

**PROPOSED RESIDENTIAL DEVELOPMENT
AT LAND OFF KAY STREET, SUMMERSEAT,
BURY
DESIGN AND ACCESS STATEMENT**

Produced by Hattrell LLP

January 2023

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1.0. INTRODUCTION

This Design and access / planning Statement has been prepared by Hattrell LLP, on behalf of Opulwood Developments Ltd, to support a new planning application following the lapse of planning application 63630 on land off Kay Street, Summerseat (the "Site").

Planning approval was granted for Erection of single building containing 16no. dwellings and associated car parking; creation of an upgraded vehicular access from Kay Street, under application 63630 approved 9th October 2019, with condition 1 stating that the development must be begun with three years from the date of the approval.

Opulwood Developments purchased the site from the owner who had gained the planning approval, and the scheme was developed into detailed project documents.

The approval required a number of pre-commencement conditions to be submitted to the authority and approved before the works could commence.

Condition application for 3,4,6,8,10,11,12 & 15 were submitted and acknowledged as valid from the 18th March 2022.

A further application to clear condition 16 was submitted and validated 14th June 2022.

Following development of the detailed design, it became apparent that the approved floor to floor heights would not accommodate the structure and suitable ceiling height to meet National design guide as published by Ministry of housing, communities and local government 2019. Part 2 the Ten Characteristics, Section H1 healthy, comfortable, and safe internal and external environments.

An application to vary Condition 2 approved drawings was made and validated 13th May 2022.

Condition 8 was part discharged on the 11th July 2022.

Condition 6 has also been approved.

Conditions 10,11 and 12 were approved on the 24th November 2022.

The authorities planning policy has not changed since the approval, and we will outline the policies through the document.

This statement serves to set out why the proposed development is considered to be in line with current planning policy, as well as why its design is considered to be suitable within its local context.



2.0. CONTEXTUAL APPRAISAL

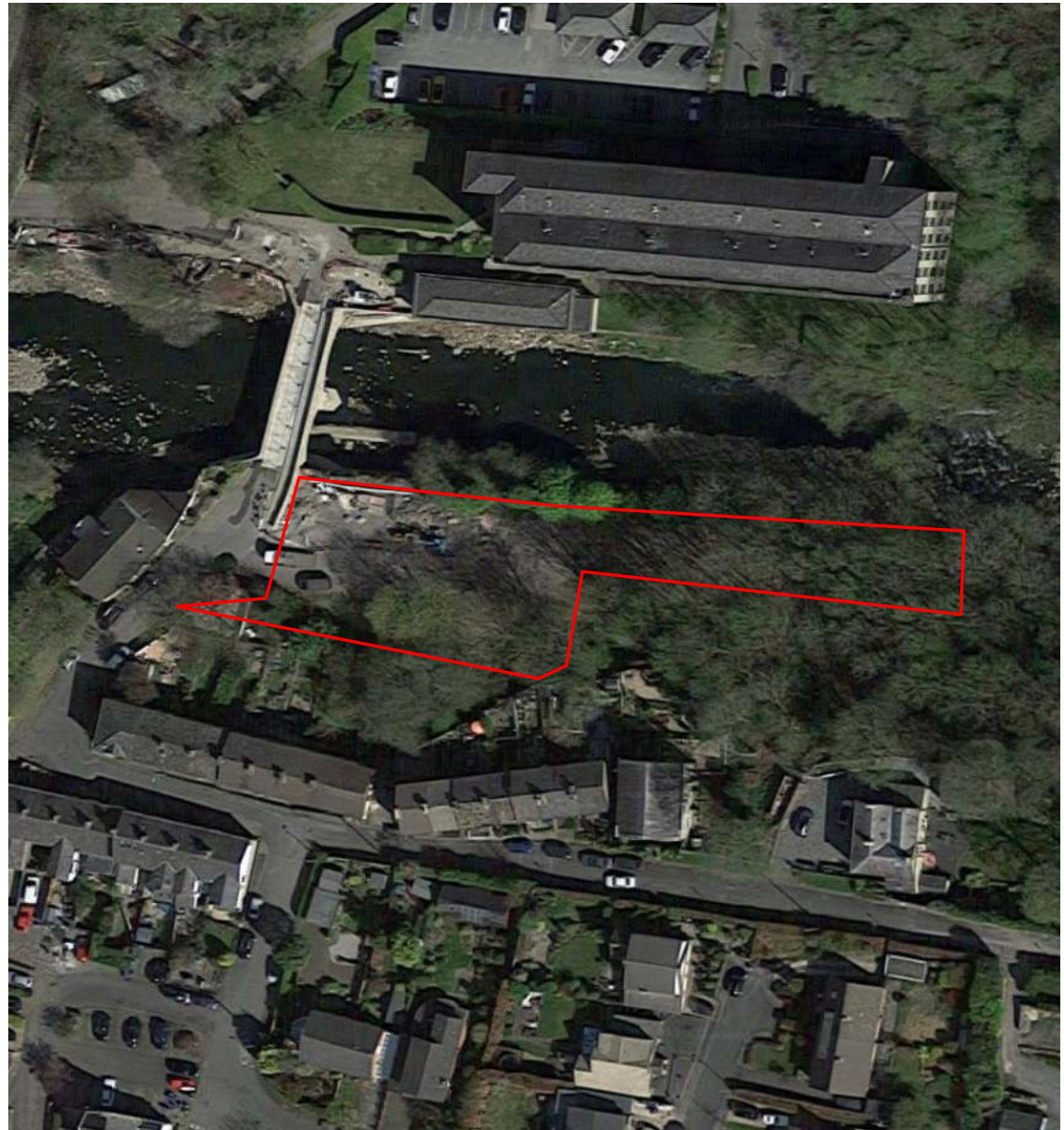
2.1. THE SITE

SITE APPRAISAL

The site is 0.229 hectares consisting of an asphalt car park to the western part of the site and woodland to the eastern part of the site.

The site is located in a valley along the River Irwell, northeast of Summerseat village.

The site is accessed directly from Kay Street. It is bound by woodland to the east, the River Irwell to the north, the rears of properties along Hill Street to the south, and Kay Street to the west.



Ariel View of Site

2.2.1. SITE CONTEXT

The site is split into two levels with stone steps providing access between the two. There is a direct border with the River Irwell with a considerable change in height between the site and the river level. There is a large amount of dense vegetation along the northern border that will need to be removed.

There is also a substantial change in level between the site and the rear of properties along Hill Street. There is a considerable amount of mature trees and vegetation in addition to tall stone retaining walls.

On the opposite side of the river is The Spinnings which is an old mill that has been converted into an apartment building. This is one of the most prominent features in the valley along with the railway bridge that spans across the river.



View of Site looking east



View of Site from bridge over River Irwell



View of properties to south of site

2.2.2. SITE CONTEXT

To the southeast the area is largely residential with the majority of buildings being two storey dwellings. There is a mix of building typologies with a combination of terrace, detached, and semi-detached dwellings with stone, white render, or red brick exteriors. Further south the area becomes agricultural fields.

The northeast, northwest, and southwest is occupied by dense woodland. With residential areas further out.

Due to the area being in a valley, there are a number of steep gradients.



View of properties along Hill Street



View of bridge over River Irwell



View of property opposite site entrance

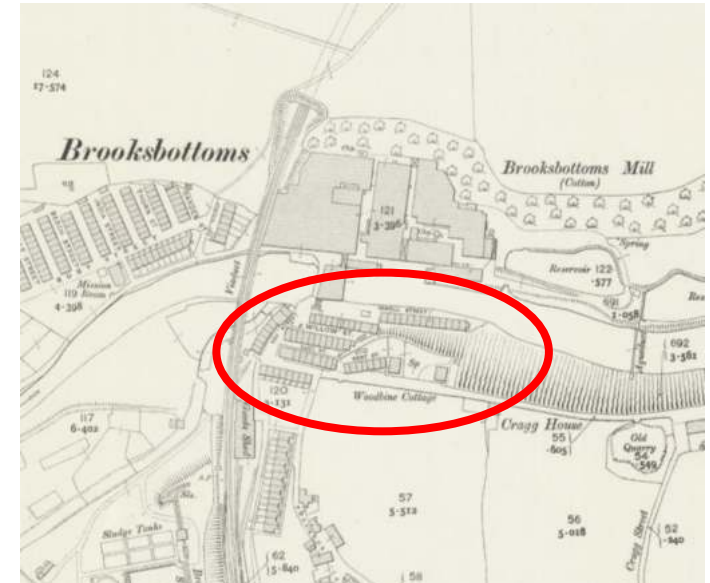
2.3. HISTORY

Looking at historical maps, the site had been occupied well into the 20th century with housing for the mill workers. The surrounding area has mostly stayed the same between the turn of the century and post-war Britain.

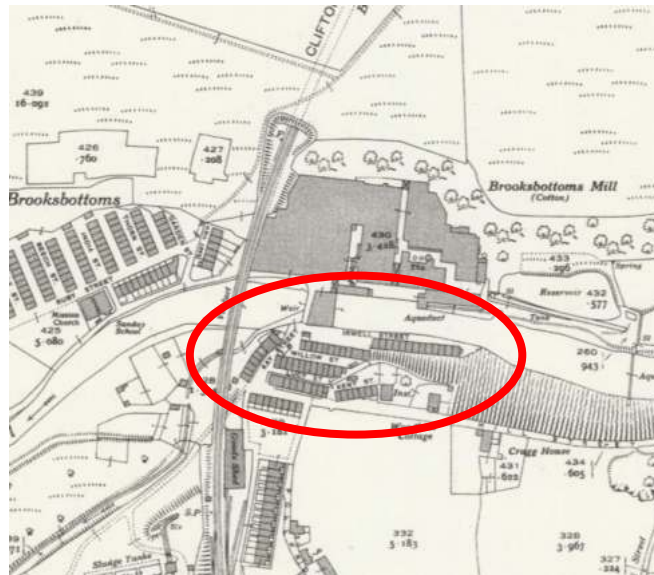
The site was then later turned into a car park to the Waterside Public House which was located over the River Irwell. It is now unused due to the partial collapse of the public house from severe flooding that occurred in late 2015, this caused Bury Council to completely demolish it.



Published:1850



Published:1910



Published:1939

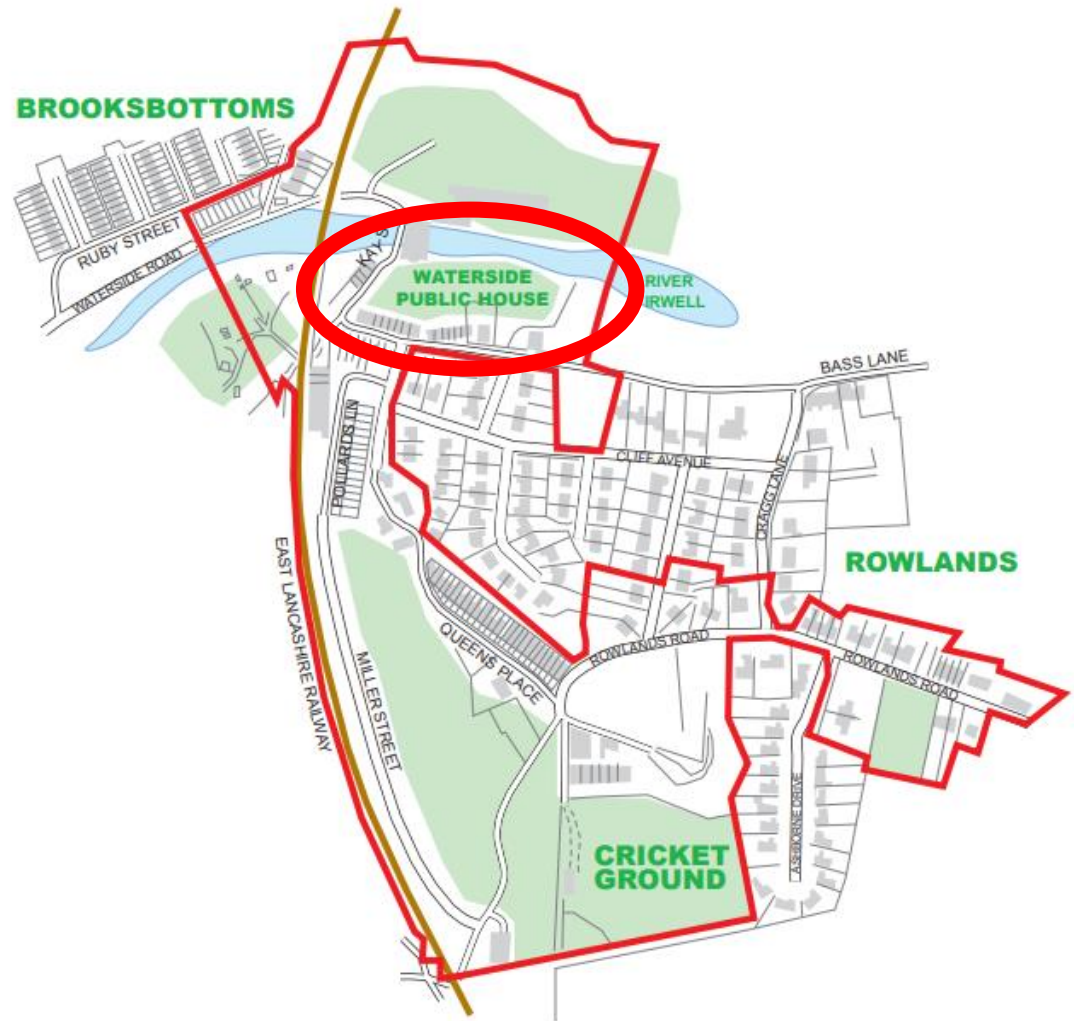


Published:1949

2.4. CONSERVATION

The site is located within the Rowlands/Brooksbottoms conservation area.

"Brooksbottoms lies on the River Irwell by the mouth of Gollinrod Gorge and in contrast reflects the harsher character of the industrial revolution. The area is very much dominated by the four storey former Hoyles Mill (now "The Spinnings"), surrounded by small terraces of workers housing. The Conservation Area includes the railway viaduct and station which is very much a part of the character of the village and the Irwell Valley." – *Extract from Bury Councils Webpage on Conservation Areas*

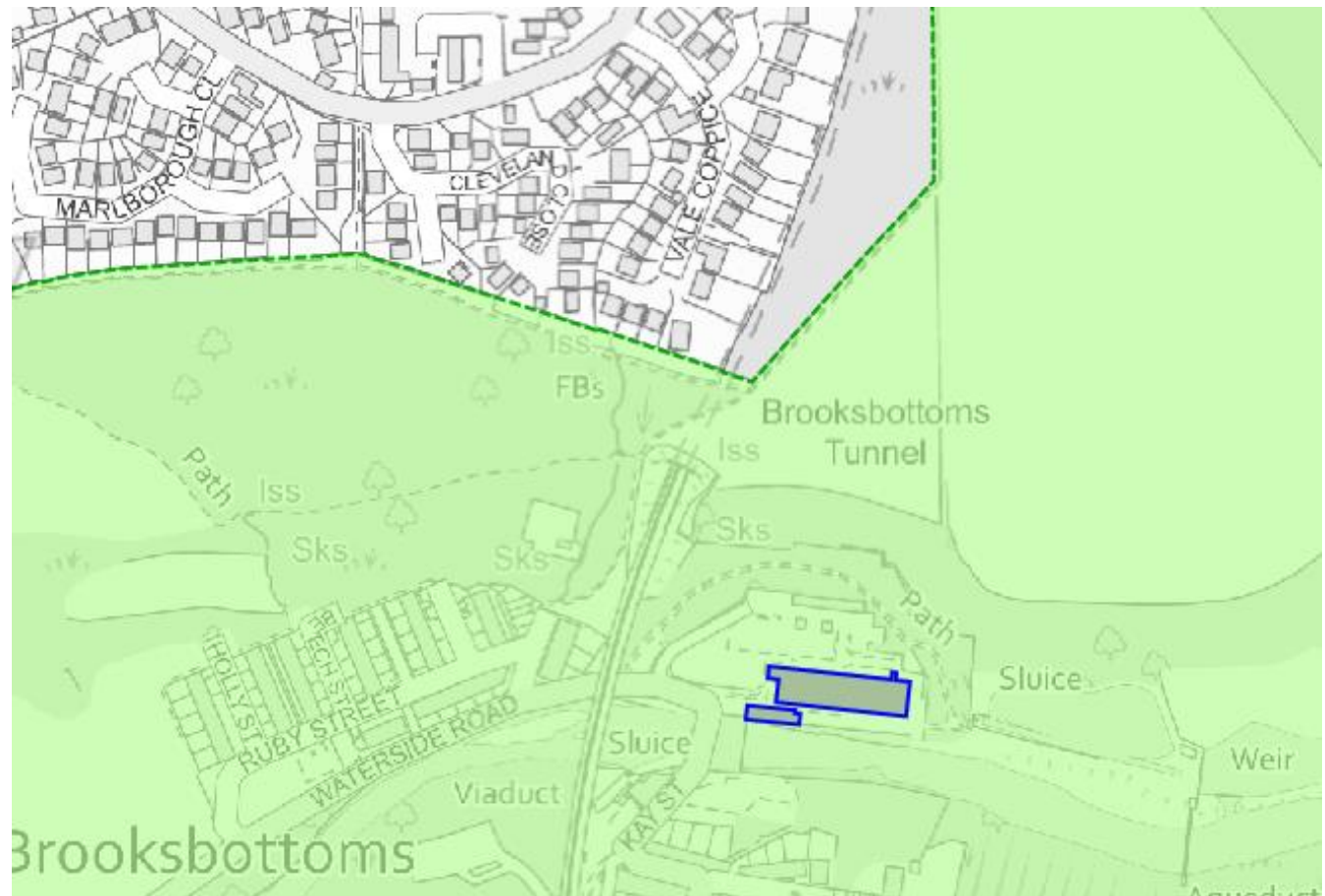


2.5.1. PLANNING CONTEXT

The site is located within Green Belt and Flood Zone 2.

The Spinnings Mill is a Grade II listed building.

"A cotton spinning mill, later with integrated weaving and now in residential use, with late-C18 origins, extended and re-fronted in the late C19 and considerably reduced in the late C20, by architects Russell and Whitaker of Rochdale for Edward Hoyle of Joshua Hoyle and Sons." – *Extract from Historic England Website*



KEY

 Listed Buildings & Structures

 Adopted Green Belt

2.5.2. PLANNING CONTEXT

National Planning Policy Framework (NPPF)

In 2018, the Government published its new NPPF. Paragraph 2 of the NPPF confirms that its policies are a material consideration in the determination of planning decisions. Achieving sustainable development has three overarching objectives for the Planning System.

These are defined in Paragraph 8 of the NPPF as:

- **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type 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;
 - **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - **An environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigation and adapting to climate change, including moving to a low carbon economy.
- In order for sustainable development to be pursued in a positive way, at the heart of the NPPF is the presumption in favour of sustainable development.

For decision-taking, this means (Paragraph 11):

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies which are most important for determining the application are out-of-date (no five-year supply or failure to meet the Housing Delivery Test), granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (defined in Footnote 6); or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 12 confirms that the presumption in favour of sustainable development does not alter the status of the development plan as the starting point for decision-making. Planning authorities may take decisions which depart from the development plan only if material considerations in a particular case indicate that the plan should not be followed. This position is re-iterated within Paragraph 47.

2.6.1. DEVELOPMENT WITH GREEN BELT

Extract from Planning Statement Addendum Prepared by Barton Wilmore April 2019

As a settlement, Summerseat is 'washed over' as Green Belt. As a result of this designation, paragraphs 133 to 147 of the NPPF are applicable. This represents the most up-to-date expression of national planning policy in respect of new development in the Green Belt.

Paragraph 145 of the NPPF identifies that a local planning authority should regard the construction of new buildings as "inappropriate" with the Green Belt. However, the same paragraph goes on to list seven exceptions whereby development within the Green Belt would be considered "appropriate."

Part e) of paragraph 145 states that one of these exceptions is: "**limited infilling in villages**".

Accordingly, if a proposed development within the Green Belt can be demonstrated to constitute "limited infilling within a village" then the NPPF prescribes that it is an exception to inappropriate development, thus meaning that it is appropriate.

In order to assess the proposed development now subject to this Application within this policy context, the aforementioned exception must firstly be broken down into its component parts.

Firstly, "infilling" is not defined within the NPPF and is therefore open to interpretation. However, it is generally considered in a planning context that "infilling" means the development of land which is bound by built development or permanent structures/features i.e. filling an existing "gap."

In this context, the proposed development is considered to comprise the "infilling" of a vacant land parcel which is otherwise surrounded by built development and permanent physical features.

In a similar vein, the NPPF does not provide a definition of what constitutes "limited" infilling, or, the quantum of development that would qualify as "limited." In this regard, it is generally held that limited infilling is relative to the land parcel in question and that the proposed development should be proportionate to the site in question and its context.

2.6.2. DEVELOPMENT WITH GREEN BELT

By way of an example, a scheme for 23 affordable homes in the Green Belt in Cheshire West and Chester 1 has previously been found to qualify as “limited” affordable housing in the Green Belt (another exception in paragraph 145 of the NPPF). In the case of this Application, the proposed development now proposes only 16 apartments (a reduction from 17), seven units less than the aforementioned affordable housing scheme in Cheshire West and Chester.

The proposed development represents a low-density development; given the overall size of the Site, it could accommodate a higher number of apartments/dwellings as part of a higher density development in the event that the Site was not within the Green Belt. The Applicant has thus elected to pursue a lower density, high-quality development which is proportionate to its context and more representative of what constitutes “limited” development in the context of Green Belt policy.

The scale and design of the building is also an important consideration in the context of what constitutes “limited” development. The number of units proposed has naturally been restricted owing to physical constraints and policy requirements; however, the scale and massing of the building has also been designed (and amended) such that it would not introduce an imposing new building within the Conservation Area, and has drawn from the previous Waterside Pub as a steer to the scale and form of development which is considered to be acceptable on the Site.

The location of the Site within the River Valley also means that the proposed building will not be overly prominent with the street-scene.

At a maximum of 4 storeys/11 metres in height, the proposed building is approximately 8.5 metres lower than the Spinnings building on the opposite side of the River and is only 3 metres higher than a typical 2 storey residential dwelling. The footprint of the building is only 410 sq. m compared to the 1210 sq. m of the Spinnings, a 66% difference. Further, the proposed building is proposed to occupy 0.041 hectares of the 0.23 hectare site, equating to a built area of 18%. A typical housing scheme on the Site would likely occupy a net developable area equating to 80-90% of the Site.

In view of the above, the proposed development is considered to be “limited” in its nature.

2.6.3. DEVELOPMENT WITH GREEN BELT

The third strand of exception (e) relates to infilling in “villages;” this exception criterion does not provide for limited infilling within any settlements other than a “village.” It follows therefore that in order to satisfy this exception, the proposed development must lie within a “village.”

Confirmation that Summerseat is a “village” is provided within the Bury Unitary Development Plan (UDP), and specifically Policy OL1/3 (Infilling in Existing Villages in the Green Belt).

Accordingly, and taking all of the above together, it is considered that the proposed development represents “limited infilling” in the “village” of Summerseat. The proposed development is thus compliant with paragraph 145(e) of the NPPF and as such constitutes “appropriate” development in the Green Belt.

A detailed Green Belt Assessment of the Site has also been undertaken in order to assesses the level of contribution that the Site makes to the Green Belt in line with the purposes outlined in paragraph 134 of the NPPF. This Assessment is enclosed at **Appendix 1** of this Addendum, and concludes that the Site does not make any contribution to the purposes of the Green Belt save from assisting in the urban regeneration by recycling a derelict site, for which the proposed development makes a strong contribution.

2.7.1. JUSTIFICATION FOR BUILDING HEIGHT AMENDMENT

The main change to the building approved under application 63630 is the increase in floor to floor due to the original application drawings not allowing for sufficient ceiling heights and suitable construction and service zone.

The scheme has been acquired by the applicant with the planning approval, and on developing the approved scheme through the next design phase it became evident that the approved floor to floor at 2.7m was insufficient to meet the clients' aspirations and government guidance for buildings.

To provide a minimum suitable structure and good design to meet national planning design guides the buildings floor to floor has been increased by 375mm, from 2.700m to 3.075m this is to allow for structural concrete floor and steel structure of 450mm, where the approved scheme only allowed for floor to ceilings of 2.400m with a structural floor zone of 300mm, this being insufficient for any form of construction, which would have reduced the floor to ceilings of inadequate heights.

National Design Guide :

Planning practice guidance for beautiful, enduring and successful places

Ministry of Housing, Communities and Local Government

The Ten Characteristics

H1 Healthy, comfortable and safe internal and external environment
(as National Planning Policy Framework : Chapters 8 &12)

126 Well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. The quality of internal space needs careful consideration in higher-density developments, particularly for family accommodation, where access, privacy, daylight and external amenity space are also important.

2.8. PLANNING HISTORY

Proposed Site

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

Ref. No: 00/37025 | Received: Fri 29 Sep 2000 | Validated: Fri 29 Sep 2000 | Decision: Refused

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

Ref. No: 00/37026 | Received: Fri 29 Sep 2000 | Validated: Fri 29 Sep 2000 | Decision: Refused

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

Ref. No: 63630 | Received: Fri 21 Dec 2018 | Validated: Mon 07 Jan 2019 | Decision: Approved with Conditions

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

Ref. No: 68459 | Received: Fri 13 May 2022 | Validated: Thu 09 Jun 2022 | Decision: Approved

Adjacent Sites

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

Ref. No: 62867 | Received: Wed 30 May 2018 | Validated: Thu 31 May 2018 | Decision: Approved with Conditions



3.0. PROPOSAL

3.1.1. DESIGN



3D visual of approved design under app: 63630



Elevation of approved design under app: 63630

The current design generally matches the design that was approved under application ref: 63630. Only a few minor external changes have been made with the majority of changes being internal.

3.1.2. DESIGN

Use

The proposal will remain as a 4 storey residential development consisting of 16No. apartments, as approved under app: 63630. There will be a mix of one, two, and three bedroom apartments.

Scale

There is an increase in building height with floor to floor levels being increased to just over 3m. A lift overrun will also be added.

Appearance

The materials used will match the previously submitted application with the external use of light coloured stone and dark grey zinc cladding.

Landscaping

The previously approved amenity area to the western part of the site is no longer included and that area of existing woodland will remain. The walkway along the River Irwell will be amended with a reduced landscaping strip for better accessibility.

Access

The proposal will still maintain the pedestrian and vehicular access off of Kay Street and provide 32No. Parking spaces with provision for electric vehicle charging.



South Elevation of Current Proposal



North Elevation of Current Proposal

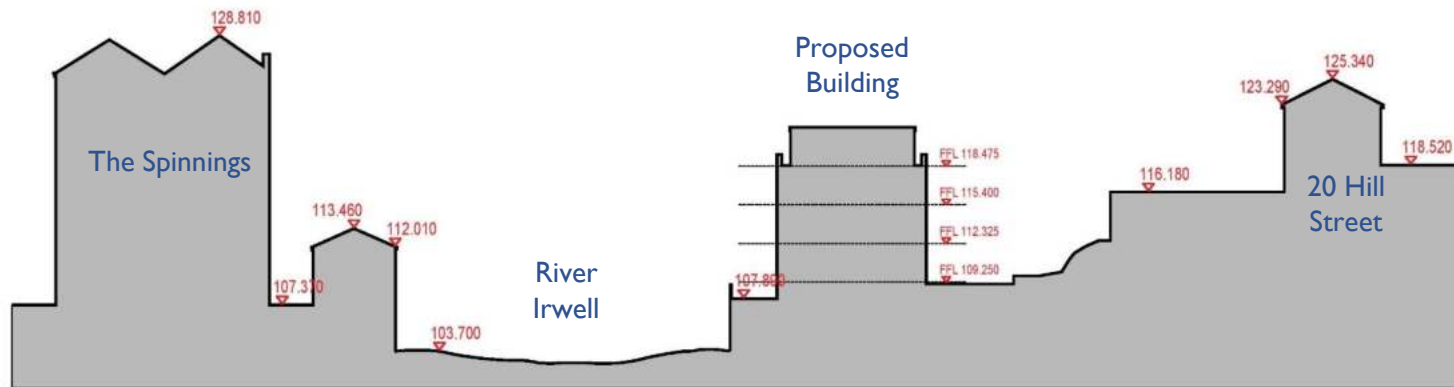


West Elevation of Current Proposal

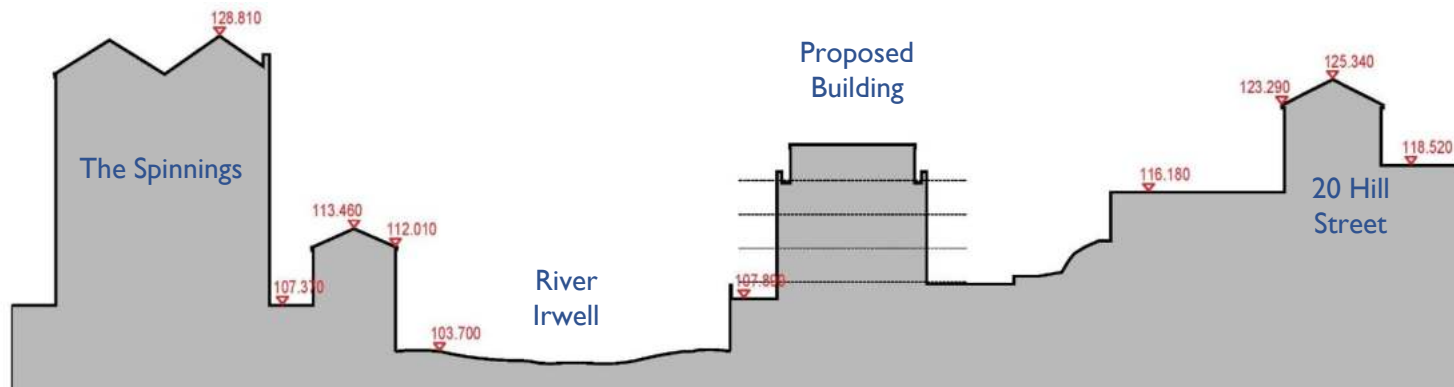


East Elevation of Current Proposal

3.2.1. DESIGN IMPACT



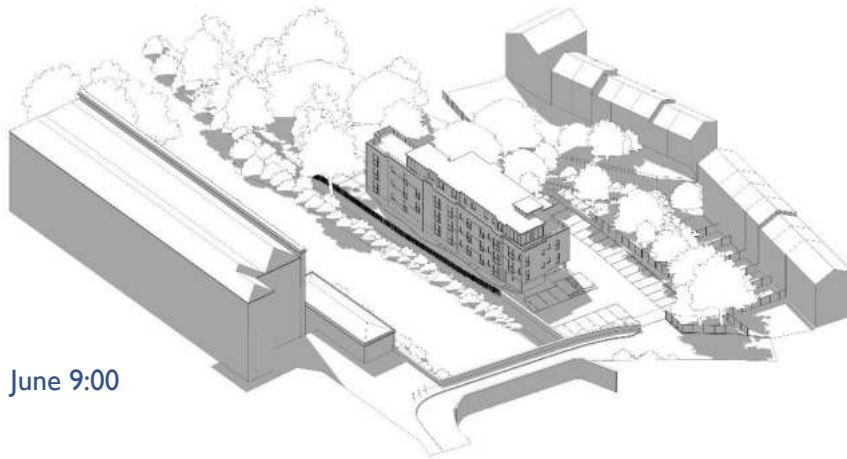
Current Proposal Site Section



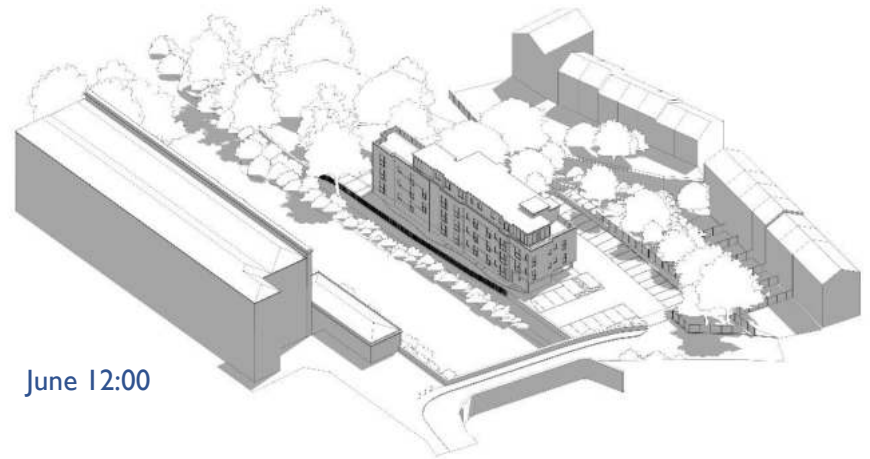
App Ref: 63630 Site Section

3.2.2. DESIGN IMPACT

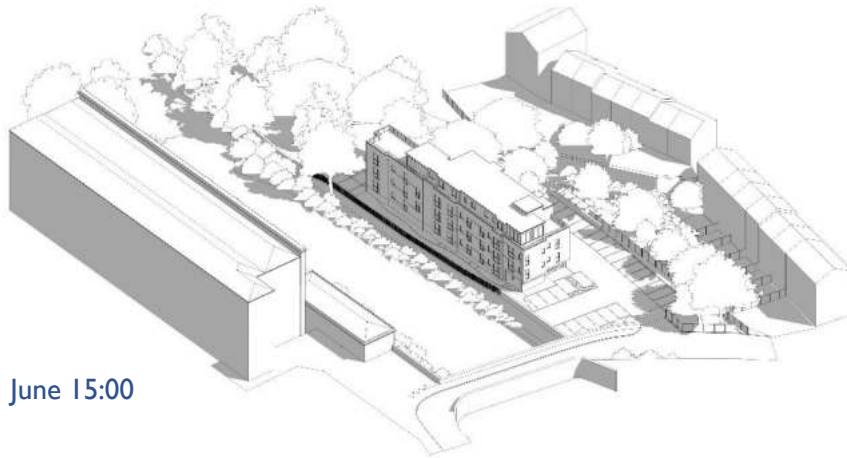
June Shadow Studies



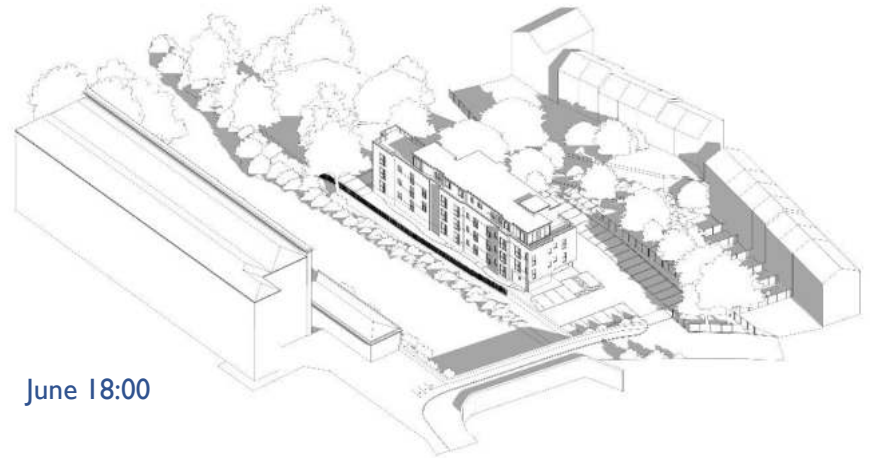
June 9:00



June 12:00



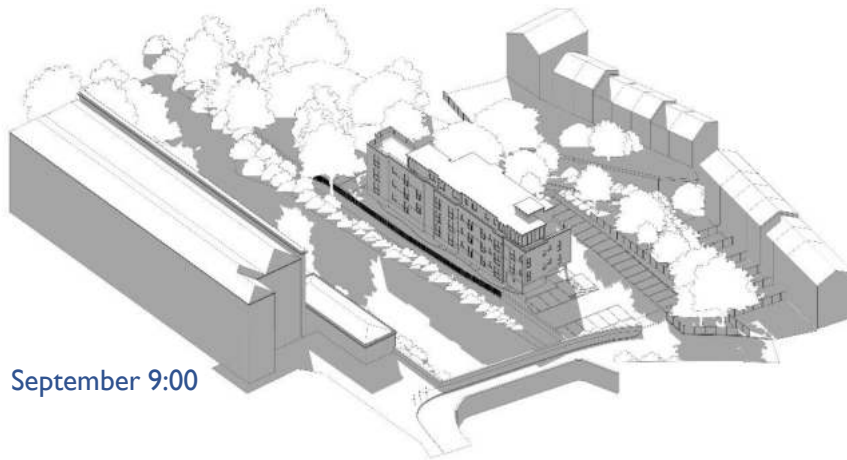
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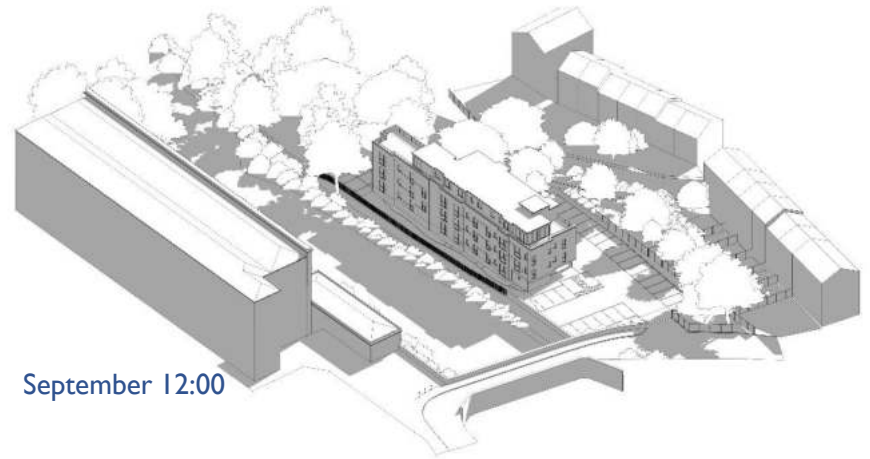
June 18:00

3.2.3. DESIGN IMPACT

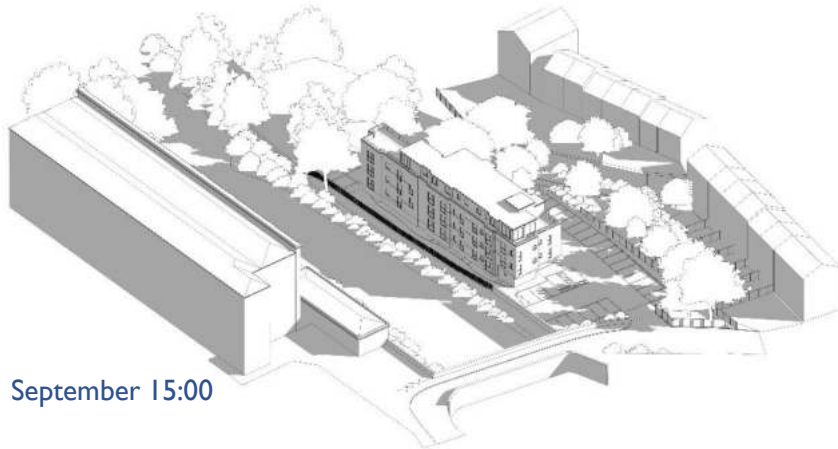
September Shadow Studies



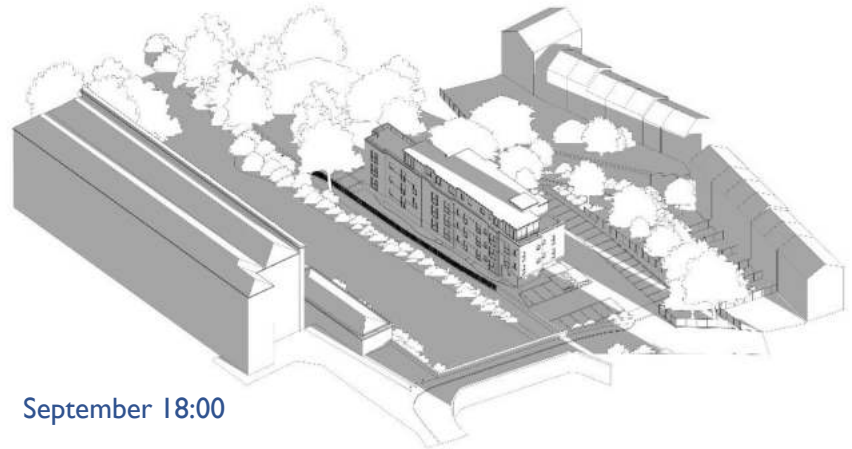
September 9:00



September 12:00



September 15:00



September 18:00

3.2.4. DESIGN IMPACT

App Ref: 63630 - View 1



3.2.5. DESIGN IMPACT

Proposed - View 1



3.2.6. DESIGN IMPACT

App Ref: 63630 - View 2



3.2.7. DESIGN IMPACT

Proposed - View 2



3.2.8. DESIGN IMPACT

App Ref: 63630 - View 3



3.2.9. DESIGN IMPACT

Proposed - View 3



4.0. CONCLUSION

It is proposed that the justification together with, the accompanying technical drawings submitted with the Application, that this high-quality development represents a suitable form of development within the designated Green Belt, and is appropriate to its context in terms of design. When factoring in the social, economic and environmental benefits the redevelopment of this Site will bring.

That the additional height increase to the scale of the building will have no additional impact on the surrounding buildings, vistas, and overall greenbelt.

The increase in the building's height overall, is minimal and within keeping to the total buildings scale and massing, and will not in the built form appear to be significantly different.

The scale and massing of the building will still be in proportion.

APPENDIX 1 GREEN BELT ASSESSMENT

Purpose of the Green Belt

To check the unrestricted sprawl of large built-up areas.

1a. Does the parcel exhibit evidence of existing urban sprawl and consequent loss of openness?

Assessment

No contribution – See below and following page

The Site is surrounded on all sides by well-established built development. The Site is not reliant on the delivery of a wider strategic site or access to other infrastructure.

The Site comprises land which was previously developed (in part by the Waterside Pub and associated car parking) and its redevelopment would not create further pressure to release land from the Green Belt. The redevelopment of this Site would not result in the sprawl of Summerseat and would not threaten the coalescence of separate settlements.

It is acknowledged that future development would by its very nature have a degree of impact upon the openness of the Green Belt; however, it is considered that the impact on openness would be minimised by virtue of the enclosed nature of the Site, the presence of existing infrastructure, residential development and vegetation, as well as the position of the proposed building. The Site is located centrally within a predominantly residential area and does not possess the characteristics one would expect from a typical Green Belt site.

APPENDIX 1 GREEN BELT ASSESSMENT

Purpose of the Green Belt

1b. Does the parcel protect open land from the potential for urban sprawl to occur?

2. To prevent neighbouring towns merging into one-another.

2a. Does the parcel prevent the merging or erosion of the visual or physical gap between neighbouring settlements?

Assessment

As set out in the response to 1a above, the Site benefits from a high level of containment, being located within a built-up area and surrounded by established development and physical features on all sides.

The Site is well-contained, and the development of the Site would not result in unrestricted urban sprawl into the open countryside. It would represent an urban infill on land which has already been subject to development.

In summary, it is considered that the development of this Site would not lead to unrestricted sprawl of the urban area of Summerseat. Moreover, in providing residential development on the Site, the development would make a positive contribution towards the development needs of Summerseat and help to ease the pressure on greenfield land release.

No contribution – See below

As noted within Section 1 above, the contained nature of the Site means that its redevelopment will result in an infilling of development, as opposed to an extension into the wider Green Belt. The Site is surrounded on all sides by well-established development and physical features and will not result in an extension to the settlement boundary of Summerseat.

The development will, in no way, result in the merging or erosion of the physical or visual gap between the settlements surrounding Summerseat.

APPENDIX 1 GREEN BELT ASSESSMENT

Purpose of the Green Belt

3. To assist in safeguarding the countryside from encroachment.

3a. Does the parcel have the characteristics of countryside and/or connect to land with the characteristics of countryside? Has the parcel already been affected by encroachment or urbanised built development?

4. To preserve the setting and “special character” of historic towns.

4a. Does the parcel contribute to the setting and “special Character” of a historic town(s)?

Assessment

No contribution – See below

The Site is located centrally within a built-up area and does not possess the characteristics one would expect of a Green Belt area. Being surrounded on all sides by built development and physical features, the Site does not connect to land with the characteristics of countryside. It is noted that the Site adjoins the River Irwell; however, this relationship is not uncommon of a built-up area and will not impact upon the Green Belt. The Site is located within an urban environment and is fully encroached by built development. There will be no wider Green Belt impact resulting from the proposed development of the Site in this regard.

No contribution – See below

It is acknowledged that the Site is located within a Conservation Area and in close proximity to a Grade II Listed Building. Notwithstanding this, the Site has previously accommodated development and is vacant following the collapse of the former Waterside Pub. The Site does not make a contribution to this Green Belt purpose.

APPENDIX 1 GREEN BELT ASSESSMENT

Purpose of the Green Belt

5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Assessment

Strong Contribution – See below
The Site comprises land which has previously been subject to development, is contained on all sides by well-established built development and physical features, and which now sits derelict following the collapse of the former Waterside Pub. The proposed development will see this otherwise redundant Site recycled for residential use and will not result in the loss of any greenfield land. Accordingly, the proposed development is considered to be consistent with this Green Belt purpose.

APPENDIX 2

RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

Summary

H1 – Housing Land Provision

States that the Council will ensure that sufficient land is identified to provide for 7200 new dwellings within the period mid-1986 to mid-2001.

H1/2 – Further Housing Development

Lists criteria against which development proposals will be assessed beyond existing housing allocations:

- The need to direct development towards the urban area;
- The availability of infrastructure;
- The need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration;
- The suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses;
- Other policies and proposals of the Plan.

H2 – Housing Environment and Design

Outlines that the Council will encourage good design in all residential development.

H2/1 – The Form of New Residential Development

States that all new residential development will be expected to make a positive contribution to the surrounding area, factors to be considered include:

- The height and roof type of adjacent buildings;
- The impact of developments on residential amenity;
- The density and character of the surrounding area;
- The position and proximity of neighbouring properties;
- The materials to be included in proposed developments, especially their colour and texture.

APPENDIX 2

RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

H2/2 – The Layout of New Residential Development

Summary

States that new developments will be expected to demonstrate acceptable standards of layout, factors to be considered include:

- Car parking provision;
- Pedestrian and vehicular access, and provision for public transport;
- The possible need for traffic calming measures;
- Density;
- Space about and between dwellings;
- Landscaping and screening;
- Protection/provision of trees and hedgerows;
- Open space/children's play areas;
- Design for safety and security;
- Access/facilities for the disabled;
- The existence of any public rights of way.

H4 – Housing Need

Outlines that the Council will encourage a range of housing types and tenures as appropriate to the housing needs of the borough.

H4/1 – Affordable Housing

States that the Council will encourage the provision of affordable housing through negotiation, partnership agreements and the identification of land suitable for such purposes. There will be a particular emphasis given towards encouraging the development of affordable housing as an integral part of large housing developments.

EN1 – Built Environment

Outlines that the Council will seek to protect, preserve and enhance the character, appearance and amenity of the Borough's built environment.

APPENDIX 2

RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

Summary

EN1/1 – Visual Amenity

States that development will not be permitted where proposals would have a detrimental effect on:

- public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

EN1/2 – Townscape and Built Design

States that the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements.

EN1/3 – Landscaping Provision

Outlines that development proposals will be required to make provision for incidental open space and landscaping to the Council's satisfaction.

EN1/5 – Crime Prevention

Indicated that the Council will encourage development proposals which include environmentally sensitive design features aimed at discouraging crime.

EN2 – Conservation and Listed Buildings

Outlines that the Council will seek to preserve the Borough's built heritage through the control of development, especially that affecting Conservation Areas, Listed Buildings and areas of local historical importance.

APPENDIX 2 RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

EN2/1 – Character of Conservation Areas

Summary

States that the Council will take action as appropriate to preserve or enhance the Borough's conservation areas. Particular points of interest include measures to:

- retain, replace and restore features of historical and architectural interest;
- retain and enhance existing landscape features including trees, parks and gardens;
- initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- remove dereliction and bring unused land or buildings back into beneficial use;
- prepare and promote design guidelines to ensure sympathetic development.

EN2/2 – Conservation Area Control

States that development in the conservation area will only be acceptable where it preserves or enhances the character of the area. Regard will be had to the following criteria when assessing proposed development within a conservation area:

- the nature of the development in terms of its bulk, height, materials, colour, design and detailing;
- the relationship between the proposed development and the architectural and visual qualities of the surrounding area;
- where demolition is proposed, the contribution of any proposed new building to the character or appearance of the area as compared to the building to be demolished;
- in the case of the re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

APPENDIX 2 RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

Summary

EN2/3 – Listed Buildings

Outlines that the Council will safeguard the character and setting of listed buildings by not permitting works which would have a detrimental impact on their character, appearance, setting or historic fabric.

EN3 – Archaeology

States that the Council recognises the importance of archaeological remains as part of the Borough's heritage and will seek the protection of sites of archaeological importance as and when they are found.

EN4 – Energy Conservation

Identifies that the Council will encourage development that contributes to energy conservation in the Borough and that the incorporation of energy efficiency measures within new development will be encouraged.

EN5 – Flood Protection and Defence

States that the Council will seek to control development in a manner consistent with flood protection and the maintenance of flood defence systems.

EN5/1 – New Development and Flood Risk

States that the Council will not permit new development, including the raising of land and the intensification of development, where such development would be at risk from flooding, would be likely to increase the risk of flooding elsewhere, or would adversely affect river flood defences.

EN6 – Conservation of the Natural Environment

States that the Council will retain, protect and enhance the natural environment of the Borough, particularly in relation to areas of ecological, wildlife and geological importance.

APPENDIX 2 RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

Summary

EN6/1 – Sites of Nature Conservation Interest

Outlines that planning permission will not be granted for development in or in the vicinity of a designated or proposed site of national or county/regional importance (including a Site of Biological Importance which has been identified as of national or county/regional importance i.e. Grade A) which would destroy or adversely affect, either directly or indirectly, the nature conservation interest of the site, unless it can be demonstrated that other material considerations outweigh the special interest of the site.

EN6/2 – Sites of Nature Conservation Interest

Outlines that planning permission will not be granted for development which would damage either directly or indirectly, the nature conservation interests of sites of particular ecological significance (Local Nature Reserves or Grade B and C Sites of Biological Importance) unless conditions can be imposed that would acceptably mitigate those impacts.

EN6/3 – Features of Ecological Value

States that the effect of land use changes on existing features of ecological or wildlife value will be taken into account when assessing development proposals. Any proposal should seek to retain such features and incorporate them into the development.

EN7 – Pollution Control

Outlines that the Council will seek to control pollution levels associated with development in accordance with national legislation and prescribed standards.

EN7/3 – Water Pollution

States that the Council will not permit development which would have an unacceptable adverse effect in terms of pollution upon the water quality of the Borough's water courses and other water features.

APPENDIX 2

RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

Summary

EN8 – Woodland and Trees

States that the Council will support the retention of trees, woods, copses and hedgerows and encourage natural regeneration and new and replacement tree planting throughout the Borough.

EN9 - Landscape

Outlines that the Council will seek to protect, conserve and improve the landscape quality of the Borough, and will encourage the enhancement of landscapes, where appropriate.

EN9/1 – Special Landscape Areas

States that in areas identified as Special Landscape Areas, any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas.

EN10 – Environmental Improvement

States that the Council will seek to improve the environmental quality of the Borough, within which priority will be given to an on-going environmental improvement programme.

EN10/1 – Derelict Land

Outlines that the Council will encourage the reclamation and beneficial use of derelict land by the public and private sectors, including the redevelopment of derelict sites in accordance with the Council's programme for derelict land reclamation.

EN10/2 – Riverside and Canalside Improvement in Urban Areas

Outlines that when considering new proposals for development adjoining and adjacent to rivers and canals in the urban area, the Council will, where appropriate, require schemes to include improvements to waterside areas, including tree planting, provision of waterside walks and the refurbishment or clearance of redundant buildings and other structures.

APPENDIX 2

RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

OL1 – Green Belt

Summary

States that the Council will maintain a Green Belt, ensuring that it fulfils the following strategic purposes (copied in full):

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from further encroachment;
- To preserve the setting and special character of historic towns;
- To assist in urban regeneration, by encouraging the recycling of derelict land and other urban land.

OL1/2 – New Buildings in the Green Belt

Outlines that the construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- agriculture and forestry (except where permitted development rights have been withdrawn);
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;
- limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces;
- limited infilling in existing villages as set out under Policy OL1/3.

OL1/3 – Infilling in Existing Villages in the Green Belt

States that in villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings.

APPENDIX 2

RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

OL5 – River Valleys

OL5/2 – Development in River Valleys

Summary

States that the Council will maintain and preserve the open character of the Borough's river valleys.

States that within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below:

- where the area is designated as Green Belt the established Green Belt policies will apply; or
- where the area does not form part of the Green Belt, at least one of the following circumstances is met:
 - that the development represents limited infilling to an established valley settlement or industrial area;
 - that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;
 - that the development is required in association with an outdoor recreation or appropriate tourist facility;
 - that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities;
 - any other development that would be appropriate in a Green Belt.

OL5/3 – Riverside and Canalside Development in Urban Areas

States that within urban areas, where development has taken place adjacent to the rivers and canal, the Council will, where appropriate, and where opportunities arise, seek to maintain and provide open land corridors to help to re-establish the continuity of the river valleys.

APPENDIX 2

RELEVANT POLICIES OF THE BURY UNITARY DEVELOPMENT PLAN

Policy

HT2/4 – Car Parking and New Development

Summary

States that the Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

The policy states the following parking standards for new residential development:

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

HT4 – New Development

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

- support the principles of sustainable development;
- assist the implementation of a balanced transportation strategy;
- minimise the environmental impact of traffic.

The policy also states that new development will be encouraged where use can be made of public transport or spare capacity in the existing highway network, provided that this is also in accordance with other policies of the plan.

