



Bury Wastewater Treatment Works Storm Tanks Scheme

Planning Statement

80062960-02-JAC-BURYZ-SM-RP-C-00013

July 2023



Water for the North West



Bury WwTW Storm Tanks Scheme

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Client Name: United Utilities Water Ltd

Jacobs U.K. Limited

5 First Street
Manchester M15 4GU
United Kingdom
T +44 (0)161 235 6000
F +44 (0)161 235 6001
www.jacobs.com

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1. Introduction

1.1 Background

United Utilities has a regulatory requirement to reduce the spill volume from the existing storm tanks at Bury Wastewater Treatment Works (WwTW) to achieve compliance with Water Framework Directive (WFD) standards. This will contribute towards an improvement of water quality in the River Irwell to 'good' status by September 2026.

In 2020, the water sector regulators invited water companies to make proposals to help deliver a 'green economic recovery'. The necessary works at Bury WwTW were included within this initiative and are part of United Utilities' broader strategic portfolio of interventions across the Greater Manchester area to improve water quality in the Manchester Ship Canal and the rivers which feed into this strategic water body.

In order to reduce the spill volume from Bury WwTW into the River Irwell, it is proposed to increase the storage capacity of the existing storm water system in the form of 2 no. new storm tanks with associated pipework and equipment.

Planning permission is being sought for the proposed associated Electrical Control Building, which is required to operate the electrical equipment associated with the new infrastructure.

1.2 Pre-application Advice

Pre-application advice was received from Bury Metropolitan Borough Council (Bury Council) in 2022 (Reference: 02779/E), which stated that: *"the proposed works to improve river water quality are supported"*. The report also identified the requirements needed to support this planning application.

1.3 Environmental Impact Assessment Screening

1.3.1 Background

The proposals are considered to fall within Schedule 2, 13(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, which relates to changes and extensions to developments listed in Schedule 2, and which in this case would be 11(c): *"waste-water treatment plants (unless included in Schedule 1)"* where *"the area of the development exceeds 1,000 square metres"*.

The overall scheme area (including works considered as permitted development) exceeds the threshold criteria, and therefore this section provides a formal Environmental Impact Assessment (EIA) screening opinion request.

1.3.2 EIA Screening Request

As the overall scheme area exceeds the threshold criteria for Schedule 2 of the EIA Regulations, the requirement for an EIA is assessed against further thresholds and selection criteria as outlined in Schedule 3 of the EIA Regulations.

Given the nature of the development and the proposed mitigation as detailed in this Planning Statement, it is considered that the development would not result in any significant environmental

effects and therefore the development would not constitute EIA development. This is due to the location of the proposed development being sited within the existing wastewater treatment works and in light of the environmental considerations within this application, which includes mitigation such as a landscaping reinstatement scheme.

We respectfully request Bury Council, as part of the planning application process, undertake a screening opinion as to the requirement for Environmental Impact Assessment under Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to confirm the conclusion that an EIA is not required.

1.4 The Planning Statement

This Planning Statement has been prepared by Jacobs UK Ltd on behalf of the applicant: United Utilities Water Ltd. It forms part of the submission package for the planning application and includes the necessary information to consider the application, providing an overview and explanation of the development and its requirements. The statement also sets the context of the planning application and provides an analysis of the planning and environmental aspects associated with the proposed development. It has been prepared using professional judgement, assessing the material considerations relevant to the determination of the planning application.

1.5 Planning Application Documentation

Table 1.1. list the plans and other documents submitted as part of the planning application.

Table 1.1 – Application Documentation

Planning Application Deliverable	Reference
Drawings	
Site Location Plan	80062960-02-UU-BURYZ-97-DR-C-00010
Existing Site Layout Plan	80062960-02-UU-BURYZ-97-DR-C-00011
Proposed Site layout Plan	80062960-02-UU-BURYZ-97-DR-C-00012
Proposed Site Elevations (sheet 1 of 2)	80062960-02-UU-BURYZ-97-DR-C-00013
Proposed Site Elevations (sheet 2 of 2)	80062960-02-UU-BURYZ-97-DR-C-00014
Proposed Electrical Control Building Elevations and Floor Layout	80062960-02-UU-BURYZ-97-DR-C-00015
Landscape Reinstatement Plan	80062960-02-UU-BURYZ-96-DR-L-00001
Reports	
Planning Statement	80062960-02-JAC-BURYZ-SM-RP-C-00013
Ecological Assessment Report	80062960-02-UU-BURYZ-99-RP-I-00006
Flood Risk Assessment	80062960-02-UU-BURYZ-99-RP-I-00003
Project Traffic Management Plan	SF249

1.6 Planning Application Forms, Certificate of Ownership and Fees

The application has been submitted to Bury Council as the Local Planning Authority via the Planning Portal (Ref: PP-12234962). The applicant is the sole owner of the land to which this application relates, therefore the application is accompanied by a completed copy of Certificate A.

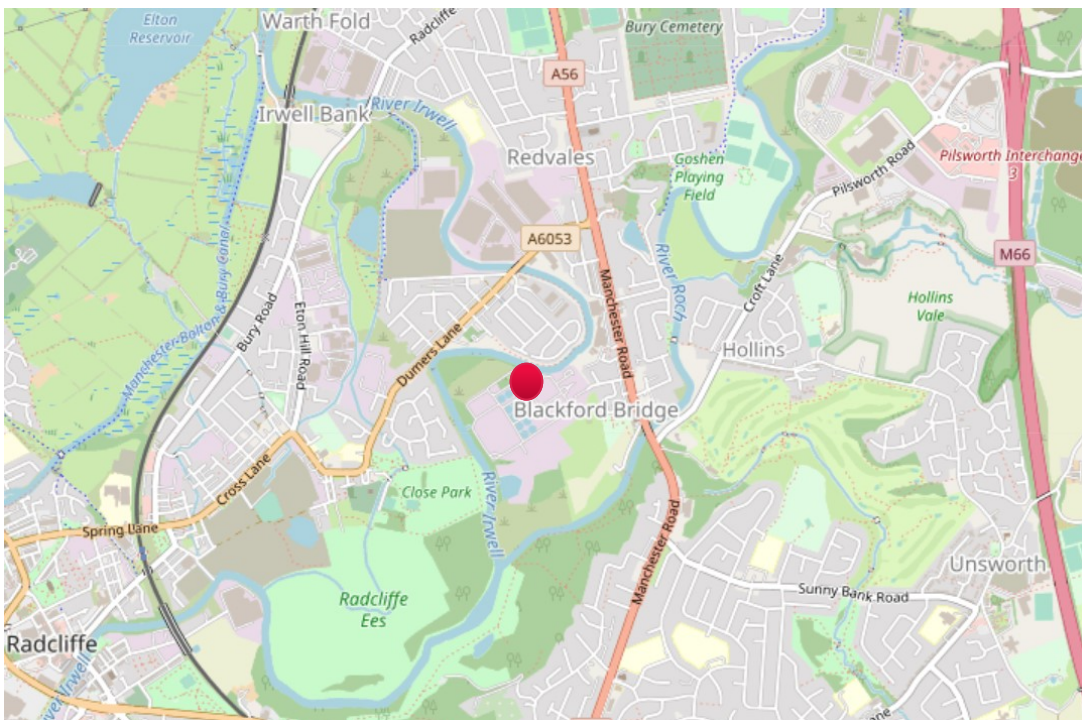
The planning application fee relates to the 'erection of buildings' (the Electrical Control Building) with a gross floorspace of 41 m², which amounts to £462 in accordance with the Town and Country Planning (Fee for Applications, Deemed Applications, Requirements and Site Visits) (England) Regulation 2012 (as amended).

2. Site Location and Description

2.1 General Location

Bury WwTW is situated to the east of the settlement of Blackford Bridge, approximately 2.8km south of Bury town centre (see Figure 2.1). The site is accessed via Crossfield Street, which also serves a number of residential properties. The WwTW is under the ownership of United Utilities and comprises operational land.

Figure 2.1 – Site Context



OpenStreetMap - Contains OS data © Crown copyright and database right 2022

A mixture of residential and commercial properties are located to the east of Bury WwTW, whilst the River Irwell forms the north, west and southern boundaries of the site. The site is immediately surrounded by areas of woodland/trees which provide screening from residential receptors. The River Irwell also forms a barrier to residential properties further to the north and west of the site.

2.2 Application Site

The application site, containing the proposed Electrical Control Building, is located in the north eastern part of Bury WwTW, on a parcel of amenity grassland. The site covers approximately 60m² and is shown edged red on the Site Location Plan (Ref: 80062960-02-UU-BURYZ-97-DR-C-00010).

2.3 Local Designations

The Bury Unitary Development Plan (UDP) indicates that the application site is within Green Belt (OL1) and a River Valley (OL5/2). The proposed building that requires planning permission, as well as other elements of the overall scheme to be constructed under permitted development rights, are within Flood Zone 2. Parts of the wider Bury WwTW, outside of the planning application boundary, lie within Flood Zone 3 (an area with a high probability of flooding).

There are no international or nationally designated areas within or adjacent to the site. The closest designated site is Ashclough Site of Special Scientific Interest (SSSI) located 3.8km west of the site. There is one internationally designated area within a 10km radius: Rochdale Canal Special Area of Conservation (SAC) located over 8km to the east of the site.

The site falls within the Impact Risk Zone (IRZ) for the West Pennine Moors SSSI located over 8km north of the site. However, there are no activities at this location which meet the criteria consultation for Natural England's SSSI IRZs.

3. The Proposed Scheme

3.1 Background

Following an evaluation of options by United Utilities during an optioneering phase, and based on the requirements for the scheme as defined by the WFD standards, the proposed overall scheme would result in the provision of 6,000m³ additional storage at Bury WwTW in the form of 2 no. new storm tanks and associated infrastructure. The tanks will provide additional storm tank capacity at the works and will return flows to the treatment process after a storm subsides. The additional storage volume would therefore reduce the spill volume at the existing storm tank overflow.

The 'Proposed Site Layout' Drawing (Ref: 80062960-02-UU-BURYZ-97-DR-C-00012) shows the general arrangement of the overall scheme, which has been informed and constrained by the existing wastewater treatment works infrastructure and operational equipment. The proposed location has also been chosen to minimise connection lengths to the existing storm system for ease of connection and minimise the power required to operate the return pumps.

3.2 Planning Requirements

3.2.1 Introduction

The overall scheme constitutes elements that require planning permission under the provisions of the Town and Country Planning Act 1990 and elements that are deemed permitted development in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

The development is shown on the 'Proposed Site Layout' Drawing (Ref: 80062960-02-UU-BURYZ-97-DR-C-00012), which identifies the elements that will be constructed under United Utilities' permitted development rights and the element that requires approval from the Local Planning Authority.

3.2.2 Permitted Development

As a statutory undertaker, United Utilities has permitted development rights to undertake certain elements of the overall scheme under Part 13, Class B of the GPDO.

Part 13, Class B (a) of the GPDO allows for development below ground where it relates to the installation, improvement, maintenance or repair of a sewer, outfall pipe, sludge main or associated apparatus. Part 13, Class B (d) of the GPDO permits the installation in a sewerage system of a pumping station, valve house, control panel house or switch-gear house at or above ground level, subject to the restriction that it does not exceed 29m³ in capacity. Part 13, Class (f) of the GPDO permits any other development in, on, over or under operational land, other than the provision of a building or any plant or machinery exceeding 15 metres in height.

Therefore, the following elements of the proposed scheme that constitute permitted development include:

- 2 no. open top storm tanks (20m diameter and 14.4m deep), extending 1.1m above ground to form a wall around the perimeter;
- Below ground storm tanks connecting pipe (4.8m long);
- Below ground storm return rising main (110m long);
- Below ground pump sump within the northern tank (7.2m long x 6.6m wide x 2.0m deep);
- Below ground valve chamber (7.7m long x 6.3m wide x 2.2m deep);

- Relocated substation (RMU No. 4) (3.1m long x 3.1m wide x 2.9m high);
- New electrical substation (RMU No.7) (3.1m long x 3.1m wide x 2.9m high);
- Associated transformer compound (4.2m long x 4.2m wide x 2.1m high);
- Monitoring Certification Scheme (MCERTS) cabinet (1.2m long x 0.5m wide x 1.3m high)
- Below ground MCERTS chamber (3.52m long x 3.13m wide x 2.2m deep);
- Below ground storm tank connecting sewer pipes (74.5m long);
- Below ground scavenger pump rising main (110.2m long); and
- Internal site access road and pathways.

In addition, a temporary construction compound and laydown area would be established within the existing WwTW, which constitutes permitted development under Part 4 Class A of the GPDO.

3.2.3 Planning Application

Planning permission is being sought under the Town and Country Planning Act (1990) for the Electrical Control Building, which will house the Motor Control Centre (MCC) required to operate the electrical equipment associated with the new infrastructure.

The proposed building will be 10m long x 4.08m wide x 2.9m high, and raised on a 1.2m high steel platform for flood protection. It will be constructed of Glass Reinforced Plastic (GRP) coloured green to BS 4800 14 C 39. There will be a trigger light above the double access doors which will only activate when required. For further detail refer to the 'Elevations and Floor Layout' Drawing (Ref: 80062960-02-UU-BURYZ-97-DR-C-00015).

3.3 Construction Programme

Site enabling works for the permitted development elements of the scheme are programmed to commence in January 2024. The main construction period is anticipated to commence in February 2024 and take approximately 2 years to complete, with an additional 7 months for testing and commissioning. The Electrical Control Building, which is the only element of the works requiring planning permission, is programmed to be installed in September 2025.

It is anticipated that construction activities will take place between 08:00 – 18:00 Monday to Friday and by exception 08:00 – 13:00 on Saturday. The local authority Environmental Health Officer and neighbouring residential properties would be informed of any weekend working in advance. There would be no working on Sundays or Bank Holidays.

3.4 Vehicular Access

3.4.1 Introduction

The majority of the vehicle movements relate to the construction of the overall scheme, of which only the Electrical Control Building requires planning permission. The associated traffic movements are differentiated below.

3.4.2 Construction Traffic Movements

Construction traffic will use existing on-site access arrangements and enter the site using the main entrance off Crossland Street.

At different stages during the construction period for the overall scheme, there will be different profiles of traffic movements. On average, these will be:

- 8 no. cars/vans (16 movements) to the site each day associated with the movement of site personnel and general deliveries associated with welfare; and
- Up to 30 no. vehicle movements per day associated with general material deliveries, waste removal, and the delivery of cabins and equipment. During this time, these activities could have peaks of up to 60 vehicles per day (120 movements) for large concrete pours, and equally days of minimal HGV movements.

The Electrical Control Building will be delivered to site on a low loader/flatbed wagon at the time of its programmed installation in September 2025.

3.4.3 Operational Traffic Movements

It is anticipated that there would be no increase in operational vehicle movements associated with the Electrical Control Building, which will be operated by on-site staff.

4. Environmental Considerations

4.1 Introduction

The scope of the environmental assessments mentioned in the pre-application response, and others relevant to support the planning application, have been limited to the Electrical Control Building, as this is the only element of the scheme that requires planning permission.

4.2 Landscape and Visual

Vegetation to be affected within the application site is rank grassland within the core operational area of the WwTW. No significant effects on landscape resource are predicted as a result of its loss. Reinstatement of areas impacted by construction will specify seeding with species rich grassland as shown on the Landscape Reinstatement Plan (Ref: 80062960-02-UU-BURYZ-96-DR-L-00001).

Views into the WwTW are restricted by screening from mature trees and woodland within and around the perimeter of the WwTW. Views into the works from the rear of the closest properties on Barlow Fold Close to the east are filtered by mature scrub woodland, as is the case for the closest properties to the north, over the River Irwell, at Halls Close and Gate Lane. Given the small scale of the proposed Electrical Control Building and the context in which it would be viewed (i.e. as part of the existing WwTW), no significant effects on visual amenity as a result of the proposed Electrical Control Building are predicted.

4.3 Arboriculture

No trees are proposed to be removed in association with the installation of the Electrical Control Building or affected by it.

4.4 Ecology

4.4.1 Surveys

A range of ecological surveys were undertaken for the application site and its surrounding areas in May 2022 and have been collated into an Ecological Assessment Report (Ref: 80062960-02-UU-BURYZ-99-RP-I-00006), which has been used to inform the ecological baseline for this planning application.

4.4.2 Statutory Designations

There are no international or nationally designated areas within or adjacent to the site. The closest designated site is Ashclough Site of Special Scientific Interest (SSSI) located 3.8km west of the site. There is one internationally designated area within a 10km radius; Rochdale Canal Special Area of Conservation (SAC) located over 8km to the east of the site.

The site falls within the Impact Risk Zone (IRZ) for the West Pennine Moors SSSI located over 8km north of the site as mapped on MAGIC for this SSSI. However, there are no activities at this location which meet the criteria consultation for Natural England's SSSI IRZs.

There are ten Sites of Biological Importance (SBI) non-statutory designated areas identified within 2km of the site. The closest is Swan Lodge SBI Grade B, located approximately 760m to the north-west of the site, separated from the site by the River Irwell and residential areas. There are no hydrological or

ecological pathways to the site and therefore no impacts arising from the proposed planning application are anticipated.

4.4.3 Habitats

As part of the proposals there will be a permanent loss of other neutral grassland (0.006ha) to allow for the construction of the Electrical Control Building. No other habitats are anticipated to be impacted within the planning application boundary.

The loss of this small area of moderate condition grassland will not have a significant impact on the overall biodiversity on site, however it is proposed to provide positive biodiversity enhancement within the wider vicinity of the Electrical Control Building, by reinstating with a species rich seed mix around the permanent installations, as shown on the Landscape Reinstatement Plan (Ref: 80062960-02-UU-BURYZ-96-DR-L-00001).

4.4.4 Invasive and Non-Native Species

Himalayan balsam and Giant hogweed were recorded across the wider survey area, but both are absent from within the planning application boundary.

4.4.5 Protected Species

Breeding Birds

The grassland within the application site may provide suitable habitat for ground nesting species such as skylark, however none were recorded during the walkover survey in May 2022.

The proposals are therefore not expected to result in significant effects to breeding birds.

Bats

There are no habitats within the application site suitable for roosting bats. Other neutral grassland provides poor foraging opportunities for bats.

The proposals are therefore not expected to result in any significant effects to the local bat population.

Badger

The other neutral grassland within the application site is unlikely to support badger setts and this was confirmed during the walkover survey in May 2022.

The proposals are therefore not expected to result in any significant effects to any local badger population.

Reptiles

No suitable habitats for reptiles including basking or hibernation refugia were present within the application site at the time of the survey.

Therefore, the proposals are not expected to result in significant effects on reptiles.

Amphibians

A search for waterbodies within a 250m radius surrounding the application site using OS mapping and online aerial imagery identified one waterbody (Pond 1) within the search area. A walkover of this area also confirmed no additional waterbodies present.

Pond 1, located at Grid Ref: SD 80214 07602, is a large (approximately 4,000m²) man made attenuation pond located to the south-west of the WwTW. The pond was assessed as holding “excellent” suitability for Great Crested Newts (*Triturus cristatus*) (GCN) following the Habitat Suitability Index (HSI) assessment, however as the eDNA result for Pond 1 returned as negative, it is therefore unlikely that GCN are present within the application site at this time.

General precautionary measures associated with vegetation clearance within the application site to avoid effects on common amphibians will be adopted and detailed in the Environmental Control Plan (ECP).

The proposals are not expected to result in significant effects on amphibians.

Otter and Water Vole

Greater Manchester Ecology Unit (GMEU) returned 23 recent records of otter (*Lutra lutra*). The most recent record from 2021 is located approximately 1.9km to the north-west of the site. The River Irwell to the north and east of the site is considered suitable for commuting and foraging otter. No suitable resting places or holts etc. were present within the site at the time of the survey.

GMEU returned no records of water vole (*Arvicola amphibius*). The application site does not support any suitable riparian habitats for water vole and is at a distance from the river that water voles are considered likely to be absent at the time of the survey.

The proposals are not expected to result in significant effects on riparian mammals.

Other Notable Fauna

There were 18 records of hedgehog (*Erinaceus europaeus*) (UK Species of Principle Importance (SoPI)) with the most recent record from 2021 located approximately 1.8km north-west of the site. GMEU also returned 61 records of brown hare (*Lepus europaeus*) (UK SoPI and Greater Manchester BAP species) with the most recent record from 2021 also located approximately 1.8km north-west of the site. Roe deer (*Capreolus capreolus*) were observed on site.

The application site provides a small area of suitable foraging habitat for hedgehog. The application site is not considered to support brown hare or roe deer due to the small areas of sub-optimal habitat present.

The proposals are not expected to result in significant effects on mammals.

4.5 Flood Risk

4.5.1 Background

The application site is located within Flood Zone 2, therefore a Flood Risk Assessment (FRA) (Ref: 80062960-02-UU-BURYZ-99-RP-I-00003) has been prepared to support the planning application. The Electrical Control Building is the only element of the scheme requiring planning permission and therefore the only part necessitating a FRA, as the other elements constitute permitted development.

As set out by the National Planning Policy Framework (NPPF), developments in Flood Zones 2, 3a and 3b are required to pass the Sequential Test and Exception Test.

4.5.2 Flood Risk Assessment

In order to meet the requirements for the scheme as defined by WFD standards, the development is required to be sited within Bury WwTW, on United Utilities operational land. During an optioneering phase to assess available land on site that could accommodate the required infrastructure, another location to the north east was considered for the siting of the scheme, however this was within Flood Zone 3. The proposed location was selected due to operational requirements and constructability considerations, but is sited within an area which would experience lower depths of fluvial flooding than other areas within the site (Flood Zone 2).

The Electrical Control Building is required to be sited in close proximity to the new storm tanks and existing electrical connections within the site, in order to operate the equipment associated with the scheme. There are no suitable areas of land on site that meet these requirements and are outside of the flood zone, and therefore the proposed development is considered to pass the Sequential Test.

The proposed development also passes the Exception Test, as the Electrical Control Building will be constructed on a platform raised 1.23m above the 1% (1 in 100) AEP event (with 46% climate change), and 0.85m above the 0.1% (1 in 1000) AEP event and will therefore not be at risk of fluvial flooding. Other sources of flood risk are deemed to be low.

The proposed development will therefore be raised sufficiently above the flood level to ensure that the development is not impacted by flooding, and without increasing flood risk elsewhere.

5. Planning Policy Review

5.1 Introduction

This chapter provides a review of relevant national and local planning policies and provisions of relevance to proposals.

5.2 National Planning Policy Framework

The National Planning Policy Framework (NPPF), last updated in July 2021, sets out the Government's planning policies for England and how they should be applied. It constitutes guidance for Local Planning Authorities (LPAs) and decision takers both in respect of plan preparation and as a material consideration in determining planning applications; it draws attention to Section 19(2) (a) of the Planning and Compulsory Purchase Act 2004, which requires policy makers to have regard to national policies and advice in guidance issued by the Secretary of State.

Sustainable Development

Chapter 2 of the NPPF sets out the presumption in favour of sustainable development and in terms of achieving sustainable development, Paragraph 8 of the NPPF states that the planning system has three interdependent, overarching objectives (economic, social and environmental objectives). The environmental objective ('c') states:

"to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

Paragraph 12 of the NPPF clarifies the status of the local development plan and states:

"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

Green Belt

Paragraph 137 of the NPPF states that:

"The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

Paragraph 145 of the NPPF states that:

"Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land."

Paragraph 147 of the NPPF states that:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

Paragraph 148 of the NPPF states that:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 149 of the NPPF identifies that local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate, subject to the exceptions identified in the paragraph, which includes:

"g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development".

Paragraph 150 of the NPPF states that:

"Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it."

Flood Risk

Chapter 14 of the NPPF, highlights the importance of the planning system to help shape places by meeting the challenge of climate change and minimising vulnerability and improving resilience to events like flooding.

Paragraph 159 of the NPPF states that:

"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere."

Natural Environment

Paragraph 174 of the NPPF states that:

"Planning policies and decisions should contribute to and enhance the natural and local environment."

5.3 Local Planning Policy

5.3.1 Background

The Bury Unitary Development Plan (UDP) was adopted in August 1997 and all policies, except Policy OL7/1, were 'saved' in 2007. The UDP acts as a guide for future development or protection of land in the Borough, and its policies and proposals currently form a key material consideration for the Council's

decisions on planning applications. The Council is now working on replacing the adopted UDP with a new document called the Bury Local Plan, however this is in its early stages of preparation and is not currently scheduled for adoption until mid-2024. Therefore its provisions have not considered as part of this application.

5.3.2 Strategic Policy Considerations

The UDP has a number of objectives to safeguard aspects of the environment. Objective 3 is “to reduce pollution including the encouragement of improvements in water and quality”, which is relevant to this proposal.

5.3.3 Local Plan Policies

Table 5.1 identifies the current adopted local planning policies relevant to the scheme.

Table 5.1 – Relevant UDP Planning Policies

Topic / Subject	Relevant Policy Title	Policy Wording
Landscape Quality / Visual Amenity	EN9 - Landscape	The Council will seek to protect, conserve and improve the landscape quality of the Borough, and will encourage the enhancement of landscapes, where appropriate.
	EN1/1 - Visual Amenity	Development will not be permitted where proposals would have a detrimental effect on: b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.
Water and Flood Risk	EN5/1 - New Development and Flood Risk	The Council will not permit new development, including the raising of land and the intensification of development, where such development would be at risk from flooding, would be likely to increase the risk of flooding elsewhere, or would adversely affect river flood defences. When assessing proposals against this policy, the following criteria will apply: a) the impact on the floodplain; b) the increase in surface water run-off as a result of the proposal; c) the impact on fluvial flood defences;

Topic / Subject	Relevant Policy Title	Policy Wording
		d) the incorporation of mitigating works.
Ecology	EN6 Conservation of the Natural Environment	The Council will retain, protect and enhance the natural environment of the Borough, particularly in relation to areas of ecological, wildlife and geological importance.
Green Belt	EN1/1 Visual Amenity	Development will not be permitted where proposals would have a detrimental effect on: ...b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.
	OL1/5 Mineral Extraction and Other Development in the Green Belt	Within the Green Belt other development, not including buildings, will be inappropriate unless: a) it maintains openness and does not conflict with the purposes of including land in the Green Belt; or b) in the case of mineral extraction, it does not conflict with the purposes of including land in the Green Belt, and high environmental standards will be maintained and the site well restored. Proposals for other development not falling into one of the above categories is inappropriate development and is, by definition, harmful to the Green Belt. Any development proposal considered to involve inappropriate development will only be permitted in very special circumstances
	OL5/2 Development in River Valleys	Within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below: a) where the area is designated as Green Belt the established Green Belt policies will apply [...]

Topic / Subject	Relevant Policy Title	Policy Wording
Public Infrastructure	EN1/11 - Public Utility Infrastructure	The development of operational facilities for public utility provision will be permitted where this is necessary to implement the development objectives of this Plan or to meet relevant statutory obligations and environmental standards and is consistent with other policies and proposals of the Plan.

6. Planning Policy Assessment

6.1 Sustainable Development

The NPPF and the UDP highlight the need for sustainable development in terms of economic, social and environmental objectives. These objectives should therefore be considered together when assessing the suitability of the scheme.

The requirement for the scheme is to improve water quality in the River Irwell (and Manchester Ship Canal) by reducing the spill volume from the existing storm tanks at Bury WwTW, thus meeting the objectives of the NPPF and UDP.

6.2 Green Belt

6.2.1 Introduction

The proposed scheme is within the designated Green Belt, and in accordance with the provisions of Chapter 13 of the NPPF, and the purposes of the Green Belt, such a designation is to prevent urban sprawl and to keep land permanently open. The NPPF states that 'inappropriate development' is, by definition, harmful to the Green Belt and such development should only be approved in 'very special circumstances', and that local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate. Notwithstanding this, Paragraph 149 of the NPPF identifies certain exceptions to this, including:

"g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development".

In addition, Paragraph 150 of the NPPF also states that engineering operations are not inappropriate development: *"provided they preserve its openness and do not conflict with the purposes of including land within it".*

6.2.2 Green Belt Assessment

It is considered that the proposed scheme is not inappropriate development in the Green Belt, due to the engineering nature of the proposed Electrical Control Building and as it would constitute limited infilling within the operational boundary of Bury WwTW. The proposed development is required to provide improvements to the existing wastewater infrastructure and the Electrical Control Building would be small in scale and sited amongst and in-keeping with the existing facilities. Furthermore, reinstatement planting is proposed, which would consist of species rich grassland to replace the existing moderate condition neutral grassland, in keeping with the overall site and contributing positively to the landscape.

Therefore, it is considered that the proposed works will not have a greater impact on the openness of the Green Belt than presented by the existing WwTW and does not conflict with the 'purposes' of the Green Belt.

'Very special circumstances' can also be demonstrated, which would outweigh any possible harm to the Green Belt. The scheme is required to be sited within Bury WwTW in order to meet the regulatory requirements to improve water quality in the River Irwell (and the Manchester Ship Canal) by reducing the spill volume in this location. This will provide significant long-term benefits to water quality that

outweighs any harm to the Green Belt. Additionally, the proposed development cannot be sited outside of the Green Belt, as it needs to be sited close to the existing wastewater infrastructure in order to maximise operational efficiency and utilise existing connections.

It is therefore considered that there are very special circumstances provided by the scheme.

6.2.3 Green Belt Conclusion

The scheme is considered to be an engineering operation constituting limited infilling of previously developed land (in accordance with Paragraphs 149 and 150 of the NPPF) that preserves the openness of the Green Belt and therefore complies with the provisions of Chapter 13 of the NPPF, and specifically:

- UDP Policy EN1/1 - in that it does not have a detrimental impact on the Green Belt; and
- UDP Policy OL1/5 and OL5/2 – in that it maintains openness and does not conflict with the purposes of including land in the Green Belt and is not harmful to the purposes of the Green Belt.

6.3 Planning Policy Assessment

Table 6.1 provides an assessment of how scheme complies with the various relevant adopted local planning policies and provisions of the NPPF.

Table 6.1 – Planning Policy Assessment

Topic/Subject	Relevant Policy/Provision	Comment/Response
Landscape Quality / Visual Amenity	UDP: EN9 – Landscape	Vegetation to be affected within the application site is rank grassland within the core operational area of the WwTW. No significant effects on landscape resource are predicted as a result of its loss. Reinstatement of areas impacted by construction will specify seeding with species rich grassland as shown on the Landscape Reinstatement Plan (Ref: 80062960-02-UU-BURYZ-96-DR-L-00001).
	UDP: EN1/1 – Visual Amenity	
	NPPF Paragraph 8	
	NPPF Paragraph 174	
		Views into the WwTW are restricted by screening from mature trees and woodland within and around the perimeter of the WwTW. Views into the works from the rear of the closest properties on Barlow Fold Close to the east are filtered by mature scrub woodland, as is the case for the closest properties to the north, over the River Irwell, at Halls Close and Gate Lane. Given the small scale of the proposed Electrical Control Building and the context in which it would be viewed (i.e. as part of the existing WwTW), no significant effects on visual amenity as a result of the proposed Electrical Control Building are predicted.

Topic/Subject	Relevant Policy/Provision	Comment/Response
		It is therefore considered that the scheme is in compliance with these UDP policies and the NPPF provisions.
Water and Flood Risk	UDP: EN5/1 - New Development and Flood Risk NPPF Paragraph 159	The proposed works pass the Sequential Test and Exception Test. The Electrical Control Building will be constructed on a platform raised 1.23m above the 1% (1 in 100) AEP event (with 46% climate change), and 0.85m above the 0.1% (1 in 1000) AEP event and will therefore not be at risk of fluvial flooding. Other sources of flood risk are deemed to be low. The proposed development will therefore be raised sufficiently above the flood level to ensure that the development is not impacted by flooding, and without increasing flood risk elsewhere. It is therefore considered that the scheme is in compliance with this UDP policy and the NPPF provision.
Ecology and Biodiversity	UDP: EN6 Conservation of the Natural Environment NPPF Paragraph 8 NPPF Paragraph 174	There is no statutory designated site located within 2km of the proposed works. The site falls within the Impact Risk Zone (IRZ) for the West Pennine Moors SSSI, however, there are no activities at this location which meet the criteria consultation for Natural England's SSSI IRZs. The ecological surveys undertaken have demonstrated that the proposals are not expected to result in significant impacts to any protected species due to the application site comprising a small area of other neutral grassland. The loss of a small area of moderate condition grassland will not have a significant impact on the overall biodiversity on site, however it is proposed to provide positive biodiversity enhancement within the wider vicinity of the Electrical Control Building, by reinstating with a species rich seed mix around the permanent installations. It is therefore considered that the scheme is in compliance with this UDP policy and the NPPF provision.

Topic/Subject	Relevant Policy/Provision	Comment/Response
Public Infrastructure	UDP: EN1/11 - Public Utility Infrastructure	United Utilities has a regulatory requirement to reduce the spill volume from the existing storm tanks at Bury WwTW, to achieve compliance with Water Framework Directive (WFD) standards. This will contribute towards an improvement of water quality in the River Irwell to 'good' status by September 2026.

7. Summary and Conclusions

As part of a programme of works, United Utilities are required to improve water quality in the River Irwell to 'good' status to achieve compliance with WFD standards. This to be achieved at Bury WwTW through the provision of additional stormwater storage capacity in the form of 2 no. new storm tanks with associated pipework and equipment, in order to reduce spill volume at the existing storm tank overflow.

The only element of the overall scheme requiring planning permission under the Town and Country Planning Act 1990 is the associated Electrical Control Building, whilst the rest of the scheme is permitted development in accordance with provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). The siting of the proposed Electrical Control Building has been determined by the operational needs of the wastewater treatment works and its design is in keeping with other structures and equipment on the operational site.

Site enabling works for the scheme are programmed to commence in January 2024. The main construction period is anticipated to commence in February 2024 and take approximately 2 years to complete, with the Electrical Control Building programmed to be installed in September 2025.

All relevant environmental assessments, including a Green Belt assessment, have been undertaken to support the planning application and any necessary mitigation measures have been identified. Additionally, a landscape reinstatement plan has been prepared proposing species rich grassland.

In conclusion, it is considered that the proposed development is in compliance with adopted planning policy and should be granted planning permission.