

PLANNING STATEMENT

OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS FOR THE COMPLETE DEMOLITION OF AN EXISTING FARMSTEAD AND THE ERECTION OF NO.9 DWELLINGS AND ASSOCIATED WORKS NO.9 DWELLING

BROOK FARM, SIMISTER LANE, PRESTWICH, MANCHESTER, M25 2SB

Prepared by: Richard Mitchell BSc (Hons) MSc MRTPI
Our Client: Mr G Jones, Mrs L King and Mrs M Ormrod
Our Ref: Jon/408/3653/GH
Date: October 2025

CONTENTS

1.0	INTRODUCTION	Page 3
2.0	THE APPLICATION SITE AND SURROUNDINGS	Page 7
3.0	PLANNING HISTORY	Page 10
4.0	THE PROPOSED DEVELOPMENT	Page 12
5.0	PLANNING POLICY CONTEXT	Page 14
6.0	PLANNING CONSIDERATIONS	Page 23
7.0	PLANNING BALANCE	Page 32
8.0	SUMMARY AND CONCLUSION	Page 35

Appendices

Appendix A Pre-Application Response 03055E

1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by Gary Hoerty Associates on behalf of the applicants, Mr G Jones, Mrs L King and Mrs M Ormrod, in support of an outline planning application for the complete demolition of an existing farmstead and the erection of no.9 dwellings and associated works at Brook Farm, Simister Lane, Prestwich, Manchester, M25 2SB.

1.2 The full description of the proposed development is as follows:

“Outline application with all matters reserved except for access for the complete demolition of an existing farmstead and the erection of no.9 dwellings and associated works no.9 dwelling”

1.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.

1.4 The farmstead at Brook Farm has not been in use for agriculture for many years, there are currently two business uses at the site a DIY livery yard making use of two bespoke stable buildings and an oil recycling business which occupy a range of former agricultural buildings on the site.

1.5 At this stage, the application seeks permission for the principle of development with access to be determined, with all other matters reserved. Notwithstanding, illustrative material has been provided to show how the proposed scheme could be developed.

1.6 This application follows a previous application (application 58827) that was approved on 1 October 2015 relating to the *‘Demolition of existing buildings currently used for oil recycling business and livery yard; Replacement with 4 no. dwellings and conversion and extension of traditional barn to form a single dwelling’* where the planning permission established the principle of development in this location for residential development. The approved development commenced, meaning that this permission is still extant.

- 1.7 In addition, the proposed development has been conceived following pre-application advice (reference 03055E) received from Bury Council on 26 March 2025 in relation to the *‘Redevelopment of existing farmstead for up to 9 no. dwellings’*. The pre-application response is attached at Appendix A of this Statement. In summary, the response received accepted the principle of further development in this location for residential development provided the proposed development does not cause substantial harm to the openness of the Green Belt.
- 1.8 Following receipt of the pre-application advice on 26 March 2025, the proposals have evolved and have been amended from that presented at the pre-application stage. The pre-application advice highlighted the minimum density requirements set out in PfE Policy JP-H4 which based on the site area shown on the plan submitted with the pre-application enquiry resulted in a density of 19 dwellings for the site. However, the site area for the planning application is less with the total application area including the access track (which is not being developed) being 0.49Ha and the actual development area is 0.42Ha. Therefore the minimum density applying Policy JP-H4 is 15 dwellings rather than 19 as referred to in the pre-application response. While the number of the proposed dwellings still falls below the minimum density requirement for the site, as highlighted later on in this Statement, each site context is unique and density requirements should be tailored to a given site-specific location and its surroundings. Excessive density can alter the character of an area and can result in increased traffic congestion and air pollution.
- 1.9 Gary Hoerty Associates on behalf of the applicants considers that the minimum density requirement for 15 dwellings relating to the application proposals would detrimentally alter the existing character of the area and would be inappropriate given the site’s specific local context in a semi-rural location. The proposed scheme is sympathetic in nature and would sit comfortably in its semi-rural location and comprises of a well nestled built-form development; a lower density of dwellings is more appropriate to reflect the site’s specific context.
- 1.10 Paragraph 73 of the NPPF provides support for small and medium sized sites that can *“make an important contribution to meeting the housing requirement of an area are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly”*. The negative implications of developing more than nine dwellings on the application site are such that the applicants would not progress such an application, rather they would continue to develop approved five dwelling scheme on the site. The site is one that will be of

interest to small local developers and builders, and its approval would meet the Governments aims of making such sites available.

1.11 As the application proposal comprises of the erection of nine dwellings, the site area is 0.49ha and the application site is not within a designated rural area, the proposal falls outside the threshold of 'major' development, therefore, the proposed development is exempt from delivering affordable housing provision.

1.12 This Statement demonstrates that the proposed development would amount to an appropriate development in the Green Belt having regard to paragraph 154g) of the NPPF, as well as relevant national and local material considerations. The vision of the proposal is to make effective use of underutilised land and bring forward an unsightly site whilst retaining the site's key features to deliver high-quality bespoke dwellings which contribute towards meeting the Councils' overall housing needs.

1.13 The proposed development is considered as constituting the sensitive complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt, therefore, is regarded as an exception to such development constituting inappropriate development in the Green Belt as set out in paragraph 154g) of the NPPF.

1.14 The application submission comprises this Planning Statement together with the following supporting documents listed below:

- Completed Planning Application Form prepared by Gary Hoerty Associates
- Completed Landownership Certificates
- Plans and drawings prepared by Gary Hoerty Associates:
 - Location Plan (Drawing no: Jon.408.3653 - 04)
 - Existing Plans & Elevations (Drawing no: Jon.408.3653 - 03)
 - Proposed Site Plan (Drawing no: Jon.408.3653 - 05)
 - Proposed Site Plan showing access (Drawing no: Jon.408.3653 – 06)
- Biodiversity Net Gain Report and metric prepared by Ark Ecology Limited
- Flood Risk and Drainage Impact Assessment prepared by Dart Engineers Limited
- Bat Survey Report and Method Statement prepared by Batworker Limited
- Density Statement prepared by Gary Hoerty Associates

- Carbon and Energy Statement prepared by Gary Hoerty Associates
- Digital Connectivity Statement prepared by Gary Hoerty Associates

1.15 The remainder of this Statement is structured as follows:

- Section 1: Introduction
- Section 2: Site Location and Description
- Section 3: Planning History
- Section 4: The Proposed Development
- Section 5: Planning Policy Context
- Section 6: Planning Considerations
- Section 7: Planning Balance
- Section 8: Conclusion and Summary

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is located on the southern side of Simister Lane, positioned east of the village of Simister, situated approximately 6.3 miles to the south of the town of Bury, 0.9 miles to the west of the village of Bowlee, 2.4 miles to the north east of the town of Prestwich, and 2.4 miles to the east of the town of Whitefield.
- 2.2 Simister is a small suburb in the Metropolitan Borough of Bury, Greater Manchester, England. Historically part of Lancashire, it is located between the districts of Prestwich, Rhodes and Langley. Within Simister there are two public houses, a community hall, church and a play park. Bus stops are located along Simister Lane which provides connectivity between Simister and Prestwich.
- 2.3 The site comprises of an irregularly shaped area of previously developed land, consisting of a range of former farm building which are used by an oil recycling business, two equine buildings used for DIY livery, a dilapidated part two storey and part single storey traditional brick building and an access track, all extending to approximately 0.49ha. The access track occupies approximately 0.07Ha of the site area with the area for development comprising 0.42Ha.
- 2.4 Vehicular and pedestrian access to the application site is currently gained from Simister Lane via a track from the north which connects with Simister.
- 2.5 An extract of the Location Plan that accompanies the submission is provided overleaf in Figure 1.

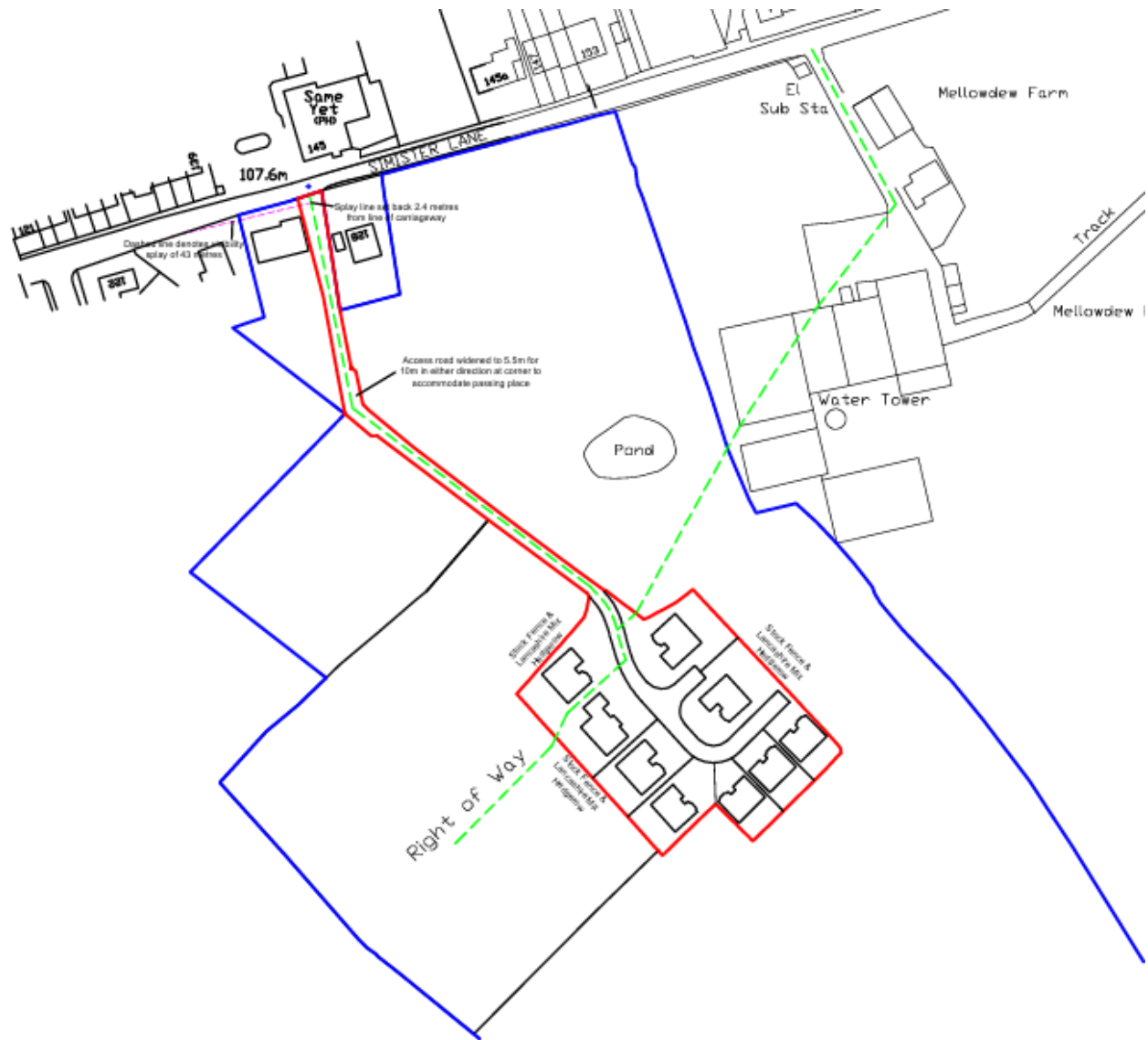


Figure 1: Extract of Location Plan

- 2.6 In policy terms, according to the Bury Council Proposals Map (adopted in August 1997), the application site is located outside of a defined settlement boundary and is situated within the North West Green Belt.
- 2.7 The Environment Agency's Flood Map for Planning confirms that the entirety of the site lies within Flood Zone 1, therefore is at the lowest probability of fluvial flooding and the site falls in an area at very low (the lowest category) risk of surface water flooding.
- 2.8 There are no statutory designated sites of nature conservation within or adjacent to the site.

- 2.9 The application site does not contain any designated or non-designated heritage assets the closest is Grade II Listed Church of St. George.
- 2.10 There are no Tree Preservation Order (TPO) trees on the application site, or in the near vicinity.
- 2.11 Public Right of Way (PRoW), Footpath 29Bpre, runs from Simister Lane from the north crossing through the site as indicated on the Location Plan submitted as part of the application.

3.0 PLANNING HISTORY

3.1 According to the Bury Council online planning search facility, the most pertinent planning application records which relate to the site itself are as follows:

- Application 60082. Non-material amendment following grant of planning permission ref. 58827 - Demolition of existing buildings currently used for oil recycling business and livery yard, replacement with 4 no. dwellings and conversion and extension of traditional barn to form a single dwelling: Unit1 - Additional rooflights, alteration of window to include Juliet balcony, alterations to internal layout Unit 2 - Additional chimney stack, alterations to roof, windows and internal layout Unit 3 - Additional log store and rooflights, alterations to windows and internal layout. Approved 16 May 2016.
- Application 58827. Demolition of existing buildings currently used for oil recycling business and livery yard; Replacement with 4 no. dwellings and conversion and extension of traditional barn to form a single dwelling (resubmission). Approved 1 October 2015.
- Application 57888. Demolition of former farm buildings currently used for oil recycling business and erection of 2 no. dwelling houses and conversion and extension of existing barn to form dwelling house. Withdrawn.
- Application 55889. Single storey equine/agricultural storage building (Part Retrospective). Approved 24 January 2013
- Application 55300. Rebuilding of part of single storey building for equine/agricultural storage use in association with equine/livery business (retrospective). Refused 24 September 2012.
- Application Number 03/41193: Erection of 2 stable block and oil store. The application was approved with conditions on the 7 November 2003.
- Application Number 97/33453: Recovered vegetable oil store extensions and vehicle parking area. The application was approved with conditions on the 9 January 1998.

- Application Number 95/31419: Certificate of Lawfulness – sale and processing of animal fats and vegetable oils. The application was approved on the 7 November 1995.

- 3.2 Paragraph 40 of the National Planning Policy Framework (NPPF) states *“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre- application discussion enables better coordination between public and private resources and improved outcomes for the community.”*.
- 3.3 Paragraph 41 of the NPPF confirms *“Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage.”*.
- 3.4 Pre-application advice (reference 03055E) was received concerning the ‘Redevelopment of existing farmstead for up to 9 no. dwellings’. In the advice it was confirmed that the principle of development for residential development was acceptable provided it does not cause substantial harm to the openness of the Green Belt. The officer’s full pre-application response is included in Appendix A of this Statement.
- 3.5 The nature of this pre-application process illustrates the collaborative approach taken with the Council on the proposed development. Feedback from Bury Council has been considered by members of the project team and has informed the design of the final application proposal submission. This engagement has resulted in a high-quality scheme, taking into account the site’s opportunities and constraints, which will make a contribution towards meeting local housing need within Bury and the Joint Places for Everyone Plan Local Plan area.

4.0 THE PROPOSED DEVELOPMENT

- 4.1 The application seeks outline planning permission for the complete demolition of an existing farmstead, and the erection of nine detached dwellings and associated works on land at Brook Farm, Simister Lane, Prestwich, Manchester, M25 2SB. The application seeks approval for access with all remaining matters of detail (appearance, landscaping, layout and scale) being reserved for later determination.
- 4.2 The proposed development provides the opportunity to provide a bespoke, high-quality, sustainable residential development that sympathetically regenerates previously developed land. The development proposals have been prepared following technical assessments and contextual analysis. The overarching vision being brought forward is to deliver a high-quality new development which is sympathetic to the sites rural location providing high-quality housing, new tree planting, alongside opportunities for ecological enhancements to deliver biodiversity net gain.
- 4.3 The proposed development is submitted in accordance with paragraph 154g) of the National Planning Policy Framework for the complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.
- 4.4 The proposed development comprises of nine high-quality, detached dwellings of two stories. While submitted in outline form only, the accompanying Proposed Site Plan provides an indicative view of how the proposed dwellings will be laid out with their main elevations facing a new estate road, suitable for all types of users.
- 4.5 The layout will ensure that appropriate separation distances are maintained between the dwellings and along the boundaries of the site, ensuring that the proposed development will sit comfortably within the plot with complementary additional planting.
- 4.6 A traditional design approach is anticipated to reflect the vernacular of the local rural character utilizing typical features of traditional buildings in the area whilst integrating design choices that would be sympathetic and appropriate to the site's context.

- 4.7 The proposed dwellings will be appropriately set back from the highway accessed from a single point of vehicle and pedestrian access from Simister Lane.
- 4.8 Overall, the proposed development provides the opportunity to create a high quality, attractive sustainable development of high-quality design, as well as enhancing the landscape and biodiversity value of the site. It is considered that the proposed dwellings will easily be able to sit comfortably within the landscape environment while it would provide opportunities for ecological enhancements at a subsequent stage.
- 4.9 Whilst determined at reserved matters stage, the appearance, layout, scale of the proposed development will be informed having regard to the surrounding residential vernacular and landscape context of the application site.
- 4.10 As outlined previously, the applicant's decision to pursue a development of nine dwellings is not accidental, there is a specific provision in the NPPF to encourage small sites to be developed by smaller local builders and developments of less than ten dwellings do not have to provide affordable housing or Section 106 Agreement contributions. The negative implications of developing more than nine dwellings on the site are such that the applicant would not progress such an application but would continue to develop five dwellings on the site. The site is one that will be of interest to small local developers and builders, and its approval would meet the Governments aims of making such sites available in accordance with paragraph 73 of the NPPF.
- 4.11 Furthermore, the application proposal upon delivery would contribute to boosting the supply of homes in conformity with paragraph 61 of the NPPF. In adherence with the NPPF, the proposed development comprises the provision of nine dwellings and the site area is 0.42Ha; therefore, the proposed development is exempt from affordable housing provision.
- 4.12 While the proposed development will not provide the 15 dwellings that full conformity with Policy JP-H4 requires the policy does indicate that site specific circumstances may result in a lower density being acceptable and in this case there is an extant permission for 5 dwellings on an application site which has a developable area that is 0.1Ha larger than that of the current application site. Therefore, the proposed development provides a significantly more efficient use of land than the approved scheme and will deliver almost twice as many dwellings.

5.0 PLANNING POLICY CONTEXT

- 5.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 5.2 In this instance, the adopted Development Plan comprises the Bury Unitary Development Plan (UDP) Local Plan Part 1: Core Strategy (adopted December 2015) and the Joint Places for Everyone (JPfE) Development Plan Document. Other relevant material considerations inter alia include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (PPG), the National Design Guide and the emerging status of the Local Plan.

Bury Unitary Development Plan (adopted in August 1997)

- 5.3 The Bury Unitary Development Plan (UDF) was adopted by the Council on 29th August 1997. The Joint Places for Everyone (JPfE) Development Plan Document was formally adopted by Bury Council with effect from 21 March 2024 and now supersedes some of the Bury UDP policies
- 5.4 The planning policies considered of relevance to the planning application are:
- RT3: Recreation in the Countryside
 - RT3/4: Recreational Routes
 - H1/2: Further Housing Development
 - H2/1: The Form of New Residential Development
 - H2/2 The Layout of New Residential Development
 - OL1/2: New Buildings in the Green Belt
 - OL1/4: Conversion and Re-use of Buildings in the Green Belt
 - EN1/2: Townscape and Built Design
 - EN7/3: Water Pollution
 - EN6/3: Features of Ecological Value

Joint Places for Everyone Plan (adopted March 2024)

5.5 The Places for Everyone Joint Development Plan (PfE) was adopted by Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan on 21 March 2024. The document sets out the long-term spatial strategy for future development within the nine authorities up to 2039.

5.6 The planning policies considered of relevance to the planning application are:

- Policy JP-S1: Sustainable Development
- Policy JP-S2: Carbon and Energy
- Policy JP-S4 Flood Risk and the Water Environment
- Policy JP-S5: Clean Air
- Policy JP-H1: Scale of New Housing Development
- Policy JP-H2: Affordability of New Housing
- Policy JP-H3: Type, Size and Design of New Housing
- Policy JP-H4: Density of New Housing
- Policy JP-G1: Landscape Character
- Policy JP-G7: Trees and Woodland
- Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity
- Policy JP-G9: The Green Belt
- Policy JP-P1: Sustainable Places
- Policy JP-P5: Education, Skills and Knowledge
- Policy JP-C2: Digital Connectivity
- Policy JP-C5: Streets For All
- Policy JP-C6: Walking and Cycling
- Policy JP-C8: Transport Requirements of New Development

National Planning Policy Framework (published February 2025)

5.7 The National Planning Policy Framework (NPPF) has been amended with a revised version published in February 2025. This replaced the NPPF version published in December 2024. The

NPPF sets out the Government's planning policies for England and how they are expected to be applied in decision-making and plan making.

5.8 Chapter 2 of the NPPF relates to 'Achieving sustainable development'. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

5.9 Paragraph 8 states "*Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), 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)*". These include:

- *"An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- *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 well-designed, beautiful and safe places, 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 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. "*

5.10 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11, in relation to decision taking, states:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”*

5.11 Chapter 4 of the NPPF concerns ‘Decision-making’, Paragraph 39 states local planning authorities should *“approach decisions on proposed development in a positive and creative way... and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible”*.

5.12 Chapter 5 of the NPPF relates to ‘Delivering a sufficient supply of homes’. Paragraph 61 states to support the Government’s objective of significantly boosting the supply of homes it is *“important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community”*. Paragraph 65 of the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).

5.13 The definition of major development is set out in Annex 2 the NPPF as follows:

“Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise

provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.”.

- 5.14 Paragraph 73 outlines that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly.
- 5.15 Chapter 9 of the NPPF concerns ‘Promoting sustainable transport’. In managing patterns of growth, it states at paragraph 110 that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision-making. Paragraph 116 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, following mitigation, would be severe, taking into account all reasonable future scenarios”*.
- 5.16 Chapter 11 of the NPPF relates to ‘Making effective use of land’. Paragraph 124 details 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. Paragraph 125 states at (a) that decisions should encourage multiple benefits from both urban and rural land and to take opportunities to achieve net environmental gains. It reads on at (d) to promote and support the development of under-utilised land and buildings.
- 5.17 Paragraph 128 outlines *“local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs”*.
- 5.18 Paragraph 129 states planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change and the importance of securing well-designed, attractive and healthy places.
- 5.19 Chapter 12 of the NPPF deals with ‘Achieving well-designed places’. Paragraph 131 explains how good design is a key aspect of sustainable development and that the creation of high-

quality, beautiful and sustainable buildings and places is fundamental to what the development process should achieve.

5.20 Paragraph 135 notes how planning decisions should ensure that developments are visually attractive as a result of good layout, are sympathetic to local character and history and should establish or maintain a strong sense of place. It should also be ensured development will function well and add to the overall quality of the area.

5.21 Paragraph 139 confirms development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

5.22 Chapter 13 deals with 'Protecting Green Belt land'. Paragraph 142 outlines the Government attaches great importance to the Green Belts and states 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.

5.23 Paragraph 143 outlines that the Green Belt serves five purposes, as follows:

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

5.24 Paragraph 153 explains *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"*.

5.25 Paragraph 153 states *"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”.

5.26 Paragraph 154 of the NPPF outlines development in the Green Belt is inappropriate unless one of a number of exceptions applies. One such exception is *“Limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt”.*

5.27 The definition of previously developed land is set out in Annex 2 the NPPF as follows:

“Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agriculture or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

5.28 Chapter 14 concerns ‘Meeting the challenge of climate change’, flooding and coastal change’. Paragraph 161 outlines the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. Paragraph 170 states *“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.

5.29 Chapter 15 of the NPPF relates to ‘Conserving and enhancing the natural environment. Paragraph 187 explains planning policies and decisions should contribute to and enhance the

natural and local environment by inter alia recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

Planning Practice Guidance (published March 2014)

- 5.30 The National Planning Practice Guidance (PPG) provides supporting planning guidance on a range of planning matters and supplements the policies contained within the NPPF, expanding upon the policies set out therein. The PPG provides a guide for all development according to the relevant sectors / locations to which are relevant.

The National Design Guide (adopted October 2019)

- 5.31 The National Design Guide published in October 2019 sets out the characteristics of well-designed places and demonstrates what good design means in practice. It forms part of the government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. It sets out the Government's commitment to achieving better design and a framework for how this will be achieved.

- 5.32 Underpinning the guidance are ten 'characteristics of a well designed place', as illustrated below:

- Layout: how routes and blocks of development are arranged and relate to one another... it defines the structure or settlement pattern; the grain; and the broad distribution of different uses and their densities or building heights.
- Form: the three-dimensional shape and modelling of buildings and the spaces they define, including size and shape; height; bulk (volume); and massing (how the bulk is shaped into a form).
- Scale: the height, width and length of a building in relation to its surroundings. It relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings.

- **Appearance:** the aspects of a building or space within the development which determine the visual impression the building or space makes. This includes the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance.
- **Landscape:** the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment. It includes landform and drainage, hard landscape such as surfacing, boundary treatments, street furniture and play equipment. It also includes soft landscape in terms of trees, shrubs and other planting.
- **Materials:** the scale, form and appearance of a building influence what materials may be appropriate for its construction. Materials should be practical, durable, affordable and attractive. **Detailing:** the individual components and how they are put together.

Supplementary Planning Documents

5.33 The Supplementary Planning Documents considered of relevance to the planning application are:

- Supplementary Planning Document 8: New Buildings and Associated Development in the Green Belt.
- Supplementary Planning Document 11: Parking Standards in Bury.

6.0 PLANNING CONSIDERATIONS

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.

Principle of Development

- 6.2 Policy G9 of the Joint Places for Everyone Plan (PfE) confirms the extent of the Green Belt within the Borough and outlines the five purposes of including land within the Green Belt. The beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes. The enhancement of its green infrastructure functions will be encouraged, such as improved public access and habitat restoration, helping to deliver environmental and social benefits for our residents and providing the high-quality green spaces that will support economic growth.
- 6.3 The application site is outside of a settlement boundary and is located within the Green Belt. Paragraph 142 of the NPPF states *“The Government attaches great importance to Green Belts. 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”*.
- 6.4 Paragraph 152 states that; *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*
- 6.5 Paragraph 154 of the NPPF outlines development in the Green Belt is inappropriate unless one of a number of exceptions apply. One such exception is set out in paragraph 154g) that states *“limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”*
- 6.6 The definition of Previously Development Land (PDL) is provided within Annex 2, the Glossary of the NPPF. The definition as stated within the NPPF is as follows:

“Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

6.7 The site comprises of an irregularly shaped area of PDL consisting of an oil recycling business operating from former agricultural buildings and livery stables. The Officer Report for application 58827 stated that *“As the site is considered to be previously developed brownfield land the principle of redevelopment is acceptable and appropriate within the terms of the NPPF and Green Belt Policy.”* The pre-application response 03055E confirmed that the site comprises of PDL and the principle of development of this site for residential is accepted provided it does not cause substantial harm to the openness of the Green Belt.

6.8 There is no statutory definition of openness contained within the NPPF, although it is widely held that it refers to freedom of form, or absence of development.

“openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume”

6.9 In relation to the openness of the Green Belt. The application proposals seek to provide a sympathetic form of development that is complementary to the site’s setting, that would result in very limited harmful impacts on the openness of the Green Belt. The site is set back from Simister Lane, with existing built-form residential development to the west, north and built-form development to the east. The site would not extend any further along its boundaries, additional screening is proposed and combined with intervening vegetation and surrounding built-form development results in the proposed development not being overly prominent in the immediate

or surrounding area. The proposed development would, therefore, have negligible impact on the openness of the Green Belt.

- 6.10 Considering the above, the proposed development would constitute complete redevelopment of PDL which would not cause substantial harm to the openness of the Green Belt. As such, the proposed development falls under exception '*partial or complete redevelopment of previously developed land*' and is an inappropriate form of development as out in Paragraph 154g) of the NPPF.
- 6.11 While the number of proposed dwellings falls below the minimum density for the '*all other locations*' category as set out in Policy JP-H4 of PfE, it should be recognised that each site context is unique and density requirements should be tailored to a site-specific location and its surroundings. Excessive density can alter the character of an area and can result in increased traffic congestion and air pollution.
- 6.12 It is considered the minimum density requirement for 15 dwellings with respect to the application proposals would detrimentally alter the existing character of the area and would be inappropriate given the site's specific local context in a semi-rural location. The proposed scheme would sit comfortably in its semi-rural location and comprises of a well nestled built-form development; a lower density of dwellings which is more appropriate to reflect the site's context.
- 6.13 It should be noted that it is also a material consideration that the site benefits from extant permission (application 58827) for the 'Demolition of existing buildings currently used for oil recycling business and livery yard; Replacement with 4 no. dwellings and conversion and extension of traditional barn to form a single dwelling (resubmission)', approved 01 November 2015. As such the principle of residential development in this location has been established in this location. The application proposal would make a more efficient use of the land which is not of high environmental value and achieve an appropriate density, making more effective use of PDL than the extant scheme.
- 6.14 The delivery of the proposed development would also assist in boosting the supply of new homes in accordance with Paragraph 61 of the NPPF and would make a contribution local

housing provision meeting a local housing need. Further weight should also be given to small and medium development sites in delivering housing under paragraph 73 of the NPPF.

- 6.15 The remaining section of this Statement will consider the proposed development in relation to technical material considerations.

Housing Provision

- 6.16 In accordance with the NPPF, applications for under 10 dwellings or where the site has an area of 0.5 hectares or less are not required to provide affordable housing. The proposed development entails the provision of nine dwellings and the site area is 0.4 ha, therefore the proposed development is exempt from affordable housing provision.
- 6.17 Upon delivery, all the proposed nine dwellings would exceed minimum space standards as set out in the Technical housing standards.
- 6.18 In summary, the proposed development is therefore considered to be wholly acceptable in relation to housing provision and is in conformity with relevant local planning documents and other provisions within the NPPF.

Design and Layout

- 6.19 Although the application is in outline form an indicative site plan has been provided to illustrate how a sensitively designed scheme could suitably integrate into the surrounding built and landscape context.
- 6.20 The proposed development will provide a high-quality and sustainable design which makes efficient use of land in a sensitive manner which assimilates well into its context allowing it to be in keeping with the prevailing character of existing development.
- 6.21 In conclusion, it is considered that the proposed development will be of a high-quality design and form, sustainable and accords with relevant planning policies contained in the local planning policy and guidance documents, as well as provisions within the NPPF.

Landscape and Visual Impact

- 6.22 Landscape and visual impact are detailed related matters that that will be considered at the reserved matters stage of a future planning application.
- 6.23 It is acknowledged that the proposals would change the character of the site, however this is likely to be limited in nature and can be mitigated through careful siting and design of the dwellings. This would not result in the loss of any important landscape features and would appropriately regenerate underutilized land and buildings. Therefore, it is concluded that the proposals can be integrated without significant adverse effects upon the localised or wider landscape setting.
- 6.24 The site and the surrounding landscape environment have the capacity to accommodate the proposed development and will not result in a degree of harm with respect to landscape character or the visual environment over the longer term.
- 6.25 It is therefore not considered that the development will have significant impact in relation to landscape or visual terms and accords with relevant planning policies contained in the local planning policy and guidance documents, as well as provisions within the NPPF.

Highways and Transport

- 6.26 Within the application site there is sufficient space to enable vehicles to maneuver and enter/leave the site safely. Vehicular parking provision is provided in accordance with adopted standards. Each dwelling would be served with appropriate parking and garages that would provide for secure cycle parking spaces in accordance with the adopted parking standards.
- 6.27 The level of traffic generated as a result of the proposed development will be less than that generated by the use of the site as a livery yard and oil recycling centre and it would not have a material impact on the safe operation of the local highway network.
- 6.28 Accordingly, it is considered that the proposed development will not have any undue impact in regard to highways and transport and would not result in an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe. The

proposed development, therefore, is considered to accord with relevant planning policies contained in the local planning policy and guidance documents, as well as provisions within the NPPF.

Residential Amenity

- 6.29 The pre-application response outlined that a table setting out compliance with minimum space standards will be required with the submission of any planning application, however this anticipated a full planning application whereas the application is in outline and therefore this is not required or appropriate at this stage.
- 6.30 The development proposals have been carefully designed to be of appropriate siting and scale in order to prevent any amenity concerns. Consideration has been given to the scheme to be in keeping with neighbouring properties to ensure that it is reflective of the local context.
- 6.31 All of the habitable rooms within the proposed dwellings would have good access to natural light and suitable levels of outlook. The proposed dwellings would have their own private amenity space.
- 6.32 The proposed dwellings would be of sufficient separation distance from any nearby dwellings so as to avoid any adverse impacts on residential amenity.
- 6.33 Accordingly, it is considered that proposed development will not adversely impact the residential amenities of the surrounding occupiers by way of privacy, access to sunlight and daylight, noise, vibration, pollution, dust, and smell. The proposed development would not result in any adverse harm in terms of residential amenity and the application proposal is considered sympathetic to the local character of the surrounding area, therefore it is in accordance with relevant planning policies contained in the local planning policy and guidance documents, as well as provisions within the NPPF.

Ecology and Biodiversity Net Gain

- 6.34 The application is submitted in outline form only with all other remaining matters reserved for subsequent approval.

- 6.35 The application is accompanied by a Bat Survey Report and Method Statement prepared by Batworker Limited. This recommended that compensatory roost features in the form of bat boxes installed in trees on the site boundary would offer mitigation measures in line with those expected by Natural England. In addition, the report outlined that by following reasonable avoidance measures and mitigation included in the document the development can take place, ensuring the continued ecological functionality of the application site.
- 6.36 The application is accompanied by a Biodiversity Net Gain Report and metric prepared by Ark Ecology Limited.
- 6.37 In summary, the proposed development is therefore considered to be wholly acceptable from ecology perspective and complies with relevant local planning policies documents and provisions in the NPPF.

Flood Risk and Drainage

- 6.38 All details pertaining to flood risk and drainage shall form part of a subsequent reserved matters application, reserved for later determination.
- 6.39 The application site falls within Flood Zone 1 (low probability) in terms of pluvial flooding and is at low risk of surface water flooding. The proposed development is not anticipated to result in the risk of increased flooding to the site or elsewhere and an appropriate drainage strategy which complies with the hierarchy approach to deliver sustainable urban drainage is proposed.
- 6.40 The application is supported by a Flood Risk and Drainage Impact Assessment (FRDIA) prepared by Dart Engineers Limited.
- 6.41 In terms of foul water drainage, it is proposed to discharge foul water from the development to the public sewer network.
- 6.42 In regard to surface water, this will be discharged to a watercourse and flows restricted to greenfield run off rates and attenuation provided. Full details are included within the FRDIA that forms part of the submission. Overall, the FRDIA demonstrates that the foul and surface water

drainage systems for the new development can be designed and constructed to meet local and national planning and drainage policies.

- 6.43 On the basis of this assessment, the scheme will be in adherence with relevant local planning documents and other relevant provisions contained in the NPPF.

Arboriculture

- 6.44 The application site does not contain any important trees. The proposed development is anticipated to result in no negative impact on any trees.
- 6.45 In summary, the proposed development is therefore considered to be wholly acceptable from an arboriculture perspective and complies with relevant local planning documents and other provisions within the NPPF.

Digital Connectivity

- 6.46 Full details in relation to digital connectivity shall form part of a subsequent reserved matters application, reserved for later determination.
- 6.47 The application is accompanied by a Digital Connectivity Statement prepared by Gary Hoerty Associates which demonstrates the development will benefit from full fibre to premises connections, operational internet connections and accessibility to network providers.
- 6.48 Based on the above, the proposed scheme adheres to relevant local planning documents and other relevant provisions contained in the NPPF.

Carbon and Energy

- 6.49 Full details in relation to carbon and energy shall form part of a subsequent reserved matters application, reserved for later determination.
- 6.50 The application is supported by a Carbon and Energy Statement which demonstrates that on delivery the proposal complies with relevant local planning and other provisions in the NPPF.

6.51 On the basis of this assessment, the scheme will be in adherence with relevant local planning documents and other relevant provisions contained in the NPPF.

7.0 PLANNING BALANCE

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 7.2 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. This is followed by paragraph 8 which sets out that 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)”*.
- 7.3 Considering the above, the proposed development would constitute the complete redevelopment of PDL which would not cause substantial harm to the openness of the Green Belt. As such, the proposed development falls under the exception *‘partial or complete redevelopment of previously developed land’* and is therefore not an inappropriate form of development in the Green Belt as out in Paragraph 154g) of the NPPF.
- 7.4 The benefits of the application proposal are considered wide-ranging and significant, linked to the objectives of sustainable development as set out in paragraph 8 of the NPPF.

Economic Objective

- 7.5 In relation to the economic objective, the nature of this proposal, a ‘paragraph 154g) development of quality design means that during the pre and post construction phases, the development will support the creation of highly skilled jobs.
- 7.6 The generation of Council Tax and New Homes Bonus payments for the Local Authority can potentially be used and reinvested back into the local economy.
- 7.7 The proposals will therefore contribute to the growth objectives for the local area which underpin the wider objectives of the adopted development plan. This would result in increasing spending within the surrounding areas and there would be a contribution to the long-term maintenance of services and facilities.

Social Objective

- 7.8 In regard to the social objective, upon delivery the proposed dwellings would contribute towards increasing housing provision, a key principle in the NPPF.
- 7.9 The delivery of the proposed development would provide a bespoke and aspirational high-quality development that would assist in improving choice and competition in the local market.
- 7.10 Furthermore, one of key aspects of social sustainability is to contribute towards a well-designed built environment, of which the application proposal does.
- 7.11 There is the potential for apprenticeships, further training and skills development for people of all ages during the pre- construction, and construction and end user stages.
- 7.12 The proposed development would be bespoke and of high-quality design and be sensitive to its surrounding environs being of traditional appearance reflecting the surrounding rural vernacular, providing design interest and delivering quality to the local area and the site itself.

Environmental Objective

- 7.13 In terms of the environmental objective, the proposals are considered appropriate within the residential context and will not have a negative impact upon the surrounding area or environment.
- 7.14 The proposals will have a beneficial impact on the quality and longevity of the landscape features and habitats, as well as protecting and enhancing the existing character of the site and the surrounding area.
- 7.15 The site has been fully assessed for its ecological value, confirming the proposals will not result in a significant impact. The proposal would incorporate energy efficiency measures and sustainable materials and sustainable methods would be employed during the construction phase.

- 7.16 The proposed drainage strategy observes the drainage hierarchy and provides an appropriate drainage solution.
- 7.17 The dwellings would contribute towards the Government's agenda of zero net carbon by 2050.
- 7.18 The proposal amounts to efficient use of land and would redevelop a brownfield site, incorporating locally sourced materials.
- 7.19 There are no insurmountable technical issues have been identified in respect of landscape, ecology, arboriculture, flood risk and drainage.

Planning Balance Conclusion

- 7.20 In conclusion, based on the assessment of the application proposal, it has been demonstrated that the development proposal constitutes sustainable development, as it meets the three objectives of the NPPF as set out in paragraph 7 of the NPPF.
- 7.21 The benefits of the proposed development are significant and are considered to outweigh any perceived harm that the proposed development might be considered to generate. The application proposals would not result in substantial harm to the openness of the Green Belt.
- 7.22 Ultimately, in accordance with paragraph 11(d) of the NPPF, the proposed development would not result in any adverse impacts which would significantly and demonstrably outweigh the identified social, economic and environmental benefits.
- 7.23 In accordance with paragraph 7 and paragraph 11(d) of the NPPF, the adopted Development Plan, other provisions contained within the NPPF and other material considerations, there is no clear reason for refusing the proposed development hence planning permission should be granted.
- 7.24 The overall planning balance therefore falls in support of granting planning permission.

8.0 SUMMARY AND CONCLUSION

- 8.1 This Planning Statement has been prepared by Gary Hoerty Associates on behalf of the applicants, Mr G Jones, Mrs L King and Mrs M Ormrod, in support of an outline planning application for the complete demolition of an existing farmstead and the erection of nine dwellings and associated works at Brook Farm, Simister Lane, Prestwich, Manchester, M25 2SB.

The description of the proposed development is as follows:

“Complete demolition of an existing farmstead and the erection of no.9 dwellings and associated works”

- 8.1 The proposed development is submitted in the context of paragraph 154g) of the National Planning Policy Framework (NPPF) as an exception to inappropriate in the Green Belt.
- 8.2 The proposed development is considered as constituting the sensitive complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt, therefore, is regarded as an exception to inappropriate development in the Green Belt as set out in paragraph 154g) of the NPPF.
- 8.3 The proposed development creates an opportunity to provide a high-quality and sustainable development that regenerates underutilised previously developed land which makes a greater contribution to the Council’s housing land supply target and overall housing need than would be achieved by the implementation of the extant consent for the creation of only five dwellings.
- 8.4 As mentioned, the site benefits from extant planning permission which was approved by the Council. The notable changes since the application was approved are that the redevelopment of previously developed sites in the Green Belt can now result in harm to the openness of the Green Belt provided that any harm is less than substantial and the Government’s greater emphasis on housing delivery and prioritizing the release of lower quality Green Belt land reflected in recent updates of the NPPF and Ministerial Statements. The revisions to the approved scheme make more efficient use of the site and the proposal creates an opportunity to provide a high-quality, sustainable development that regenerates underutilised previously developed land that makes a

contribution to the Council's overall housing need. The proposed development is considered as being technically acceptable.

- 8.5 The site is one that will be of interest to small local developers and builders, and its approval would meet the Governments aims of making such sites available in accordance with paragraph 73 of the NPPF.
- 8.6 This Statement has highlighted the significant benefits the proposed development would deliver and it is clear that the application proposals would not result in any material adverse impacts which would 'significantly and demonstrably' outweigh the identified social, economic and environmental benefits that weigh heavily in favor of granting planning permission.

APPENDICES

Our Ref: 03055E
Your Ref:
Date: 26 March 2025
Please ask for: Helen Pressley
Direct Line: 0161 253 5277
Email: h.pressley@bury.gov.uk

Gary Hoerty
Gary Hoerty Associates
Suite 9, Grindleton Business Centre
The Spinney
Grindleton
Clitheroe
01200 44

Dear Sir/Madam

Proposal: Redevelopment of existing farmstead for up to 9 no.
dwellings
Location: Brook Farm, Simister Lane, Prestwich, Manchester, M25
2SB

I am writing following receipt of your enquiry in connection with the above proposal and to provide the Council's view of the issues discussed in our meeting.

The details within this note are provided as a guidance note in the event of a formal application being submitted.

Should you wish to discuss any of the issues contained within this note, then please contact the above case officer.

Yours faithfully

Helen Pressley
Planning Officer

Accompanying/Supporting Information

To accompany any application for planning permission, the following documents, in the first instance, should be submitted in line with both national and Local Validation Procedures. Failure to do so would mean that any application without these would not be validated.

Forms and fee

Red edge plan that meets a highway - relevant notices served on land owners if required

Existing site plan

Proposed site plan

Topographical plan

Proposed site plan based on a topographical plan showing proposed access and highways details and the existing public right of way

Proposed Elevations

Proposed Floor plans

Street scene plan

Existing and proposed site section plans and site levels

Floor levels

Landscaping scheme and boundary treatment details

Parking and Servicing details

Refuse storage details

Planning Statement

Preliminary ecological appraisal (PEA);

A bat assessment of buildings proposed for demolition and dusk surveys where required;

Any additional surveys recommended by the PEA (Such as great crested newt surveys) and;

A UK Hab and condition assessment of the site to inform biodiversity net gain based on the 2020 data set out above

A completed biodiversity metric indicating the level of biodiversity net gain or loss is likely to be achieved by the scheme

A written biodiversity statement or draft biodiversity net gain plan (BGP)

Raw baseline habitat data in UKhab survey format

Pre and post development habitat maps (showing areas of loss and retention)

Drainage strategy

Contaminated Land Desk Study/Preliminary Risk Assessment

Density Statement

Carbon and Energy Statement

Nationally Designated Space Standards Table

Digital connectivity statement

S106 proforma if a major application is submitted

Planning Policies

In the consideration of the proposals, the following policies are relevant to the scheme and would be taken into consideration should any application be formally submitted:

EC4/1 Small Businesses

RT3 Recreation in the Countryside

RT3/4 Recreational Routes

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

OL1/2 New Buildings in the Green Belt

OL1/4 Conversion and Re-use of Buildings in the Green Belt

EN7/3 Water Pollution

H4/1	Affordable Housing
RT2/2	Recreation Provision in New Housing Development
EN6/3	Features of Ecological Value
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
JP-P1	Sustainable Places
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-C2	Digital Connectivity
JP-S2	Carbon and Energy
JP-H1	Scale of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-P5	Education, Skills and Knowledge
JP-G9	The Green Belt
JP-S5	Clean Air
JP-S4	Flood Risk and the Water Environment
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

Description

The site is a an existing oil recycling business operating from former agricultural buildings on the south side of Simister Village. The site is accessed along footpath 29bPRE from Simister Lane to the north. The site is within the Green Belt and also has footpath 29bPRE running through it.

Planning permission has been previously granted for the construction of 4no. dwellings, and conversion of a farm building under application reference 58827. It was confirmed in our meeting that a material start had been made and that you have correspondence in relation to this.

Pre-application advice is sought in relation to redevelopment of the site to provide up to 9no. dwellings

Site History

55300 - Rebuilding of part of single storey building for equine/agricultural storage use in association with equine/livery business (retrospective) - 03/09/2013

55300 - Rebuilding of part of single storey building for equine/agricultural storage use in association with equine/livery business (retrospective) - Refuse 24/09/2012

55889 - Single storey equine/agricultural storage building (Part Retrospective) - Approve with Conditions 24/01/2013

57888 -Demolition of former farm buildings currently used for oil recycling business and erection of 2 no. dwelling houses and conversion and extension of existing barn to form

dwelling house - Withdrawn

58827 - Demolition of existing buildings currently used for oil recycling business and livery yard; Replacement with 4 no. dwellings and conversion and extension of traditional barn to form a single dwelling (resubmission) - Approved 01/10/2015

Principle (Residential)

The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions, and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant under delivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed. The joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is able to demonstrate a deliverable 5 year supply of housing land with a 20% buffer (as currently required in Bury due to past under delivery) when assessed against the adopted PfE housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

As the site is located within the Green Belt however the tilted balance as set out within paragraph 11d of the NPPF is not applicable.

Principle (Green Belt)

Paragraph 153 of the NPPF states that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the

Green Belt, including harm to its openness.

The PPG in relation to Green Belt, and updated in February 2025 confirms that:

Footnote 55 to the NPPF sets out that if development is considered to be not inappropriate development on previously developed land or grey belt, then this is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

This is consistent with rulings from the courts on these matters that, where development (of any kind, now including development on grey belt or previously developed land) is not considered to be inappropriate in the Green Belt, it follows that the test of impacts to openness or to Green Belt purposes are addressed and that therefore a proposal does not have to be justified by “very special circumstances”.

Paragraph 154 of the NPPF states that the construction of new buildings in the Green Belt should be regarded as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

UDP Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of more of the following purposes: agriculture and forestry essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it; limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement

existing dwellings, the new dwelling is not materially larger than the one it replaces; limited infilling in existing villages.

PfE Policy JP-G9 - The Green Belt confirms the extent of the Green Belt within the Borough and confirms the five purposes of including land within the Green Belt. The beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes. In particular, the enhancement of its green infrastructure functions will be encouraged, such as improved public access and habitat restoration, helping to deliver environmental and social benefits for our residents and providing the high quality green spaces that will support economic growth.

Previously Developed Land

The Officer Report for application 58827 stated that *"It is considered that the existing use, that of oil recycling, is not particularly appropriate on this site, in terms of location, visual amenity, access issues, the presence of the public right of way crossing the site. As the site is considered to be previously developed brownfield land the principle of redevelopment is acceptable and appropriate within the terms of the NPPF and Green Belt Policy."*

It is accepted therefore that the site is previously developed land and would therefore appear to fall under exception g of paragraph 154 of the NPPF. As such the principle of development of this site for residential is accepted provided it does not cause substantial harm to the openness of the Green Belt.

As acknowledged within the supporting letter this deviates from the previous version of the NPPF removing the requirement for a proposed development not to have a greater impact on the openness of the Green Belt than the existing development. This however is a recent amendment and as such has not been thoroughly tested through the application and appeal process in terms of providing case law as to what would be considered to be substantial harm.

The recently updated PPG does however give some guidance on assessing the impact of a proposal on the openness of the Green Belt, and this requires a judgment based on the circumstances of the case. Assessment in terms of openness can include, but is not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume
- the degree of activity likely to be generated, such as traffic generation

Prior to the changes in the NPPF, it has been largely accepted through Case Law that whilst volumetric matters may be a material concern, they are not the only concern. Indeed in terms of case law in the Court of Appeal judgement *Turner v Secretary of State* 2016 at para 14 is often cited. As such, when considering the impact on the openness of the Green Belt the LPA would also be reviewing other matters outside of the volume of the existing buildings on site including view points, materials, design, layout, boundary treatments etc.

It is also acknowledged that the definition of PDL has been amended, to include large areas of hardstanding which have been lawfully developed. Reviewing the previous application it appear that the units were sited in similar locations to the existing buildings. This amendment to the definition therefore may allow more of the site to be developed than previously to accommodate the additional dwellings.

Total demolition of the existing buildings on site, rather than partial demolition and one conversion is likely to be acceptable particularly considering the new PfE policy in relation to

Carbon and Energy which is referenced below.

Layout and Design

PfE Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 35 dwellings per hectare at this site. The supporting letter states that the site is 0.56 hectares, which based on a total of 9 dwellings would result in a density of 16 dwellings per hectare. This would therefore not make efficient use of land, and a total of 19 dwellings should be provided at this site to achieve minimum densities as set out within JP-H4.

Lower densities may be acceptable where they can be clearly justified by:

1. Local housing market issues, such as a demonstrable need for a particular type of housing that cannot be delivered at a higher density; or
2. Site-specific issues, such as the design context and any potential impact on the wider landscape or townscape including heritage assets and green infrastructure.

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 seeks to create a city region that consists of a series of beautiful, healthy and varied places. High quality design is fundamental to achieving this. PfE Policy JP-H3 seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

This is further supported by the National Design Guide. The National Design Guide, published by the Ministry of Housing, Communities and Local Government in 2019 states that well designed new development is influenced by "an appreciation and understanding of vernacular.....including existing built form, landscape and local architectural precedents." In terms of layout the Design Guide states that a well designed place is unlikely to be achieved by focusing just on appearance, materials and detailing of buildings and that layout, including the grain pattern of development, blocks and lots needs to be considered and relate to one another to create spaces, open spaces and buildings.

PfE Policy JP-G1 requires developments within a Landscape Character Type, to reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, including having regard to:

- Topography, geology and drainage;
- Land use and field patterns;
- Semi-natural habitats and woodland cover;
- Archaeology and cultural heritage;
- Settlement, road pattern and rights of way; and
- Views and perceptual qualities.

The site is located within Landscape Character Type Simister, Slattocks and Healds Green: Urban Fringe Farmland. The Greater Manchester Landscape Character and Sensitivity Assessment includes a description of Urban Fringe Farmland and this should be reviewed and referenced when setting a design and layout for any proposal at this site.

PfE Policy JP-H3 also states that all new dwelling must:

1. Comply with the nationally described space standards (NDSS); and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

A table setting out compliance with minimum space standards will be required with the submission of any planning application. M4(2) compliance can be secured by condition.

Amenity

UDP Policy H1/2 states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property.

Any layouts should incorporate these above aspect standards.

Highways

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

The following comments have been made by Highways:

- The location of public right of way 29bPRE needs to be shown on any plans
- The access to the site from Simister Lane has not been included within the red-edge site. This needs to be included.
- No assessment of or improvements to that access forms part of the proposals (e.g., visibility at the junction, provision of appropriately spaced passing places/signage, etc. - refer to applications such as Hollymount Farm (68505), Meadowcroft Farm, etc.), especially in view of the intensification of use proposed.
- No detailed, proposed site layout has been submitted.
- The views of GMFRS need to be sought due to potential secondary emergency access issues that this residential development would present.
- The views of Waste Management need to be sought due to potential access issues for their vehicles due to the residential use proposed and need to agree access/bin storage arrangements (especially if the site cannot be adequately accessed by the Council) - *NB Waste Management have been consulted as part of the pre-app and have not provided a response.*

In terms of parking standards UDP Policy HT2/4 requires all applications for development to

make adequate provision for their car parking and servicing requirements . Supplementary Planning Document 11 provides parking standards for developments.

Ecology

Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Policy EN8/2 supports and encourages new woodland and tree planting within the borough.

The development will result in the loss primarily of existing hardstanding and developed land to vegetated gardens and landscaping. There is a pond in close proximity to the site.

Ecological Survey Requirements

GMEU would recommend that as part of any planning application a:

- Preliminary ecological appraisal (PEA);
- A bat assessment of buildings proposed for demolition and dusk surveys where required;
- Any additional surveys recommended by the PEA (Such as great crested newt surveys) and;
- A UK Hab survey and condition assessment of the habitats.

Biodiversity Net Gain (BNG)

10% BNG is now mandatory. The development is unlikely to be exempt with the current red edge as whilst primarily developed land the most recent aerial photographs indicate more than 25sqm of vegetation is present.

GMEU therefore recommend that a biodiversity net gain assessment is provided as part of any planning application including a copy of the statutory defra metric. Whilst 10% should be achievable on the site, given the percentage of the site currently with zero biodiversity unit value, further information should to be provided on how off-site compensation will be provided if 10% net gain cannot be achieved on-site.

Contributing to and Enhancing the Natural Environment

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. Whilst BNG should resolve issues relating to vegetated habitats it does not cover mitigation for any adverse effects to wildlife such as nesting birds, bats and amphibians. Mitigation and enhancement measures should therefore be provided.

United Utilities

United Utilities provides a free water and wastewater pre-development enquiry service. We strongly encourage the applicant to contact us directly to discuss their proposals in detail. Further information, including the relevant forms are available on our website: <https://www.unitedutilities.com/builders-developers/pre-development/>

We also wish to advise that it is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and a proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, the applicant can visit our Property Searches website; <https://www.unitedutilities.com/property-searches/>.

It is possible to view asset plans for free; either at local authority offices or at United Utilities Lingley Mere offices based in Warrington (please telephone 0370 751 0101 to book an appointment).

For any further information regarding Developer Services and Metering, please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>

Please send any further correspondence relating to the above planning application to Planning.Liaison@uuplc.co.uk

Contaminated Land

Paragraphs 187(f), 196 and 197 of the NPPF seek to ensure that planning decisions contribute to and enhance the environment through remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Based on the environmental setting and the proposed development (residential development of 9 no. dwellings), it is recommended that a preliminary risk assessment is carried out as a minimum at application stage. Any intrusive investigation required could be submitted after a decision has been made on any application for residential development.

Air Quality

The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the Planning Practice Guidance-Air Quality and EPUK Guidance, an air quality assessment will not be required.

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. Due to this requirement, and the requirements of the building regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), the Environment Section would require:

{Residential less than 10 parking spaces}

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking space.

{Residential more than 10 parking spaces additional point to be added}

- Cable routes to be provided for all parking spaces which do not have access to an electric vehicle charging point..

Carbon And Energy

JP-S2 - Carbon & Energy sets out the steps required to achieve net zero carbon emissions. A statement will be required with any planning application that set out how the proposed dwellings would comply with this policy.

Digital Connectivity

JP-C2 - Digital Connectivity - this policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. As above, a statement will be required with the submission of any planning application to set out how the proposed dwellings would comply with this policy.

Planning Obligations - Major Development

Should the applicant seek to apply for 10 or more houses the following will apply:

Affordable Housing

Paragraph 67 of the NPPF states that:

As part of the 'Golden Rules' for Green Belt development set out in paragraphs 156- 157 of this Framework, a specific affordable housing requirement (or requirements) should be set for major development involving the provision of housing, either on land which is proposed to be released from the Green Belt or which may be permitted on land within the Green Belt. This requirement should:

- a) be set at a higher level than that which would otherwise apply to land which is not within or proposed to be released from the Green Belt; and
- b) require at least 50% of the housing to be affordable, unless this would make the development of these sites unviable (when tested in accordance with national planning practice guidance on viability).

As the current UDP does not have specific affordable housing requirements, any redevelopment of this site that falls within the major category on sites of 10-24 the requirement would be 50%, on sites of 25+ the current requirement would be 40%.

The PPG currently states "Where development takes place on land situated in, or released from, the Green Belt and is subject to the 'Golden Rules' set out in paragraph 156 of the National Planning Policy Framework, site specific viability assessment should not be undertaken or taken into account for the purpose of reducing developer contributions, including affordable housing. The government intends to review this Viability Guidance and will be considering whether there are circumstances in which site-specific viability assessment may be taken into account, for example, on large sites and Previously Developed Land."

New viability guidance is due "in the Spring".

The Council would wish to secure nomination rights for the affordable housing. The affordable housing should be secured through a Section 106 Agreement.

Recreation

Saved UDP Policy RT2/2 requires all proposals for new housing consisting of 10 units or more to make provision for the recreational needs of the prospective residents.

SPD1 Open Space, Sport and Recreation Provision in New Housing states that on-site recreation provision will only be considered in exceptional circumstances.

Education

PfE Policy JP-P5 - Education, Skills and Knowledge - requires where appropriate new major housing developments to make a financial contribution to the provision of additional school places and/or set aside land for a new school proportionate to the additional demand they would generate.