

Planning Appeal: Former Mondi Mill Paper Works

Our ref 62274/02/SPM/AKe

Date July 2022

Subject Local Planning Policy Context

1.0 Bury Unitary Development Plan (Adopted August 1997)

- **Policy EC1/1 (Land for Business (B1) (B2) (B8)):** Identifies sites for business (B1), general industry (B2) and warehousing uses (B8). Development for other business and industrial uses will only be permitted in exceptional circumstances and in accordance with other policies and proposals of the plan.
- **Policy EC2/1 (Employment Generating Areas):** In the defined Employment Generating Areas, as identified on the Proposals Map, the Council will only allow development for the uses specified. Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an Employment Generating Area.
- **Policy EC3/1 (Measures to improve Industrial Areas):** The Council will be especially concerned with improving older industrial areas and premises, and will encourage and, where appropriate, implement measures to: improve the condition and appearance of buildings; improve access, servicing and car parking arrangements; bring into use derelict and vacant land; facilitate the re-use of vacant buildings and floorspace; improve the visual appearance and environment of the area; promote the introduction of new industrial development; and promote good standards of design in all developments.
- **Policy H1/2 (Further Housing Development):** The Council will have regard to the following factors when assessing proposals for housing development on sites not identified on the Proposals Map: the need to direct development towards the urban area; the availability of infrastructure; the need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration; the suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses; and other policies and proposals of the Plan.
- **Policy H2/1 (The Form of New Residential Development):** All new residential development will be expected to make a positive contribution to the form and quality of the surrounding area. Factors to be considered when assessing proposals will include: the height and roof type of adjacent buildings; the impact of developments on residential amenity; the density and character of the surrounding area; the position and proximity of neighbouring properties; and the materials to be used in proposed developments, especially their colour and texture.

- **Policy H2/2 (The Layout of New Residential Development):** New residential development will be required to demonstrate acceptable standards of layout. Factors to be considered when assessing proposals will include: car parking provision; access for both vehicles and pedestrians, and provision for public transport; the possible need for traffic calming measures; density; space about and between dwellings; landscaping and screening; protection/provision of trees and hedgerows; open space/children's play areas; design for safety and security; access/facilities for the disabled; the existence of any public rights of way.
- **Policy H4/1 (Affordable Housing):** The Council will encourage the provision of affordable housing through negotiation, partnership agreements and the identification of land suitable for such purposes. There will be a particular emphasis given towards encouraging the development of affordable housing as an integral part of large housing developments.
- **Policy EN1/1 (Visual Amenity):** Development will not be permitted where proposals would have a detrimental effect on: public views of prominent or important buildings, especially those in areas of architectural or historic interest; and the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.
- **Policy EN1/2 (Townscape and Built Design):** The Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals will include: the external appearance and design of the proposal in relation to its height, scale, density and layout; the relationship of the proposal to the surrounding area; the choice and use of materials; access and other design features for the mobility impaired; the design and appearance of access, parking and service provision; landscaping, including the use of natural landscape features, and open space provision; and the use of lighting
- **Policy EN1/3 (Landscaping Provision):** Development proposals will be required to make provision for incidental open space and landscaping to the Council's satisfaction.
- **Policy EN1/5 (Crime Prevention):** The Council will encourage development proposals which include environmentally sensitive design features aimed at discouraging crime. In assessing development proposals particular attention will be paid to the: use and creation of defensible space; creation of opportunities for natural surveillance; location and design of street lighting; location of footpaths and access points; location and design of parking facilities; and design of landscaping.
- **Policy EN1/7 (Throughroutes and Gateways):** The Council is concerned to improve the quality of development along throughroutes and at gateways, and will require new proposals fronting major throughroutes and at the identified gateways to display a high standard of design and landscaping.
- **Policy EN2/1 (Character of Conservation Areas):** The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's

Conservation Areas. The Council will be especially concerned with encouraging and, where appropriate, implementing measures to: retain, replace and restore features of historical and architectural interest; retain and enhance existing landscape features including trees, parks and gardens; initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes; remove dereliction and bring unused land or buildings back into beneficial use; and prepare and promote design guidelines to ensure sympathetic development.

- **Policy EN2/2 (Conservation Area Control):** Development within a Conservation Area will only be acceptable if it preserves or enhances the special character or appearance of the area. In considering proposals for development in Conservation Areas, regard will be had to the following criteria: the nature of the development in terms of its bulk, height, materials, colour, design and detailing; the relationship between the proposed development and the architectural and visual qualities of the surrounding area; where demolition is proposed, the contribution of any proposed new building to the character or appearance of the area as compared to the building to be demolished; and in the case of the re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.
- **Policy EN3/1 (Impact of Development on Archaeological Sites):** Where a development proposal is submitted which will affect an archaeological site, the developer should submit sufficient information on the potential impact of the development to allow the Council to make a full and proper investigation into its archaeological consequences. The Council will have regard to the following criteria in determining the importance of an archaeological site and the impact of any proposal: the historic importance of the site; the quality and condition of the site; the rarity value of the site; the nature of the proposed development; the level/degree of disturbance; the permanence of the proposal; and the siting of associated infrastructure/services.
- **Policy EN3/2 (Development Affecting Archaeological Sites):** On sites where development is considered to be acceptable in principle, consent will only be granted if: the development is designed in such a way as to minimise the level of disturbance and damage; development is programmed so that such sites and remains can be investigated in accordance with a previously agreed scheme of excavation and evaluation; and where damage or disturbance is unavoidable, arrangements are made for the archaeological recording of the site prior to and during development.
- **Policy EN5/1 (New Development and Flood Risk):** The Council will not permit new development, including the raising of land and the intensification of development, where such development would be at risk from flooding, would be likely to increase the risk of flooding elsewhere, or would adversely affect river flood defences. When assessing proposals against this policy, the following criteria will apply: the impact on the floodplain; the increase in surface water run-off as a result of the proposal; the impact on fluvial flood defences; and the incorporation of mitigating works.

- **Policy EN6 (Conservation of the Natural Environment):** The Council will retain, protect and enhance the natural environment of the Borough, particularly in relation to areas of ecological, wildlife and geological importance.
- **Policy EN6/3 (Features of Ecological Value):** The effect of land use changes on existing features of ecological or wildlife value will be taken into account when assessing development proposals. Any proposal should seek to retain such features and incorporate them into the development.
- **Policy EN6/4 (Wildlife Links and Corridors):** The Council will seek to consolidate and, where appropriate, strengthen wildlife links and corridors, and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their effectiveness through the design, landscaping and siting of development proposals and mitigation works, where appropriate.
- **Policy EN7 (Pollution Control):** The Council will seek to control environmental nuisance and minimise pollution levels associated with development by limiting the environmental impact of pollution, wherever possible, in conformity with current legislation and prescribed standards.
- **Policy EN7/1 (Atmospheric Pollution):** In seeking to limit atmospheric pollution the Council will not permit development which: would result in unacceptable levels of atmospheric pollution; and/or is not compatible with the achievement of the Council's long term air quality standards.
- **Policy EN7/2 (Noise Pollution):** In seeking to limit noise pollution the Council will not permit: development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users; development close to a permanent source of noise.
- **Policy EN7/3 (Water Pollution):** The Council will not permit development which would have an unacceptable adverse effect in terms of pollution upon the water quality of the Borough's water courses and other water features.
- **Policy EN7/5 (Waste Water Management):** In seeking to limit surface water pollution the Council will not permit development which: does not have satisfactory arrangements for the disposal of foul sewage, trade effluent and contaminated surface water; will exacerbate existing problems, such as premature or increased frequency of discharges through storm sewer overflows due to inadequate infrastructure or lack of sewer capacity; and would present an unacceptable risk of spillage or leakage of stored oils/chemicals or other potentially polluting substances.
- **Policy EN8 (Woodland and Trees):** The Council will support the retention of trees, woods, copses and hedgerows and encourage natural regeneration and new and replacement tree planting throughout the Borough.
- **Policy EN8/2 (Woodland and Tree Planting):** The Council will support and encourage new woodland and tree planting in the Borough. In considering development proposals, the Council will encourage the planting of hedges, trees and woodlands using locally native species.

- **Policy EN9 (Landscape):** The Council will seek to protect, conserve and improve the landscape quality of the Borough, and will encourage the enhancement of landscapes, where appropriate.
- **Policy OL5/2 (Development River Valleys):** Within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below: where the area is designated as Green Belt the established Green Belt policies will apply; or where the area does not form part of the Green Belt, at least one of the following circumstances is met: that the development represents limited infilling to an established valley settlement or industrial area; that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance; that the development is required in association with an outdoor recreation or appropriate tourist facility; that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities; and any other development that would be appropriate in a Green Belt.
- **Policy OL5/3 (Riverside and Canalside Development in Urban Areas):** Within urban areas, where development has taken place adjacent to the rivers and canal, the Council will, where appropriate, and where opportunities arise, seek to maintain and provide open land corridors to help to re-establish the continuity of the river valleys. In particular, in seeking to implement this policy, the Council will: require the incorporation of an open land/access corridor alongside water frontages as part of any development proposals; not permit development which would prejudice the establishment of new or the retention of existing open land/access corridors along water frontages; and encourage the inclusion of open land/access corridors within any reclamation or environmental improvement scheme affecting water frontages.
- **Policy RT2/2 (Recreation Provision in New Housing Development):** Developers of new housing on sites of 10 or more dwellings will be expected to provide for the recreational needs of the prospective residents, by providing and laying out recreational open space within or adjacent to the development, equivalent to a standard of 2.4 hectares per 1,000 population. Development proposals will be assessed and considered in accordance with the following criteria: for larger developments, generally 50 or more dwellings, such provision would normally be expected to be by the allocation of land in accordance with the above standard. Provision should, wherever possible, be in a single plot, with a minimum site size of 0.4 hectares; for smaller developments, generally those of 10 to 49 dwellings (inclusive), the developer may alternatively, by negotiation, provide a commuted sum to the Council for the equivalent enhancement of public open space or the implementation of an outstanding recreation allocation in the nearby area; and in the case of phased developments on adjacent sites, the total amount of recreational open space to be provided shall, whenever possible, be determined at the earliest application stage, in accordance with the above standard. Again, provision should be in a single plot, and laid out in accordance with a phasing programme to the satisfaction of the local planning authority.

- **Policy HT2/4 (Car Parking and New Development):** The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.
- **Policy HT4 (New Development):** In considering the location of new or intensified development, the Council will encourage proposals which: support the principles of sustainable development; assist the implementation of a balanced transportation strategy; and minimise the environmental impact of traffic. In particular, new development will be encouraged where use can be made of public transport or spare capacity in the existing highway network, provided that this is also in accordance with other policies of the Plan.
- **Policy HT5/1 (Access for Those with Special Needs):** The Council will encourage the provision of satisfactory access to public transport, car parks, pedestrian areas and public and private buildings for the mobility impaired and those with special needs. This will be achieved by proposals which include: the provision of specially demarcated car parking spaces; ramped accesses in preference to steps in public and private areas; greater coverage of the Borough by the "Ring and Ride" and "Localine" services funded by the Greater Manchester Passenger Transport Authority; and better design of buildings incorporating details such as wider and/or automatic doors.
- **Policy HT6/1 (Pedestrian and Cyclist Movement):** The Council will seek to ensure that pedestrians and cyclists are able to move safely and conveniently. This can be achieved by: eliminating points of conflict between pedestrians/cyclists and motor vehicles; providing direct and convenient routes; ensuring that routes are well lit and clearly signed; extending pedestrian areas, especially in Bury town centre and other district or local centres, where appropriate; ensuring that all proposals for development recognise the needs of pedestrians and cyclists; making exemptions for cyclists in Traffic Regulation Orders and pedestrianisation schemes, where appropriate; and providing secure cycle parking and identifying cycle routes, including recommended routes and cycle lanes through busy urban areas, where appropriate.
- **Policy HT6/2 (Pedestrian/Vehicular Conflict):** The Council will take action, as appropriate, to reduce pedestrian/vehicular conflict through measures which include: pavement widening/realignment; pedestrianisation schemes; improved pedestrian crossing facilities; proposals designed to reduce traffic speed; and provision of clearly signed pedestrian routes.
- **Policy TC2/3 (Vacant and Cleared Sites):** The Council is concerned that vacant and cleared sites should not detract from the overall appearance of the town centres. Where it appears that sites may remain undeveloped for some time, the Council will support proposals for their temporary use or improvement prior to their long term redevelopment.