



Kellen Homes Limited, Seaham Estates and
Cantt Pak Limited

YORK STREET, RADCLIFFE

Planning Statement





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Pak Limited

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Kellen Homes Limited, Seaham Estates and Cantt
Pak Limited

YORK STREET, RADCLIFFE

Planning Statement

WSP

8 First Street

Manchester

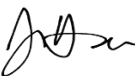
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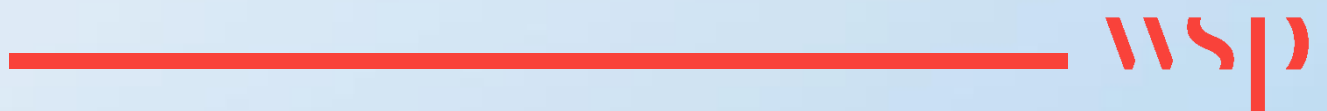
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1

INTRODUCTION



1 INTRODUCTION

- 1.1.1. This Planning statement has been prepared by WSP on behalf of Kellen Homes Limited, Seaham Estates and Cantt Pak Limited (Joint Applicants), to assist Bury Council (the council) in the consideration of a full planning application for residential development on the land at York Street, Radcliffe.
- 1.1.2. The application site is a long-standing brownfield site in the urban area of Bury which can make a significant contribution to meeting housing needs. Bury cannot demonstrate a 5 year housing land supply, with the magnitude of shortfall substantial. It has consistently not met its Housing Delivery Test, falling most recently to 52%. The Presumption in favour is engaged and significant weight must be placed on the site's contribution to meeting housing need. There are no technical reasons why the site should not come forward.
- 1.1.3. The principle of residential development on the site has been established through extant consent. This proposal seeks to expand the area and increase the number of dwellings to make best use of the site.
- 1.1.4. The site benefits from previous consent for a hybrid planning application (Ref: 60418) comprising of full planning permission for residential development of 153 dwellings (on the subject site); and outline planning permission for employment (7,435 m2) (on land to the north), granted on 13 December 2018. The planning conditions attached to the consent have been discharged and works undertaken on site.
- 1.1.5. Since the 2018 permission, a further full application was submitted for residential development comprising 201 dwellings by Countryside Properties (UK) Ltd [Countryside] and Seaham estates. The application was submitted on the 17 August 2020 (ref: 65847) and was for:
- “Full planning permission for 201 dwellings, together with associated car parking, landscaping, public open green space, drainage, the laying out of roads and footways and other associated works including engineering operations to create flood defences and the development platform.”*
- 1.1.6. We understand the applicants are no longer pursuing planning permission for residential development on site, and consequentially the application is not being progressed. Kellen Homes have now acquired the site and seek consent for a residential scheme for 211 dwellings, with a similar mix of house types, road layout and public open space provision. As such, this application is for:
- “Full planning permission for residential development, together with associated car parking, landscaping, public open space, drainage, the laying out of roads and footways and other associated works including engineering operations to create flood defences and the development platform.”*
- 1.1.7. The proposed development will deliver 211 dwellings including family homes and make best use of a vacant site that lies in the urban area, with a well-designed and high-quality development which will fit in with the character and appearance of the local area. The potential impacts of the

development have been assessed and mitigation proposed to ensure that there will be no significant harmful impacts on the local area, and instead it will deliver significant positive benefits.

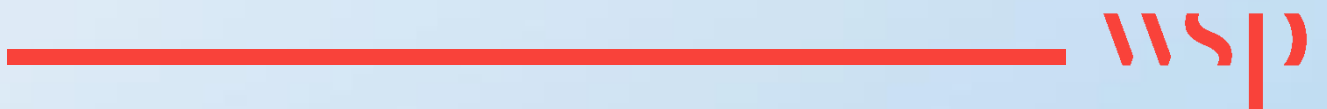
- 1.1.8. The delivery of new homes will make a significant contribution to Bury's housing land supply whilst developing a prominent brownfield site, easing pressure on greenfield and green belt sites.
- 1.1.9. The applicants have undertaken pre-application discussions with the Council to seek feedback on the scheme, this included an initial meeting on 18 February 2022 to discuss the principle of residential development, the approach to submitting a detailed planning application and the timing of submission. This was followed by a second meeting on 12 April 2022 attended by the applicant, WSP, the case officer, drainage consultant and Lead Local Flood Authority (LLFA). The approach to flood risk and drainage has been discussed and agreed with the Council's drainage officers. During the meeting, the Council were supportive of residential development coming forward on the site.
- 1.1.10. The scheme will deliver the following benefits for the local and wider community:
- Delivery of 211 new homes, providing a mix of dwelling sizes and to meet local need;
 - Bring a vacant and underutilised brownfield site into an active residential use, contributing positively to the housing supply within Bury;
 - Significant economic benefits including;
 - Creation of 134 temporary employment years during the construction phase;
 - £9.4 million GVA generated;
 - Additional annual expenditure in the local economy of £5.4 million;
 - Council tax and new homes bonus payments; and
 - Promoting further investment within the Borough.
 - Increased open space provision, landscaping and greening to the street scene in accordance with local policy;
 - Provide a sensitively designed scheme which respects and responds to local context and incorporates design cues from the extant permission; and
 - Contribution to the vitality and viability of York Street with the delivery of new residential development and an active population.

Structure of the Report

- 1.1.11. This Planning Statement is structured as follows:
- Section 2 sets out the site context and the planning history associated with the application site including an overview on the pre-application discussions with the Council undertaken prior to submission;
 - Section 3 sets out the approach to EIA development;
 - Section 4 outlines the proposed development;
 - Section 5 sets out the relevant planning policies at a local and national level;
 - Section 6 provides the case for development and explains why the principle of development is acceptable;
 - Section 7 assesses other material considerations;
 - Section 8 sets out the draft S106 Heads of Terms; and
 - Section 9 sets out the conclusions.

2

SITE AND SURROUNDINGS



2 SITE AND SURROUNDINGS

2.1 THE SITE

- 2.1.1. The site extends to approximately 6.26 hectares in area, and lies within the market town of Radcliffe in Greater Manchester, approximately 2km south of Bury Town Centre and 2km north east of Radcliffe Town Centre. The site is located within approximately 2km of Metrolink Tram Stops and has excellent links to existing highway networks which provide direct access into Manchester City Centre, the Greater Manchester region and beyond.
- 2.1.2. The site lies within the settlement boundary and comprises a broadly square area of vacant open space, immediately adjacent to an existing residential area to the south. The site's topography is predominantly flat.
- 2.1.3. The site has previously been used for employment purposes, all buildings have now been demolished. The land directly to the north of the site is home to industrial warehousing currently occupied by Next, Safeway and DHL accessed from Bury Road to the North.
- 2.1.4. The site lies within an urban area and is surrounded on most boundaries by built form. The Business Park on Dumers Lane and industrial warehousing is to the north and south with residential dwellings lying to the south and south east.



Figure 1: Site context (Google Earth)

- 2.1.5. There are several educational facilities nearby, including St Peters church of England Primary School which sits on the opposite site of the River Irwell, and Bury College approximately 2km to the north.

- 2.1.6. The site is situated adjacent to a large strip of open grassland to the west. A public right of way (ref: 3SM) runs throughout and connects pedestrians from Bury Street, to the York Street to the south. Other areas of green space are located in close proximity.
- 2.1.7. There is existing vehicular access to the site located on York Street. The A6053 Dumers Lane provides a direct route into Radcliffe town centre.
- 2.1.8. A large area of open grassland forms the western boundary of the site, extending from the north on Bury Road to the south connecting onto Dumers Lane. This area is also home to a large water body known as Swan lodge which is a designated site of Biological Importance.
- 2.1.9. A number of scattered trees and vegetation bound the site to the east and south.
- 2.1.10. The wider area comprises a mix of uses including industrial, residential, retail, leisure and employment.
- 2.1.11. The site is located within Flood Zone 3 given its proximity to the River Irwell. Extensive liaison has taken place with the Environment Agency and they have carried out flood protection and alleviation measures to the Irwell in the site's vicinity. They are satisfied the site can be developed.
- 2.1.12. No listed buildings or other listed structures are located on site. The site is not within a Conservation Area and there are no trees on site subject to a Tree Preservation Order.

2.2 PLANNING HISTORY

- 2.2.1. The site has a complex planning history.
- 2.2.2. The site has been subject to a recent planning application for 201 dwellings. The council has previously approved a planning application for residential development for up to 153 new dwellings.
- 2.2.3. Whilst the consent is historic, the permission still remains extant and therefore it provides useful context that the Council have previously determined that the principle of residential development is acceptable for the site. Applications of relevance are noted below.

Table 2-1 - Planning History

Planning History	Description	Decision Date and Outcome
53645	Erection of 200 dwellings; new warehouse (7435 square metres) and land remediation and raising of land; raised emergency access to Bury Road; open space and car parking.	Approved 20 April 2011
56744	Full planning permission for the erection of 153 no. dwellings together with associated works including the laying out of public open space, and the undertaking of engineering operations to remediate the site, raise the levels, construct an emergency access and development platform for future commercial development; Outline planning application for erection of a Class B1/B2 B8 development of 7435 m2.	Approved 9 October 2015

60418	Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to: 20&35- surface water drainage scheme, 27- samples of materials, 28- lifetime homes, 29- footpath and cycle route to vary the timing of submission for implementation.	Approved 13 December 2018
65847	Full planning permission for 201 dwellings, together with associated car parking, landscaping, public open green space, drainage, the laying out of roads and footways and other associated works including engineering operations to create flood defences and the development platform.	Undetermined

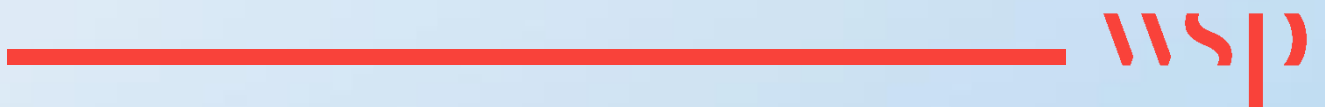
- 2.2.4. A number of discharge of condition applications have also been submitted and approved, with works undertaken on site relating to application 56744 (as varied through 60418). As a result, the consent has been implemented and is extant.
- 2.2.5. The submitted Works to the Northern and Eastern Boundary Plan (ref: KH-E-005-EW-101 Rev A) identifies the works undertaken by PIN properties to form the development platform as approved in the extant consent.
- 2.2.6. In addition to this, various planning permissions have been granted for flood defences in the surrounding area. Given the site being located with Flood Zone 3, the application has carefully considered the existing flood defences in the wider area:

Table 2-2 - Planning History

Planning History	Description	Decision Date and Outcome
64788	Erection of retaining walls and sheet piled walls between 1m & 3m in height to form a flood defence between the Metrolink bridge and Warth Bridge.	Approved 17 December 2019
65256	Non-material amendment following grant of planning permission 64788: Localised modifications to the defence wall alignment. Specifically, this includes proposals to reposition the defence further away from the north corner of the existing brick building to minimise disturbance of the existing river walls, improve clearance and reduce risk to the existing building. In addition, the section downstream of Bealey's Weir connecting to the Warth Road Bridge is proposed to be repositioned to now align with the front of the existing river wall.	Approved 31 March 2020.
64789	Erection of walls between 1.5m & 3.5m in height to form a flood defence on the land south of Central Avenue & Keswick Drive, Bury.	Approved 18 December 2019.
64790	A series of sheet piled walls and concrete walls across 4 sites at land to west of Metrolink line at Warth Road; Land to west of Bury Road; Land to east of Whitefield Road; Land to west of Hardy's Gate Bridge and Land to north of York Street, Bury.	Approved 22 January 2020.

3

ENVIRONMENTAL IMPACT ASSESSMENT



3 ENVIRONMENTAL IMPACT ASSESSMENT

3.1 SCREENING CRITERIA

3.1.1. When preparing this application, we have considered the proposed development in context of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 [the EIA Regulations]. There are two schedules under the Regulations which set out the criteria used to determine whether EIA Screening is required.

Schedule 1 – EIA screening not required

3.1.2. The first of these Schedules is Schedule 1. Schedule 1 sets out specific types of development for which EIA Screening is required. The proposed development does not fall within the definition of Schedule 1 development and therefore EIA Screening is not required on this basis.

Schedule 2

3.1.3. The second is Schedule 2. *“Schedule 2 development is that which is “likely to have significant effects on the environment by virtue of factors such as its nature, size or location”. It is defined as “development...of a description mentioned in column 1 of the table in Schedule 2 where – a) any part of that development is to be carried out in a sensitive area; or b) any applicable threshold or criterion in the corresponding part of column 2 of that table is respectively exceeded or met in relation to that development”.*

3.1.4. The table in Schedule 2 includes the following, which is of relevance to the proposed development:

Table 3-1: Schedule 2 Thresholds and Criteria

Column 1 – Description of Development	Column 2- application thresholds and criteria
10. Infrastructure projects	
(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.	(ii) the development includes more than 150 dwellings

3.1.5. The proposed development exceeds the above thresholds and so it is therefore necessary to screen the development.

3.1.6. In determining whether the development is likely to give rise to significant environmental effects, reference should be made to Schedule 3 of the EIA Regulations. This identifies three categories of criteria:

- Characteristics of the development, with particular regard to: size, cumulative effects, use of natural resources, production of waste, pollution and nuisances, risk of accidents and risk to human health;
- Location of the development with regard to the environmental sensitivity of the area; and,
- Characteristics of the potential impact, having regard in particular to the extent of the impact, its trans-frontier nature, magnitude and complexity, probability and duration, frequency and reversibility.

- 3.1.7. In this case of this site, it should be noted that there are no EU environmental assessments which are relevant to the proposed development.

SELECTION CRITERIA

- 3.1.8. The Planning Practice Guidance [PPG] provides further guidance as to when an EIA is needed, in which it confirms that the focus should be on those effects which are significant. It also provides, as an Annex, a series of Indicative Screening Thresholds. Indicative criteria are listed, which aims to assist in determining whether likely effects are significant.
- 3.1.9. PPG (paragraph 018, ID 4-018-20170728) confirms that not all criteria from Schedule 3 will be relevant in every case.
- 3.1.10. The same paragraph of PPG states:
- “Only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment. While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment. It is also possible to provide an indication of the sort of development for which an assessment is unlikely to be necessary. To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced. See the indicative thresholds and criteria. The table also gives an indication of the types of impact that are most likely to be significant for particular types of development.”*
- 3.1.11. The table’s indicative criteria and threshold are summarised below in respect of infrastructure projects 10.(b)(i) “the development includes more than 150 dwellings”:

Table 3-2 – Indicative Criteria

Development type	Indicative criteria and threshold	Key issues to consider
10. Infrastructure projects		
(b)(i) the development includes more than 150 dwellings	EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. Sites which have not previously been intensively developed: (i) area of the scheme is more than 5 hectares; or (ii) it would provide a total of more than 10,000 m2 of new commercial floorspace; or (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).	Potential increase in traffic, emissions and noise

- 3.1.12. Of the indicative criteria and thresholds of relevance in this instance is that the overall site area exceeds 5ha.
- 3.1.13. However, PPG is clear that each development will need to be considered on its own merits, regardless of whether or not a development exceeds the indicative thresholds.
- 3.1.14. The following subsections assess the proposal against the above criteria to consider whether or not the proposed development would have a significant environmental impact on the local area.

3.2 CHARACTERISTICS OF DEVELOPMENT (SCHEUDLE 3, PART 1)

- 3.2.1. The site is approximately 8.82 ha and located within an existing urban context which contains visually and functionally similar developments. The site has been designated by Bury Council as a brownfield site, and no longer accommodates any development on site. Previous structures have been cleared and the site currently remains vacant. To the north and south, the site is bound by existing development, with additional development to the east, less than 50m from the boundary, separated by the River Irwell.
- 3.2.2. The proposed development would not involve any significant or unusual use of natural resources and would not result in the use of natural resources that are considered to be in short supply. A site-specific drainage strategy will be submitted with the planning application. It is anticipated that there will be no significant effects on the surrounding drainage network. The northern part of the site will remain free from future built form. These areas will provide ecological mitigation and landscape enhancements.
- 3.2.3. There will be no hazardous waste as a result of development and construction waste will be dealt with in accordance with best practice. The potential for pollution and nuisance is minimal.
- 3.2.4. The technical reports conclude that there would be no significant risks to human health as a result of the development. The risk of major accidents or disasters is minimal for this type of development.
- 3.2.5. It is not considered that the characteristics, and notably the size of the site are such that it will give rise to warrant significant environmental effects. Regard has been had to Schedule 3 Part 1 of the Regulations in this assessment.

3.3 LOCATION OF DEVELOPMENT (SCHEDULE 3, PARAGRAPH 2)

- 3.3.1. This subsection assesses the environmental sensitivity of geographical areas likely to be affected by the development. PPG Paragraph 32 (Reference ID: 4-032-20170728) defines sensitive areas as:
- Sites of Special Scientific Interest and European sites;
 - National Parks, the Broads and Areas of Outstanding Natural Beauty; and
 - World Heritage Sites and scheduled monuments.
- 3.3.2. The same paragraph of PPG states that *“In certain cases, local designations which are not included in the definition of “sensitive areas”, but which are nonetheless environmentally sensitive, may also be relevant in determining whether an assessment is required”* and that regard should be had to any national or internationally agreed environmental standards.
- 3.3.3. The application site is not within a sensitive location as defined in PPG, nor is it in an environmentally sensitive location or where national or internationally agreed environmental standards are affected. The council has previously concluded that the location is not sensitive when considering earlier application made on this site. Indeed, the land has extant consent for residential development (ref. 60418).

3.4 TYPE AND CHARACTERISTICS OF POTENTIAL IMPACTS

- 3.4.1. Schedule 3 states that the likely significant effects of the development on the environment must be considered in relation to characteristics and location of development criteria discussed above, having regard to the impact of the development on the factors specified in Regulation 4(2).

- 3.4.2. The site investigations and technical work undertaken to support the submission of this application, demonstrate that the proposals will not result in significant effects in any of the considerations set out within the regulations.
- 3.4.3. Details of the technical work undertaken and recommendations are set out in Section 7 of this planning statement.
- 3.4.4. The proposed works required for flood mitigation are part of a wider strategy already agreed with the Environment Agency outside of the scope of this application which was not considered to give rise to any further significant environmental effects that require consideration as part of an EIA.
- 3.4.5. Section 7 of this Planning Statement provides further detail of the potential impact from the latest proposals to confirm that this remains the case, detailing specific site constraints. Concluding that no unusual or significant effects are considered likely that would give rise to a need for EIA.

3.5 SUMMARY

- 3.5.1. An assessment of the potential impacts has been undertaken in accordance with the Regulations and PPG. The assessment has been undertaken to the best of our knowledge based on available information at the time of writing.
- 3.5.2. The planning application is supported by technical reports and assessments to assist the council to assess the level of environmental impact associated with the works. From this assessment and the technical work undertaken, it can be determined that the scale, nature and location of the proposed development would not result in significant effects that would require assessment in accordance with the EIA Regulations. Therefore, the preparation of an Environmental Statement is not required for the proposed development.
- 3.5.3. The Council has previously reached the same conclusion when assessing similar proposals on the site, as seen in both application 56744 and 65847.
- 3.5.4. We trust the information outlined within this EIA Screening request is sufficient for the Council to assess the impact of the proposed development and to confirm that it is not EIA development. In accordance with Regulation 6(6) of the 2017 EIA Regulations, we await notification of the Council's Screening Opinion within three weeks of the date of receipt of this request

4

PROPOSED DEVELOPMENT



4 PROPOSED DEVELOPMENT

4.1.1. This planning application seeks full planning permission for residential development comprising 211 new dwellings in a highly sustainable, brownfield site in Bury.

4.1.2. The description of development for this application is:

“Full planning permission for residential development with associated car parking, landscaping, public open green space, drainage, the laying out of roads and footways and other associated works including engineering operations to create flood defences and the development platform.”

4.2 PROPOSED DEVELOPMENT

4.2.1. This planning application seeks full planning permission for residential development comprising the erection of 211 dwellings and 3.29 hectares of public open space.

4.2.2. The principle of residential development has been established on site through extant permission (ref: 60418).

4.2.3. The proposed development will compromise a mix of 69 two bed, 132 three bed, and 10 four bed family homes. There are six different house types offering a mix of mews, semi-detached and detached dwellings which are to be pepper potted across the site creating a varied community and enhanced legibility within the site. A cohesive material palette and design will be translated throughout the site, proposing red brick with contrasting brick detailing, window head and sills, and grey and red roof tiles to complement the local character. Further detail is provided in the materials plan and Design Access Statement.

4.2.4. Dwellings are proposed to make best use of the site, providing natural surveillance throughout and addressing street corners where possible. All properties are provided with designated areas for storage of waste and recycling bins. Furthermore, there is 3.29 ha of Public open space proposed within the application site located to the north which is connected to the proposed residential area via an emergency access route (approved under application 60418).

4.2.5. Careful thought and consideration has been given to landscape design throughout the site, including additional planting to define public and private space and lining streets with trees to create a sense of openness. The site will be well lit, allowing increased visibility and safety for both pedestrians and drivers, and minimise anti-social behaviour.

4.2.6. A development platform and sustainable drainage scheme is proposed to deliver flood protection to the future occupiers and existing houses to the south of York Street. A substantial area of public open space and wetland will be provided in the north of the site.

4.2.7. Full details of the design and materials proposed are provided within the submitted plans and Design and Access Statement.

4.3 CAR PARKING AND ACCESS

4.3.1. The site will be accessed from the two previously consented priority-controlled junctions off York Street. Serving the new residential development in the south of the site.

- 4.3.2. An emergency access route along the western boundary of the site will be implemented in line with the detail approved under application ref: 60418, providing a direct link onto Bury Road. The existing PROW (ref: 3SM) will remain and will connect to the emergency access route.
- 4.3.3. 404 car parking spaces are proposed which equates to 191% parking provision.
- 4.3.4. All houses will have in-curtilage parking with either two spaces to the front of the property or a tandem double length drive to the side. The 2 bed mid mews properties will be provided with 100% parking provision. The layout provides a mix of parking solutions to create visual interest in the street scene and avoid car dominance. Landscaping is proposed to further soften the street scene.
- 4.3.5. Further details are detailed within the transport statement, alongside site access drawings, Swept Path and visibility plays attached to this application.

4.4 FLOOD DEFENSES

- 4.4.1. The proposed development includes engineering operations which will protect proposed and existing properties in the area. Drainage design and proposed flood defences have taken into account the previously approved flood defences detailed in the Planning History Section above.
- 4.4.2. The proposed development includes raising ground levels to provide flood defences to York Street and the existing residential area to the south. The proposed ground levels will be set at 70.57m AOD which is above the 1 in 100 years plus climate change level. This approach has been discussed and agreed with the EA prior to submission. Proposed finished floor levels are provided within plan reference: KH-005-FFLs. Further information is also detailed within the Flood Risk Assessment accompanying this application.
- 4.4.3. The discharge rate, platform and floor levels have been discussed and agreed with the EA and the Council's drainage officer in advance. The drainage strategy is in keeping with the approach proposed for the Countryside scheme and is in accordance with the EA's strategy for the area.
- 4.4.4. To address the levels difference between York Street and the proposed design, a landscape buffer has been provided to the frontage of the dwellings facing south.

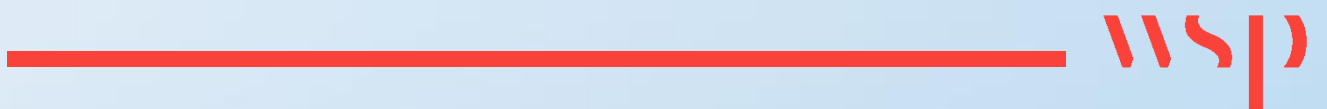
4.5 DESIGN EVOLUTION

- 4.5.1. The applicants have undertaken community consultation, consultation with local ward councillors and have sought pre-application advice from Bury Council and other statutory consultees, which has informed the evolution of the scheme alongside the extant permission and the previously submitted scheme from Countryside.
- 4.5.2. Two pre-application meetings have taken place with the Council, the first on 18 February 2022 and a second on 12 April 2022, in which the principle of residential development and the planning approach has been discussed. Detailed discussions have taken place separately between the EA, the LLFA and Charles Townsend (drainage consultants) to discuss and agree the approach to flood risk and drainage on the site.
- 4.5.3. The submitted Statement of Community Involvement (SCI) provides further detail of the consultation undertaken with the local community and ward councillors.
- 4.5.4. Pre-application discussion has enabled the developer to address issues and concerns prior to the submission of this full planning application, ensuring that the design proposals positively contribute to the available housing stock within Bury.

- 4.5.5. Various iterations of the layout have been prepared which have evolved and been refined through the design process, whilst respecting the design parameters established through the extant consent and Countryside application. The result of this design-led approach is a high-quality scheme which respects the nature of the site, providing natural buffers around the Irwell and employment use to the north, introducing landscaping to soften and integrate the development proposal within its context.

5

PLANNING POLICY



5 PLANNING POLICY

- 5.1.1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.1.2. Bury Council's Development Plan consist of the following Development Plan Documents:
- Bury Unitary Development Plan adopted in 1997 (the UDP);
 - Greater Manchester Joint Waste DPD adopted in 2012; and,
 - Greater Manchester Joint Minerals DPD adopted in 2013.

5.2 NATIONAL POLICY (2021)

- 5.2.1. The NPPF is a material consideration in determining planning applications. The NPPF was updated on 20 July 2021 and is a key material consideration in the determination of planning applications.

Achieving sustainable development

- 5.2.2. Sustainable development means meeting the needs of the present without compromising the ability of future generations to meet their own needs (paragraph 7). The planning system has three overarching objectives in achieving sustainable development: economic, social and environmental (paragraph 8).
- 5.2.3. Planning should play an active role in guiding development towards sustainable solutions, but in doing so it should take local circumstances into account, to reflect the character, needs and opportunities of each area (paragraph 9).
- 5.2.4. At the heart of the NPPF is the 'presumption in favour of sustainable development' ("the presumption") set out at paragraph 11, which establishes the planning principles in pursuing sustainable development in a positive way.

Delivering a sufficient supply of homes

- 5.2.5. Paragraph 60 makes clear to support the Government's objective of significantly boosting the supply of homes, a sufficient amount and variety of land should come forward where it is needed, addressing the needs of groups with specific housing requirements and that land with permission is developed without unnecessary delay.
- 5.2.6. Paragraph 62 recommends the size, type and tenure of housing needed for different groups in the community should be recognised, including affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.
- 5.2.7. Paragraph 74 states local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old (unless these strategic policies have been reviewed and found not to require updating).

Promoting healthy and safe communities

- 5.2.8. Paragraph 92 aims to achieve healthy, inclusive and safe places which promote social interaction (e.g., through street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods and active street frontages). Developments should be safe and accessible (e.g., through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas). They should also enable and support healthy lifestyles (e.g., through the provision of safe and accessible green infrastructure, sports facilities, local shops and layouts that encourage walking and cycling).
- 5.2.9. Paragraph 98 identifies access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and wellbeing of communities and can deliver wide benefits for nature and support efforts to address climate change.
- 5.2.10. Paragraph 100 suggests protecting and enhancing public rights of way and access, including taking opportunities to provide better facilities for users (e.g., by adding links to existing rights of way networks).

Making effective use of land

- 5.2.11. Paragraph 119 promotes an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.2.12. Paragraph 122 states decisions need to reflect changes in the demand for land and be informed by regular reviews of land allocated for development in plans and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:
 - a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped).
- 5.2.13. Paragraph 124 supports development that makes efficient use of land, taking into account the identified need for different types of housing and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services as well as their potential for further improvement and scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting; and the importance of securing well-designed, attractive and healthy places.
- 5.2.14. Paragraph 125 makes clear where there is an existing or anticipated shortage of land for meeting identified housing needs, homes should not be built at low densities and ensure developments make optimal use of the potential of each site. Authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Achieving well designed places

- 5.2.15. Paragraph 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 5.2.16. Paragraph 130 ensures that developments will function well and add to the quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place; accommodate and sustain an appropriate amount and mix of development including greenspace and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and wellbeing.

Meeting the challenge of climate change, flooding and coastal change

- 5.2.17. Paragraph 154 requires new development to avoid increased vulnerability to the range of impacts arising from climate change and help reduce greenhouse gas emissions.
- 5.2.18. Paragraph 157 expects new development to comply with local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 5.2.19. Paragraph 163 details when it is not possible for development to be located in areas with a lower risk of flooding, the exceptions test may have to be applied. However this will depend of the sites vulnerability.
- 5.2.20. Paragraph 167 ensures that flood risk is not increased elsewhere and requires development to be supported by a site-specific flood-risk assessment.

5.3 LOCAL POLICY

BURY UNITARY DEVELOPMENT PLAN

- 5.3.1. Bury's Unitary Development Plan was adopted by the Council on 29 August 1997. The most pertinent UPD policies to the consideration of this application are:

EC2/1/9: Employment Generating Areas

- 5.3.2. This policy identifies the site (Dumers Lane, Bury) as an Employment Generating Area. The policy sets out that the Council will only allow development for the Business (B1), General Industrial (B2), Warehousing (B8) and Leisure and Tourism Uses. Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an Employment Generating Area.

H1/2: Further Housing Development

- 5.3.3. Policy H1/2 sets out criteria for assessing proposals for housing development which is not identified on the Proposals Map.

H2/1: The Form of New Residential development

- 5.3.4. Policy H2/1 lists factors which should be considered when assessing proposals for new residential development. These 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; and

- the materials to be used in proposed developments, especially their colour and texture.

H2/2: The Form of New Residential development

- 5.3.5. Policy H2/2 explores the requirements of new residential development, in which they must demonstrate acceptable standards of layout. Factors including car parking provision, density, open space, and landscaping will be considered.

H4/1: Affordable Housing

- 5.3.6. Policy H4/1 sets out the council's encouragement towards the provision of affordable housing within new developments. Particular emphasis will be given to larger housing developments, in which the Council are open to negotiation.

EN1/1: Visual Amenity

- 5.3.7. Policy EN1/1 states that development will not be permitted where development has a detrimental effect on visual amenity. This includes public views of prominent buildings, and the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

EN6/2: Sites of Nature Conservation Interest

- 5.3.8. Policy EN6/2 seeks to protect the Swan Lodge SBI. 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 unless conditions can be imposed that would acceptably mitigate those impacts.

EN5/1: New Development and Flood Risk

- 5.3.9. Policy EN5/1 sets out that development will not be permitted where the development would be at risk from flooding, would be likely to increase the risk of flooding elsewhere, or would adversely affect river flood defences.

- 5.3.10. In addition, the following policies are also relevant to this proposal:

- EN1/2: Townscape and Built Design
- EN1/5: Crime Prevention
- EN6/3: Features of Ecological Value
- EN6/4: Wildlife Links and Corridors
- EN7/1: Atmospheric Pollution
- EN7/2: Noise Pollution
- EN7/3: Water Pollution
- EN9: Landscape
- OL5/2: River Valleys
- OL5/3: Riverside and Canalside Development in Urban Areas
- RT1/1: Protection of Recreation Provision in the Urban Area
- RT2: New Provision for Recreation in the Urban Area
- RT2/1: Provision of New Recreation Sites
- RT2/2: Recreation Provision in New Housing Development
- HT5/1: Access for Those with Special Needs

5.4 SUPPLEMENTARY PLANNING GUIDANCE

- 5.4.1. The following Supplementary Planning Documents and guidance are also relevant to this application.

SPD 1: Open Space, Sport and Recreation Provision in New Housing Development

- 5.4.2. SPD 1 has been designed to provide detailed guidance on the Councils approach to the provision and enhancement of open space, sport and recreational facilities as part of new housing developments. The SPD also provides advice in relation to developer's contributions towards the provision, enhancement and maintenance of open spaces within Bury.

SPD 7: Managing the supply of housing land in Bury

- 5.4.3. SPD 7 is aimed at developers and providers of new housing within Bury. In particular the SPD supports the aim of UDP Policy H1/2 – Further Housing Development, which recognises the main issues to consider for planning applications which concern residential development.

SPD 11: Parking Standards in Bury

- 5.4.4. SPD 11 has been produced to expand upon parking policies contained within the Bury UDP and in other relevant planning guidance. Guidance on parking standards and design issues are provided.

SPD 14: Employment Land and Premises

- 5.4.5. SPD 14 supports the Council's planning policies relating to employment land and premises, both in terms of proposals to redevelop those employment sites that are subject to UDP Policy EC2/2, as well as the need to ensure a suitable supply of developable land for employment purposes. The SPD builds upon the Council's economic objectives as expressed within the UDP.

SPD 16: Design and Laying Out of New Development

- 5.4.6. SPD 16 sets out a series of principles for good design and layout for new development and explores how this can be achieved. The SPD provides design guidance for all types of development across the Borough's urban and rural settlements

5.5 EMERGING POLICY

GREATER MANCHESTER SPATIAL FRAMEWORK – PLACES FOR EVERYONE

- 5.5.1. Places for Everyone (PFE) sets out how Greater Manchester should develop up to the year 2038 and identifies the amount of new development that will come forward across the 9 districts in terms of housing, offices, and industry and warehousing, and the main areas in which this will be focused.
- 5.5.2. The plan has now been submitted together with all the supporting documents, background evidence, and representations received during the final stage of public consultation, which took place from 9 August to 3 October 2021.
- 5.5.3. The Secretary of State has appointed an Inspector to hold an independent examination of the Places for Everyone Joint Development Plan Document.
- 5.5.4. The Plan does not address this site specifically and as detailed above is already within the Development Plan.
- 5.5.5. Whilst the PFE continues to be deemed as an emerging development plan document, it is the intention of the Greater Manchester Combined Authority [GMCA] to eventually convert the plan to a

Spatial Development Strategy [SDS]. At this stage, the future of the PFE still remains uncertain, meaning it can only be afforded limited weight at this stage in the decision making process.

BURY LOCAL PLAN

- 5.5.6. Bury Council commenced work on a new Local Plan in March 2015 following the withdrawal of the Core Strategy. The Issues and Options consultation took place in October 2018. However, the next consultation is delayed pending progress on the GMSF. The local development scheme for the Bury Local Plan has stated submission is to take place late 2023, with adoption proposed for mid-2024.

5.6 OTHER MATERIAL CONSIDERATIONS

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2020

- 5.6.1. Bury Council's 2020 Strategic Housing Land Availability Assessment [SHLAA] identifies that land at Bury Road/York Street (ref. HL/2338/00) will deliver 200 units in the next 6 – 10 years. The site is within an employment generating area.

FIVE YEAR HOUSING LAND SUPPLY

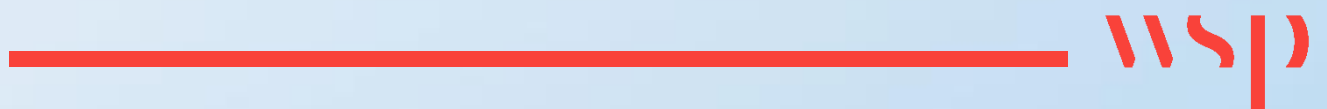
- 5.6.2. The Council's 2020 Five Year Supply Statement acknowledges that the Council cannot demonstrate a five-year housing land supply [5YHLS] based on the Local Housing Need [LHN] figure calculated using the standardised methodology. Irrespective of the buffer, the council are currently meeting approximately a 2.0 year land supply figure.

HOUSING DELIVERY TEST ACTION PLAN 2019

- 5.6.3. Bury Council was required in 2019 to prepare an Action Plan and apply a 20% land buffer following the 2019 Housing Delivery Test (HDT) result of 60%.
- 5.6.4. The most recent HDT result for Bury 2021 shows it has delivered 52% of the required homes for the last 3 years. This means the presumption in favour is engaged and proposals should be approved without delay. Bury needs to urgently deliver more homes.
- 5.6.5. The Action Plan identifies that the Council has a strong commitment to developing brownfield land to meet its development needs, seeking to avoid derelict industrial and employment sites within the borough.
- 5.6.6. Section 5.10 of the Action Plan references the Council's 2018 Brownfield Land Statement which identifies the importance of regenerating brownfield land. The Council expresses its commitment to using its powers and influence to bring back vacant brownfield sites into viable use, and recognises that each brownfield site will have its own specific constraints.
- 5.6.7. Section 5.15 states that brownfield sites which unsuitable for employment will be assessed in the SHLAA for their suitability for future housing development.
- 5.6.8. One of the key actions of the Action Plan is to boost housing delivery in Radcliffe and recognises the positive impact this will have on the town centre regeneration and increased population and footfall.
- 5.6.9. As such, this development proposal will deliver much needed homes in accordance with the aims and actions set out within the Council's HDT Action Plan.

6

PLANNING ASSESSMENT



6 PLANNING ASSESSMENT

- 6.1.1. Section 38 (6) of the Planning and Compulsory Purchase Act requires development proposals to be determined in accordance with the relevant development plan unless material considerations indicate otherwise.
- 6.1.2. This section assesses the proposed development against relevant planning policy and guidance, as well as other material considerations.

6.2 PRINCIPLE OF DEVELOPMENT

- 6.2.1. The application proposal is for residential development on a brownfield site within Bury. The application site has extant planning consent for residential development (ref: 60418), which establishes that the principle of residential development on the site having previously been accepted by the Council. This consent was granted under the same local plan policy as prevails today. This proposal seeks to expand the area and increase the number of dwellings.
- 6.2.2. The UDP (adopted 1997) allocates the site as part of an 'employment generating area' under Policy EC2/1. However, the UDP is over 20 years old and only addressed housing and employment needs to 2001.
- 6.2.3. The site has not been in use as an active employment generating use for over 10 years. The former employment buildings on the site have long been demolished and a considerable marketing exercise was undertaken at the time which demonstrated that there was no interest in the site for employment. The details of which were provided within the previous hybrid planning permission (ref: 56744) granted in 2015. Since this time, there has been no change in circumstances, and there remains no interest in the site for employment use. NPPF paragraph 122 supports re use where there are no reasonable prospects of such land coming forward for employment use. This is the case here.
- 6.2.4. As set out in the supporting information provided for earlier applications, this is due to the requirement for a development platform which means that only higher value land uses such as residential development is viable.
- 6.2.5. The site has an extensive planning history whereby the loss of employment land and principle of residential development has been considered and subsequently approved by the Council. The extant planning consent and other residential applications are more recent than the 1997 UDP employment allocation which is out of date.
- 6.2.6. Furthermore, the local plan precedes NPPF and the presumption in favour. The Council has a significant undersupply of housing (below 2 years' supply) and has failed its HDT. The tilted balance thus turns to delivery of homes on sustainable sites. The Council's adopted HDT Action Plan identifies a commitment to bringing back vacant brownfield sites, such as this, into an active use, avoiding large swathes of former industrial or employment land sitting vacant. As such, this development proposal will bring forward much needed homes on a sustainable urban site in full accordance with the Council's adopted Action Plan and NPPF.

Residential Prospects

- 6.2.7. These proposals represent a unique opportunity for the application site.

- 6.2.8. In terms of suitability of the proposed residential use, this is already established via the extant consent. The application site is brownfield and situated in a sustainable location within the urban area. It is within close proximity to a wide range of existing shops and services and has good accessibility for pedestrians making best use of the existing PROW. It is also well connected to public transport links allowing for a reduced reliance on private motor vehicles. In location terms, the site provides an excellent opportunity for residential development.
- 6.2.9. As set out above in detail, the site has laid vacant for over 10 years, despite being an allocated employment site. This application and the supporting technical reports demonstrate that site constraints can be overcome to enable residential development to come forward.
- 6.2.10. The site is well located in the urban area and is highly sustainable with access to a range of services, facilities and public transport options.
- 6.2.11. Additionally, the proposed development on this site would be in keeping with the character of the surrounding area and will help to reduce development pressure on protected land or rural greenfield.
- 6.2.12. Bury cannot demonstrate a 5 year land supply. The 2020 council supply statement indicates that the supply is 2 years with a 5% buffer, but as the HDT is failed a 20% buffer is required, taking the supply down to 1.7 years. There is thus a compelling need for more homes and sustainable sites such as York Street should be approved under the NPPF presumption (which is engaged) without delay.
- 6.2.13. The NPPF is clear that windfall housing, can provide great benefits to local housing supply. The delivery of 211 new homes will make a significant contribution to housing delivery.
- 6.2.14. The alternative is that the site remains vacant, detracting from the surrounding area, contrary to the aims and objectives of the Council's adopted HDT Action Plan.

Housing Mix

- 6.2.15. A total of 211 dwellings are proposed to be offered on site including mews, semi-detached and detached properties.
- 6.2.16. A Housing Needs and Demand Assessment (August 2020) concludes that there is an ongoing need for all types and sizes of dwelling with the strongest need for 2, 3 and 4 bedroom houses. The proposal squarely meets this need.
- 6.2.17. The housing mix offered is a substantial benefit to the local community enhancing the offer of much needed family housing in the area.
- 6.2.18. The new housing proposed is a significant benefit which will make a meaningful contribution towards the identified need housing need within the borough.
- 6.2.19. As such the principle of residential development and loss of employment land has been long established and is appropriate in this location. Furthermore, there is no conflict with up to date planning policies.

6.3 AFFORDABLE HOUSING STATEMENT

- 6.3.1. The site is brownfield and has a number of known constraints and abnormal costs which directly impact upon the viability of the site, namely contamination, flood risk, levels and the requirements for a development platform.

- 6.3.2. The extant consent proposes 10% affordable housing on a mixed use scheme comprising residential in the south and employment in the north. This proposal does not provide the employment and instead includes a substantial area of public open space to the north which provides flexibility for future flood mitigation in accordance with the wider EA strategy and public benefit of accessible open space for recreation. There is a cost associated with reserving this area to remain as open space and as such, this does impact upon the amount of affordable housing which can be delivered through the scheme.
- 6.3.3. A detailed viability assessment has been prepared and is submitted with this application, setting out the position in respect of affordable units.

6.4 PUBLIC BENEFITS

- 6.4.1. At the heart of the NPPF is a presumption in favour of sustainable development. The three strands of sustainable development are defined as having an economic, social and environmental role. The purpose of the planning system is to deliver these benefits, and play an active role in securing positive developments which improve the built environment, improve the lives of people and communities and delivers economic growth.
- 6.4.2. This section sets out some of the main economic, environmental and social benefits.
- Economic Benefits**
- 6.4.3. As a vacant and disused site within an existing urban area, the existing site makes no contribution to the local economy. However, the proposed development offers an opportunity to deliver much needed family homes and will introduce a new economically active population to Bury that will represent inward investment and provide a significant boost to the local economy through increased patronage and additional household expenditure, helping support existing local jobs, services and facilities.
- 6.4.4. The development represents private sector investment in terms of construction costs delivering over 134 person years of temporary construction employment¹. This will have a significant effect in terms of new jobs created and other businesses and services that are employed through the construction of the proposed development and the associated supply chain. This will create Gross Value Added to the local economy of approximately £9.4 million.
- 6.4.5. Furthermore, the proposals deliver New Homes Bonus payments to Bury Council over a four-year period, £388,737 per annum in additional Council Tax payments and £5.4 million per annum of increased consumer spending by the new households at the site².

¹ This is based on a build cost of £25.2 million build cost and an average turnover per full time equivalent construction job in 2018 of £188,050 (Source: Annual Business Survey 2018 Revised Results published in May 2020)

² Excluding net housing, fuel and power costs (Source: Family Spending, published by the Office for National Statistics in March 2020)

- 6.4.6. The development of a windfall site to provide homes will provide accommodation for people who work in the local area and will provide tax revenue for the Council. The NPPF accords great weight to the importance of developing windfall sites within existing urban areas.
- 6.4.7. The development may also provide Section 106 contributions.
- 6.4.8. The delivery of new homes at the site will therefore assist in the economic growth of the local area, which is an important material consideration in the post-pandemic recovery.
- 6.4.9. In this respect, the proposed development will help build a strong, responsive and competitive economy in accordance with paragraph 8 of the NPPF, including by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity and by identifying and coordinating the provision of infrastructure.

Social Benefits

- 6.4.10. Paragraph 60 makes clear to support the Government's objective of significantly boosting the supply of homes, a sufficient amount and variety of land should come forward where it is needed, addressing the needs of groups with specific housing requirements.
- 6.4.11. The proposed development will respond to an identified need for a mix of much needed family homes in a sustainable location. The mix proposed takes account of the most up to date analysis of Bury's housing requirements.
- 6.4.12. The proposed development will contribute towards the strength, vibrancy and health of the local community. The development proposals comprise high-quality new homes, located with excellent access to local goods and services, including an excellent local network of open green spaces and opportunities for recreation.
- 6.4.13. In this respect, the proposed development will support strong, vibrant and healthy communities in accordance with paragraph 8 of the NPPF, including ensuring that a sufficient number and range of homes will be provided to meet needs, and by fostering well-designed, beautiful and safe places with accessible services and open spaces that support the community's health, social and cultural wellbeing.

Environmental Benefits

- 6.4.14. The development proposals will mitigate any harm caused by the development and deliver a range of environmental benefits.
- 6.4.15. In summary, these comprise:
- Use of the northern part of the site as public open space, ecological mitigation and reserved for future flood risk mitigation, this would not be achieved if the site were in employment use;
 - New landscaped areas including significant new tree planting across the site;
 - Retention and improvement of existing open space within the northern boundary extending to the west of the site;
 - Retention of existing trees and landscaping adjacent to the River Irwell;
 - Planting of new hedges to provide adequate screening between new dwellings towards the southern boundary of the site on York Street taking account of level differences;
 - Amenity space within each dwelling will include grass turf and additional tree planting where indicated;

- Additional planning of trees along the western boundary enabling natural screening of properties for users of the adjacent PROW;
- Sustainable construction to latest building regulations and use of water-saving and energy efficient appliances and fittings; and
- Reducing the pressure on other greenfield sites.

6.4.16. In this respect, the proposed development will protect and enhance the natural and built environment in accordance with the requirements of paragraph 8 of the NPPF, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change.

6.4.17. In light of the above the proposals would clearly deliver significant social, economic and environmental benefits.

7 OTHER MATERIAL CONSIDERATIONS

7.1.1. The other relevant considerations identified in relation to the proposed development are as follows:

- Design;
- Flood Risk;
- Transport;
- Ecology;
- Landscape;
- Trees;
- Noise;
- Air Quality;
- Ground Conditions;
- Crime; and
- Energy;

7.2 DESIGN

- 7.2.1. The application is accompanied by a Design and Access Statement (DAS) prepared by Kellen Homes. The DAS undertakes an analysis of local context and nearby development which has informed the materials and design of the scheme. An overview of the design evolution is provided at section 3.2 of the DAS.
- 7.2.2. A range of house types are proposed to reflect the character of the surrounding area. A mix of two, three and four bedroom properties are proposed to meet local need.
- 7.2.3. A high-quality design is proposed which will create a cohesive sense of place. In keeping with the local area, red brick is proposed, with additional detailing and contrasting bricks to create visual interest in the street scene and to reinforce character areas within the site. Further details of the materials are shown within the DAS. Corner plots will be dual aspect to avoid blank elevations.
- 7.2.4. The use of landscaping throughout the site has been carefully considered to soften the streetscene and create visual interest. A landscape buffer is proposed along the southern boundary to respect the existing residential development along York Street.

7.3 FLOOD RISK AND DRAINAGE STRATEGY

- 7.3.1. The application is supported by a flood risk assessment (FRA) and drainage strategy prepared by Charles Townsend.
- 7.3.2. The site is located in Flood Zone 3 which is defined as land having a 1 in 100 or greater annual probability of river flooding. National Policy requires a sequential, risk based approach to the location of development in areas at risk of flooding, located in Flood Zone 3, an exception test would be required. The FRA concludes that the site passes the exception test as the site has extant planning permission for residential development, it is a brownfield site, and it will provide flood defences for the existing housing to the south.

- 7.3.3. The flood risk and drainage strategy has been informed by discussions with the EA and the Lead Local Flood Authority (LLFA), and it closely follows the approved strategy within the extant consent. The proposed development will be built on a platform with a new surface water drainage platform that provides above 1 in 1000 year event protection, as such post-development the site is considered to be at a low risk of fluvial flooding. The FRA identifies that the site is at a low risk of other sources of flooding including tidal, groundwater, sewers, surface water and reservoirs.
- 7.3.4. The site will drain directly into the River Irwell as a rate of 430l/s which is in line with the extant consent and has been agreed with the EA and LLFA prior to submission of this application. Finished floor levels will be set at a minimum of 70.72mAOD which has also been agreed with the EA, cross sections of the platform are provided in Appendix C of the FRA.
- 7.3.5. The FRA concludes that the development would not result in an increase risk of flooding within the site, nor would it increase the risk of flooding elsewhere. It will instead deliver wider benefits by providing flood defences to existing residential development to the south. As such the development proposal is in accordance with UDP Policy EN5/1 (New Development and Flood Risk).

7.4 TRANSPORT

- 7.4.1. A Transport Assessment and Travel Plan prepared by Eddison's is submitted with this application.
- 7.4.2. Two new priority-controlled junctions are proposed on York Street, providing vehicular access to the development. The current proposals are derived from the previously consented access proposals, as such, the vehicular access strategy is considered appropriate.
- 7.4.3. The internal layout will be designed to accord with Manual for Streets and will create a safe environment for pedestrians and cyclists. Swept path analysis has been provided for servicing.
- 7.4.4. The development proposal will provide 404 car parking spaces (191% provision) which is in line with the Council's adopted maximum standards.
- 7.4.5. The site is considered highly accessible by non-car modes including on foot, cycle, bus and rail.
- 7.4.6. The Transport Assessment concludes that the impact of the development on traffic will be minimal, and there is no evidence to suggest that the proposals would have an adverse effect on road safety on the number of accidents in the vicinity.
- 7.4.7. As such, the development fully accords with UDP Policies HT 2(Highway Network) and HT6 (Pedestrians and Cyclists) which seeks to improve road safety and provide facilities for pedestrians and cyclists.

7.5 ECOLOGY

- 7.5.1. An extended Phase 1 Habitat Survey has been prepared by Rachel Hacking Ecology. The survey assesses habitats for their potential to support protected species and the site was surveyed for invasive non-native plant species.
- 7.5.2. The southern part of the site provides little/no ecological value. The northern part of the site comprises semi-improved grasslands, tall, ruderal herb and scattered trees and scrub which provide covering from predation, foraging and overwintering opportunities.
- 7.5.3. A summary of species is provided here:
- The site supports negligible suitable habitat for Great Crested Newts (GCN).

- The site and adjacent habitats provide foraging and commuting habitat for bats, and further survey work is recommended.
- No badger setts or badger activity was identified.
- No signs of Water Vole were identified.
- Footprints of otters were found on the top bank on site and potential feeding remains and a mammal hole were found on the face of the riverbank. Further survey work is recommended.
- The site supports suitable habitat for nesting birds within the trees and tall, ruderal herb.
- Japanese Knotweed and Giant Hogweed are found across the site. Herbicide application is recommended.

7.5.4. The report sets out a number of recommendations which will be followed and incorporated.

7.5.5. It is recommended the measures included within the ecology report are incorporated into landscape proposals to mitigate for any losses that may occur and enhance the biodiversity value of the site. Biodiversity net gain calculations are being undertaken and will be submitted separately.

7.5.6. The development proposal accords with UDP Policies EN6/2 (Sites of Nature Conservation Interest) and EN6/4 (Wildlife Links and Corridors) and Section 15 of the National Planning Policy Framework (July 2021)

7.6 LANDSCAPE

7.6.1. Within the extended Phase 1 Habitat Survey, prepared by Rachel Hacking Ecology, measures have been recommended to be included into landscape proposals to mitigate for any losses that may occur, and therefore enhance the biodiversity value of the site.

7.6.2. The report recommends future landscaping is sympathetically designed to the retained habitats of the River Irwell and Swan Lodge SBI which runs adjacent to the application site.

7.6.3. Similarly, soft landscaping should include the provision of native and non-native flowering perennial species, to provide a pollen and nectar source for invertebrates. Native tree and shrub planting should be used where possible, and 'Hedgehog holes' incorporated into any fencing.

7.6.4. The landscape scheme prepared by Ascerta proposes an area of wildflower planting in the River Floodplain / Water Meadow in the east of the site, adjacent to the Irwell. Immediately north of the new housing is an area of shrub and tree planting which separates rear gardens from an area of public open space.

7.6.5. At the southern boundary a grassed area of public open space with new and retained trees, creating visual screening between York Street and the new homes.

7.6.6. The northern part of the site will be maintained as a natural wetland area with public access, the existing landscaping and trees will remain, with a new path, seating area and 1m wide mown edge along the new path. A 20m buffer is shown along the eastern boundary which will be maintained by the EA.

7.6.7. The landscaping scheme has been sensitively designed to respect the natural character of the northern area and soften and screen the residential development in the south. The proposal is in accordance with UDP Policy EN9 (Landscape) which seeks to protect, conserve and improve the landscape quality within Bury.

PUBLIC OPEN SPACE MANAGEMENT STRATEGY

- 7.6.8. A management and maintenance strategy for the public open space will be implemented as part of the scheme. The detail of the strategy has not yet been finalised but would be subject to agreement via a legal agreement.

7.7 TREES

- 7.7.1. Urban Green has prepared an Arboricultural Impact Assessment (AIA) which is submitted with this application. The AIA identifies that 11 trees/groups will need to be removed as a result of the development platform in the south of the site. It is noted that the majority of the trees which require removal are low value, with three trees of moderate value and a section of one moderate quality group also requiring removal. Three trees have been assessed as unsuitable for retention (category U) and should be removed irrespective of the development.
- 7.7.2. The AIA assesses the impacts of removal and concludes that whilst there are moderate short-term impacts, the impacts will be mitigated by the retention of G13 and boundary vegetation, and the provision of new trees and landscaping. As seen within the Ascerta Landscaping scheme, a comprehensive landscaping scheme is proposed with a significant level of replacement tree planting to provide suitable mitigation and an overall improvement to the landscaping.
- 7.7.3. The majority of trees within the site will be retained and suitable tree protection measures will be implemented as recommended within the AIA.
- 7.7.4. The development accords with UDP Policy EN8 (Woodland and Trees) which requires suitable replacement tree planting, and UDP Policy EN1/3 (Landscaping Provision) which requires development proposals to provide open space and landscaping to the Council's satisfaction.

7.8 NOISE

- 7.8.1. A Noise Impact Assessment prepared by E3P is submitted with this application, which identifies and analyses two sources of noise; Wm Morrison Supermarkets PLC to the north and J&W Whewell Ltd industrial site to the south east.
- 7.8.2. E3P has undertaken noise modelling of the local area, and makes suitable recommendation for acoustic mitigation measures, which will result in a scheme with no adverse acoustic impacts for future residents.
- 7.8.3. A small portion of properties which are closest to the existing employment uses will have a ventilation system and upgraded façade insulation. These acoustic mitigation measures are proposed for the two northernmost rows of properties (units 57-124) and eight properties in the south-eastern corner of the site, as identified in red in Figure 7-1 below.
- 7.8.4.



Figure 7-1, showing the dwellings with acoustic mitigation proposed (Source: E3P NIA)

- 7.8.5. An acoustic fence (5.25m) is also proposed to the north of the dwellings which will sit adjacent to the existing commercial palisade fencing. The fencing proposed will be installed at the lower ground level adjacent to the commercial premises as such the acoustic barrier height is specified to take into account the raised development platform. A 2.1m high close bordered fence is proposed along the northern boundary of platform. The acoustic fencing will be sympathetically designed to protect visual amenity.
- 7.8.6. With these mitigation measures implemented, there will be no adverse impacts with regards to noise. In accordance with UDP Policy H3/2 (Existing Incompatible Uses), the development has been designed to protect the amenity of future residents and to not compromise the existing employment uses in the surrounding area.

7.9 AIR QUALITY

- 7.9.1. Redmore Environment has prepared an Air Quality assessment which accompanies this planning application. The report determines the baseline conditions, considers site suitability for residential development and assesses potential effects resulting from the scheme.
- 7.9.2. The report concludes that there would be no significant effects on air quality as a result of development assuming that good practice control measures are in place.
- 7.9.3. Air quality impacts as a result of traffic generated by the development will not be significant at any sensitive location in the vicinity of the site.
- 7.9.4. Predicted pollution levels were below the relevant air quality standards across the development.

- 7.9.5. As such, air quality factors are not considered a constraint to the development and the proposal accords with UDP Policy EN7/1 (Atmospheric Pollution) which seeks to refuse applications which would result in unacceptable levels of atmospheric pollution.

7.10 GROUND CONDITIONS

- 7.10.1. An interim Ground Conditions letter has been prepared by E3P which accompanies this application. A detailed ground conditions report will be submitted under separate cover.
- 7.10.2. The interim letter sets out the background and previous reports undertaken, and provides detail of the groundworks undertaken to raise the development platform. E3P has undertaken preliminary investigation which has not identified any significant evidence of contamination, however this will be confirmed in the detailed report to follow.

7.11 CRIME

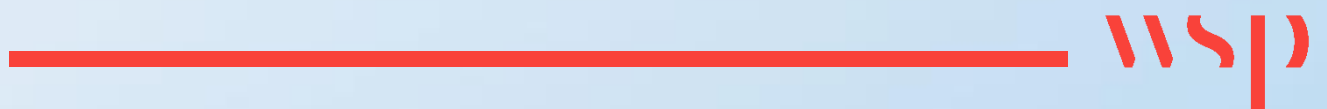
- 7.11.1. A crime impact assessment is currently in preparation by Design for Security, which will be submitted under separate cover.
- 7.11.2. The crime impact assessment will consider the design of the scheme and make recommendations, in accordance with UDP Policy EN1/5 (Crime Prevention) which encourages design which discourages crime.

7.12 ENERGY

- 7.12.1. Award Energy has prepared an energy statement which is submitted with this application.
- 7.12.2. Kellen Homes proposes a fabric-first energy demand and carbon emission reduction strategy for the site at York Street, Bury.
- 7.12.3. This strategy provides an enhanced fabric specification of all dwellings to be built on site which achieves a 12.33% reduction in site-wide energy demand through a fabric-first strategy, and a 2.78% reduction in carbon emissions over and above the 2013 Building Regulations.
- 7.12.4. The measures proposed to achieve this are set out in further detail within the energy statement.

8

S106 CONTRIBUTIONS

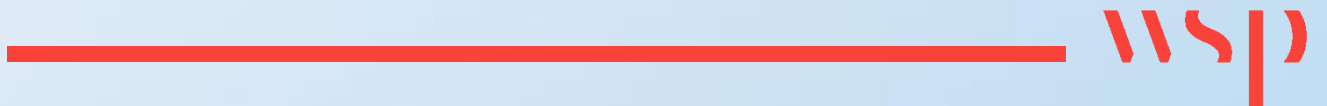


8 S106 CONTRIBUTIONS

- 8.1.1. The following planning obligations will be discussed and agreed if demonstrated as required with the Council during determination of the application:
- Public open space and recreation
- 8.1.2. Developer contributions will be agreed with the Council during the determination of the application and secured by planning obligation.
- 8.1.3. The proposal is therefore in accordance with paragraphs 55-58 of the NPPF.

9

PLANNING BALANCE AND CONCLUSION



9 PLANNING BALANCE AND CONCLUSION

- 9.1.1. The principle of residential development on the site has been established through extant consent ref: 60418. This proposal seeks to expand the area and increase the number of dwellings.
- 9.1.2. Bury has an urgent and compelling need for new homes. Its land supply falls significantly below 5 years, and it has consistently failed its HDT, meaning new homes are urgently needed to come forward within the borough. Its HDT Action Plan actively supports delivery on brownfield sites like York Street. Within this context, the NPPF's Presumption is therefore engaged, meaning sustainable and suitable applications such as this should be approved without delay.
- 9.1.3. The site has laid vacant and has never come forward for its intended use, despite having been vacant for 10 years. NPPF paragraph 122 supports reuse where there is no reasonable prospect of the site coming forward. This proposal for residential development, incorporating open market homes offers a unique opportunity to redevelop the site and in doing so it will significantly contribute to the Council's housing shortage, providing new homes alongside significant socio-economic benefits for the local community.
- 9.1.4. The proposal is sustainably located and would bring forward much needed homes on a previously developed, brownfield site, within an urban location. This approach to development is consistent with the council's adopted HDT action plan, which sets out a commitment for brownfield sites such as this to come forward. This will ease pressures on the Green Belt.
- 9.1.5. Whilst the land is allocated in the UDP for employment purposes, the policy is out of date and is not reflective of current housing requirements and also the Council's and EA's intentions for the site. The development proposal will enable land to the north to be utilised for flood risk management as intended within the EA's strategy.
- 9.1.6. Furthermore, it has been demonstrated throughout this Statement and within the supporting documentation that there are no site or technical constraints that would prevent development from coming forward in the short term.
- 9.1.7. There are considerable economic, social and environmental benefits which would result from the residential development proposed, without the scheme coming forward these benefits cannot be realised. The benefits identified include:
- Delivery of 211 new family homes, providing a mix of dwelling sizes and types;
 - Bring a vacant and underutilised brownfield site into an active residential use, contributing positively to the housing supply within Bury;
 - Significant economic benefits including;
 - Creation of 134 temporary employment years during the construction phase;
 - £9.4 million GVA generated;
 - Additional annual expenditure in the local economy of £5.4 million;
 - Council tax and new homes bonus payments; and
 - Promoting further investment within the Borough.
 - Increased open space provision, landscaping and greening to the street scene in accordance with local policy;

- Provide a sensitively designed scheme which respects and responds to local context and incorporates design queues from the extant permission; and
- Contribution to the vitality and viability of York Street with the delivery of new residential development and active population.

9.1.8. This Planning Statement, together with the other supporting documents, reports, surveys and plans, demonstrate that there are no technical constraints and that the proposal comprises sustainable development and accords with national and local planning policy.

9.1.9. The application accords with both adopted and saved local planning policies and national guidance. In particular, the proposed development accords with and benefits from the tilted balance in the presumption in favour at paragraph 11 part c of the NPPF. On this basis, the application represents sustainable development in a suitable location and will assist in meeting the housing needs in Bury. Such applications should be encouraged and supported, with permission being granted without delay.



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