



PLANNING STATEMENT

**PROPOSED ERECTION OF FOUR DWELLINGS AND COMMUNITY
FACILITIES WITH ASSOCIATED PARKING AND LANDSCAPING
(RESUBMISSION OF 68408)**

**Land adjacent to Kingston Close
Elton
Bury
BL8 2EJ**

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1 INTRODUCTION

Context

- 1.1 This Statement has been prepared by DPA Planning Ltd on behalf of the Konrad Wilk (the "Applicant") for the proposed erection of four dwellings including associated parking and landscaping and community facilities (resubmission of 68408 ("the Proposed Development")) at Land to the North of Kingston Close, Busy ("the application site").
- 1.2 This application has been submitted in response to the previous refusal, ref-68408, the proposed development aims to provide a more useable open space as well as a contribution to more family housing in a popular area.
- 1.3 This planning statement is to be read alongside the submitted proposed plans as listed below:
- 1365-111 X Plan A1 Rev C;
 - 1365-212 Site A1 Rev C;
 - 1365-213 Landscaping A1 Rev B;
 - 1365-214 Drainage A1 – Rev B;
 - 1365-250 Plot 1-2 A1;
 - 1365-251 Plot 3-4 A1; and
 - Sovereign equipment quote and design.

Site context

- 1.4 The application site is a unit of grassland located south of Bolton Road (A58) in Elton, Bury West. The grassed area has no equipment on with a small boundary fence, apart from being mowed and kept as grassland there is no other apparent use.
- 1.5 Surrounding uses to the application site include the Bolton Road Methodist Church and car park to the north, Kingston Road to the south and surrounding residential dwellings to the south, west and east.

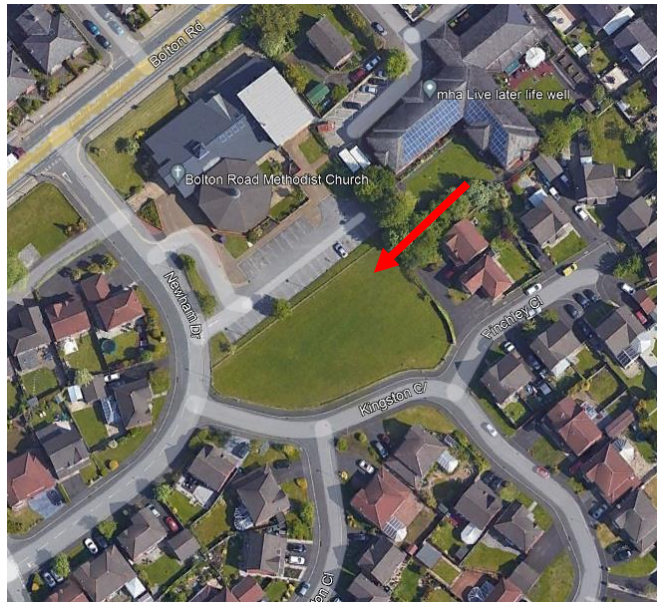


Figure 1.1: View of the application site in context

Planning History

1.6 The most relevant planning history in relation to the proposed development is listed as follows:

- 68408- 2 Detached dwellings and play area – refused 28th July 2022.

The determination of this application is the reason for this resubmission, which in turn seeks to address the previous reasons for refusal.

Proposed Development

- 1.7 The proposed development seeks the development of the grassland area which currently has no visible use on record into four dwellings and a community recreational area.
- 1.8 The plans submitted with this application detail the proposed development in full, including the location of the four plots (semi detached dwellings) as well as hardstanding and parking areas and areas of landscaping.

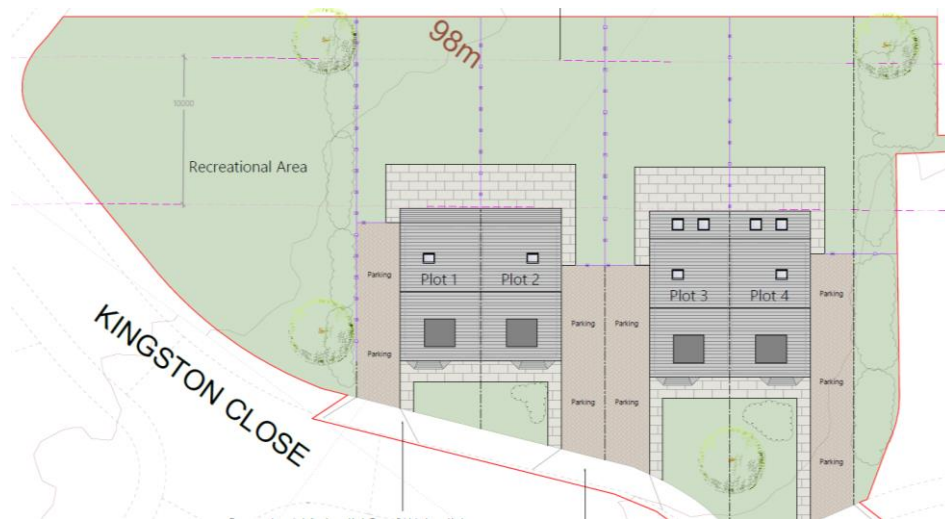


Figure 1.2 Extract from Site Layout plan 1365-212

- 1.9 The site layout plan details how the proposed development will provide four well-spaced dwellings as well as associated soft and hard landscaping as well as the creation of a useable recreation area for the wider community. The submitted landscaping plan detailed the planting schedule with a mix of trees and shrubs to be planted around the site.
- 1.10 The site elevation and floor plans show how the proposal will provide four plots of 3 bedroomed semi-detached dwellings. The dwellings are based over three storeys with equally spaced fenestrations in order to provide sufficient lighting to all living spaces, including roof lights to the south west facing elevations as well as dormer windows to the south east facing elevations.
- 1.11 All private gardens are in many cases larger than required and provide more than adequate external amenity space for residents. Internally all dwellings exceed the national space standards.

2 PLANNING POLICY

The Local Plan

- 2.1 Paragraph 2 of the National Planning Policy Framework (NPPF) states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 2.2 The approved development plan for Bury Council is currently the Bury Unitary Development Plan (UDP), as adopted on 29th August 1997. As Bury Council work on the new Local Plan, the UDP remains to be used to make planning decisions as per the list of saved policies.
- 2.3 Relevant Saved UDP Policies (not a closed list):
- Policy RT1/1 – Protection of Recreation Provision in the Urban Area;
 - H1/2 Further Housing Development;
 - H2/1 The Form of New Residential Development;
 - H2/2 The Layout of New Residential Development;
 - EN1/2 Townscape and Built Design;
 - EN5/1 New Development and Flood Risk;
 - HT2/4 Car Parking and New Development;

National Planning Policy Framework & Guidance

- 2.4 The National Planning Policy Framework (NPPF) was last updated in July 2021. Local Planning Authorities (LPAs) are required to take its content into account when preparing their Development Plans and it is a material consideration when making decisions on planning applications or appeals.
- 2.5 Paragraph 7 of the NPPF states that 'The purpose of the planning system is to contribute to the achievements of sustainable development'. According to Paragraph 8, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need

to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- i) An economic objective
- ii) A social objective
- iii) An environmental objective

2.6 Paragraph 12 relates to the presumption given to sustainable development '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.'

2.7 Paragraph 20 states that strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for:

- a) housing (including affordable housing), employment, retail, leisure and other commercial development;
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- c) community facilities (such as health, education and cultural infrastructure); and
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

2.8 Paragraph 93 of the NPPF states to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

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

2.9 Paragraph 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

2.10 With regard to transport, Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

2.11 Paragraph 119 states that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for

accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

- 2.12 Paragraph 126 of the NPPF states that 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 2.13 Paragraph 130 states that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 2.14 There are other related policies which will be covered in the following sections of this report where necessary.

3 PRINCIPLE OF DEVELOPMENT

- 3.1 The proposed development seeks the erection of four dwellings on a parcel of unused grassland which will make a meaningful contribution towards housing supply in the area. The wider area in and around the application site is allocated under policy RT1/1, however it remains the case that this extent has largely been developed for housing over the previous years (Figure 1.3).

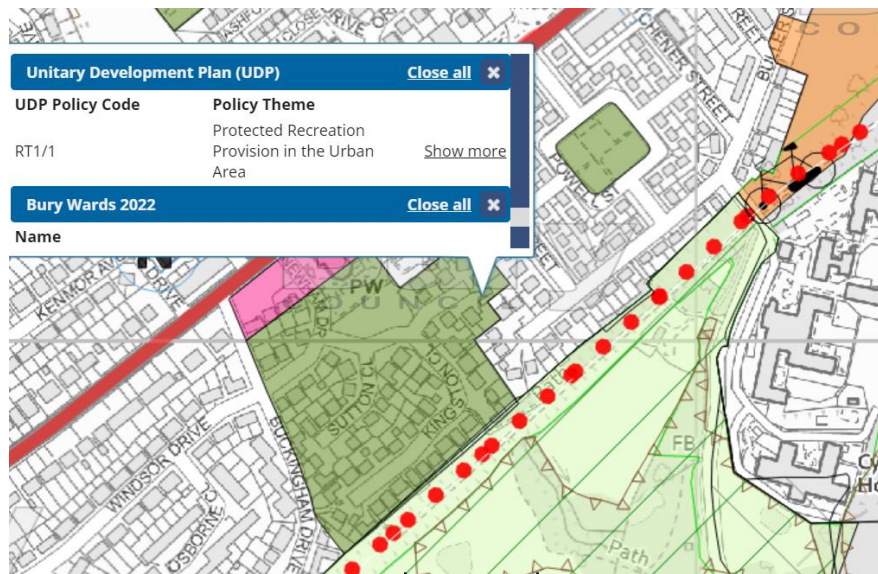


Figure 1.3 : Extent of UDP Policy RT1/1 allocation

- 3.2 The application is a resubmission of previously refused application ref:68408 and seeks to directly address the previous reasons for refusal through the carefully thought-out redesign of the both the proposed dwellings and improved recreational area, as well as additional supporting plans.
- 3.3 Whilst the openness of the grassland area may be lost in part to provide housing, on balance the planting of trees and shrubs as well as the creation of a purpose-built recreational area will be of a benefit to the wider community.
- 3.4 Though the space is open grassland it currently remains unused as it is centrally located within a residential area as will be readily visible when visiting site. Most notably for residents in the vicinity is the proximity to footpaths 75m south which lead onto the much preferable greenspace and recreational areas to the south at and around Elton Reservoir (Listed under Policy RT3/2/6). Making the application site more useable for the local community will be of benefit to everyone considerably.

- 3.5 Within a central urban district, the loss in part of the open grassland area at the application site would be unacceptable, however in context of the wider site location (Figure 1.4) the site has existing preferable options for open space and recreation which are easily accessible and therefore the part development of the application site to provide dwellings as well as a family space with play equipment and benches will be of more suitable use and provide a net benefit to the community, encouraging healthy lifestyles in line with Paragraph 92 of the NPPF.

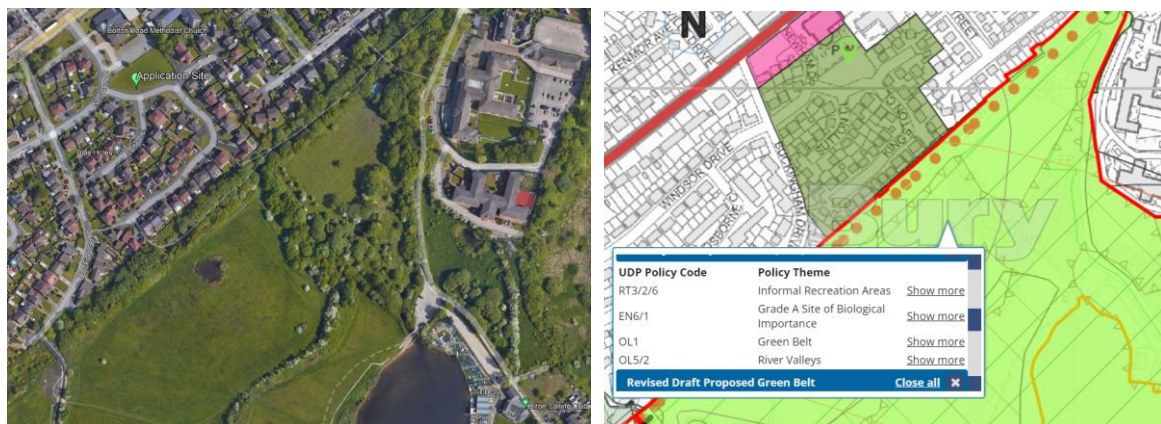


Figure 1.4 : Site in context to the wider available open recreational spaces (left) and extract from the Bury UDP online policy map (right)

- 3.6 The proposed development complies with the saved policy RT1/1- Protection of Recreation Provision in the Urban Area, from the adopted Unitary Development Plan of 1997 as a large proportion of the site remains as recreational use, with a well designated space proposed for use by local residents (Figure 1.5).



Figure 1.5 : Extract from new designed community recreation space

- 3.7 Policy RT1/1 covers the wider site extent as shown on the online UDP policy maps, a considerable amount of the space has been developed for housing, with the application grassland area left over. Additionally, the proposed development meets the requirements of the NPPF at Paragraph 99-part b as the investment into better provision of dedicated equipment will make the space more usable by residents, including benches and landscaping to enhance the amenity. All equipment to be supplied comes with a package supporting the ongoing inspection and maintenance to ensure the safety and longevity of the installed parts. The detailed design as submitted with the application has been extensively worked on to ensure the success and enjoyment of the new community space.
- 3.8 The proposed development is considered to meet the intentions of Bury Council's saved UDP policies as well as the latest version of the NPPF (July 2021) policies and is therefore in principle considered acceptable subject to the consideration of other materials planning matters, which are addressed in the following sections of this statement.

4 MATERIAL PLANNING CONSIDERATIONS

Visual Impact

- 4.1 Paragraph 126 of the NPPF states that the creation of high-quality 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. This is echoed in saved UDP policies H2/1 and H2/2.
- 4.2 The NPPF contains a further section, paragraph 130, outlining in part (f) that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 4.3 The proposed development will see a significant investment to convert the unused site into dwellings and a dedicated playpark area. As detailed in the submitted plans the proposed development utilises well designed semi-detached dwellings with evenly spaced fenestrations. Proposed materials are to match surrounding dwellings to ensure the built forms assimilate well into the area, with green spaces to the front and rear as well as tree and shrub planting further enhancing street views.

The proposed playpark layout shows well-spaced equipment which retains the open character of the green area whilst providing stimulating equipment that encourages movement and outdoor play for a range of ages. Additionally, to this the provision of benches allows for the enjoyment of the space by all. The application is therefore deemed to comply with the saved policies H2/1 and EN1/2 of the UDP as well as the NPPF.

Residential Amenity

- 4.4 The living spaces proposed are all above the minimum space standards as detailed in the submitted drawings. Residential amenity space is proposed to the front and rear of the dwellings as garden land.

- 4.5 The layout of the proposed development is well spaced with sufficient separation distances to existing dwellings as detailed in the submitted block plan. The internal space provision exceeds national minimum space standards.
- 4.6 The application is therefore deemed to comply with the Supplementary Planning Document 6 Planning Document 6 and the NPPF at Paragraph 130 (f) and Paragraph 185 (a).

Highways Impact

- 4.7 With regard to transport, Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.8 The proposed site plan details sufficient parking provision for the four dwellings to ensure off street parking. Additionally, new splayed entrances off Kingston Close are proposed subject to the Highways Authority approval a Section 108 Agreement.
- 4.9 The existing entrance to the recreation area is retained with no changes proposed to the highway.
- 4.10 The proposed development is not therefore considered to have a severe impact on highways safety and therefore the development complies with saved policies H2/2, HT2/4 and HT6/2 as well as the NPPF.

Flood Risk and Drainage Impact Assessment

- 4.11 The NPPF sets out the Government's national policies on different aspects of land use planning in England in relation to flood risk. Planning Practice Guidance is also available online.
- 4.12 The site is entirely located within flood zone 1 and is therefore classed as an area with a low risk of flooding.
- 4.13 The proposed development complies with the NPPF at paragraphs 159 and 167 and is deemed compatible for the area.
- 4.14 Regarding drainage a 5-metre easement has been agreed between the applicant and United Utilities for the proposed development as shown in the

submitted drainage plan. It can be seen on the drainage plan that the proposed development will not interact with the mains water line and is therefore acceptable.

4.15 Additionally, the proposed location of a soakaway for surface water drainage. Is shown on the drainage plan. A condition is invited for the ground percolation testing in order to determine the suitability of this location for the proposed soakaway.

4.16 The application therefore complies with the intentions of saved UDP policies H2/2, EN1/2, EN7/4 and the NPPF at paragraphs 159, 167 and

Ecological Impacts

4.17 The proposed tree planting along with the shrub mixes as detailed in the landscape plan will enhance the sites visual appearance as well as providing a biodiversity net gain by enhancing the site's ecological habitat value. The proposed development is therefore considered to meet the requirements of NPPF.

5 CONCLUSION

- 5.1 Paragraph 38 of the NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.2 It has been detailed in this statement that the proposal represents an appropriate form of development given its location. The open space will be enhanced through investment into well designed equipment, benches and landscaping and the proposed family dwellings will add a meaningful housing contribution in a sustainable location. The development is supported in both national and local legislation. All relevant material planning considerations have been addressed and the development has no negative impacts.
- 5.3 Given the above the local planning authority is respectfully requested to view the proposal favourably.