGM's current and future operational use.
- 5.2 Pyramid Park was allocated for Community facilities and Business use (formerly Use Class B1) within the Bury UDP (1997), however the Site has not come forward for such development within the 25 year period since the plan was adopted. The Council has now identified the Site as part of wider 'Character Zone H – Southern Gateway' in the Bury Town Centre Masterplan (March 2022), which is a relevant material consideration capable of carrying significant weight. In land use terms, the Council are looking for the delivery of high quality, high density residential development for a range of needs, including family housing, apartments and housing for older people within Character Zone H. The future residential development of the Site is therefore considered to be appropriate within the context of the Masterplan, however the residential use that is ultimately proposed does not form part of this planning application.
- 5.3 This planning application relates to a successful BLRF bid and proposes to deliver an access road from Market Street running in to the site and remediate the land, which is known to be contaminated. A range of reports, plans and surveys accompany this planning application that have been informed by detailed pre-application discussions with Bury Council as Local Planning Authority and a range of statutory consultees.
- 5.4 This Planning Statement has demonstrated that there are no technical or physical issues that would prevent the proposals being delivered in the manner intended and so there is certainty that this is a deliverable project that will then help to facilitate a future residential development within the context of the Bury Town Centre Masterplan. Any potential harm arising from the development of the Scheme is limited and where harm has been identified it can be mitigated against in line with best practice, as has been described in the technical documents supporting this application.

- 5.5 Overall, the planning balance weighs firmly in favour of the proposals and accords with all relevant development plan policies and so accords with the presumption in favour of sustainable development set out at Paragraph 11 of the NPPF.

Planning Statement Pyramid Park, Bury