

Places for Everyone Representation 2021

<b>Family Name</b>	Acheson
<b>Given Name</b>	Paul
<b>Person ID</b>	1287313
<b>Title</b>	Stakeholder Submission
<b>Type</b>	Web
<b>Family Name</b>	Acheson
<b>Given Name</b>	Paul
<b>Person ID</b>	1287313
<b>Title</b>	Our Vision
<b>Type</b>	Web
<b>Soundness - Positively prepared?</b>	Unsound
<b>Soundness - Justified?</b>	Unsound
<b>Soundness - Consistent with national policy?</b>	Unsound
<b>Soundness - Effective?</b>	Unsound
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No
<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	It is questionable whether PfE and the GMSF can effectively be treated as the same plan. Legality must be decided in court before "Places for Everyone" can proceed any further. It is assumed that a transition between a spatial framework (GMSF) and a Joint Development plan (PfE) is acceptable without a significant re-write. While the GMSF may have been established as legally compliant (complies with Regulation 18 of the Town and Country Planning regulations) and could therefore possibly proceed to final public consultation and submission under Regulation 19 (this current stage) PfE legality is not established. If there is any substantial difference in scope between the GMSF and PfE it cannot be assumed that Regulation 18 is Automatically satisfied for PfE. Para 1.23 states "The changes made between GMSF 2020 and PfE 2021 are not insignificant in numerical terms, indeed all sections of the plan have seen some form of change." So, is "not insignificant" the same as "substantial", if it is, the plan is not legal. This can only be established by a proper judicial review. So until proven otherwise the plan must be considered illegal and not put to Government.
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	<p>Soundness</p> <ol style="list-style-type: none"> <li>1. The plan uses 2014 data to predict housing need and ignores the potential impact of Brexit and Covid-19. Housing need must be re-assessed using the latest (2018) ONS population predictions and take into account the effect of Covid on work patterns.</li> <li>2. There is little detail on how the required infrastructure will be paid for. The plan needs to be revised to identify how all the infrastructure will be paid</li> <li>3. There are no partners or industries identified for employment provision. Major partners for employment provision should be identified.</li> <li>4. There has been poor public consultation, a lack of accessible information and little spent by councils in generating awareness. Interest in the plan has mainly been generated by local protest groups. The public consultations should</li> </ol>

	<p>be repeated, providing clear, understandable information. They should be designed to encourage rather than discourage public input.</p> <p>5. The site selection process has been opaque with no explanation as to why some sites in the 'call for sites' were excluded from the plan.  <a href="https://mappinggm.org.uk/call-forsites/#os_maps_outdoor/16/53.6380/-2.3228">https://mappinggm.org.uk/call-forsites/#os_maps_outdoor/16/53.6380/-2.3228</a>  The process should be repeated using National and GMCA guidelines for site selection. Meetings with public representation should be held and minutes should be published. The rationale for the selection/rejection of every site should be available including considered alternatives.</p> <p>6. Several of the authorities involved have consistently failed to meet housing delivery targets. An effective a plan must be deliverable. The plan relies on the cooperation of property developers. There is no indication of how delivery targets will be maintained. A strategy to guarantee housing delivery rates must be provided. This cannot be left to any local authority that is currently behind on housing targets. Clear delivery plans for infrastructure should be included.</p> <p>7. PfE shows removal of greenbelt protection for some areas and creation of greenbelt in others. There is no proof of exceptional circumstances required in the National Planning Policy Framework to justify this.</p> <p>8. In addition to PfE each authority needs to come up with its own local plan. No details have been given about when these plans will be available.</p> <p>9. There are no details of how Duty to Cooperate will be achieved. Following their withdrawal Stockport will effectively become a neighbouring borough. However, it is not acceptable to limit neighbouring boroughs to Stockport since each of the authorities in the plan is also neighbouring to other authorities outside of the plan e.g. Bury is neighbours with Rossendale, Bolton neighbours Blackburn with Darwen, Wigan neighbours St Helens and Trafford neighbours Cheshire area.</p> <p>8. A change in the methodology for Manchester City Council was resulted in a 35% uplift for the Manchester City Council area. The revised Local Housing Need methodology states that the 35% uplift is to be met within the district and not redistributed (see Places for Everyone Joint Committee documentation, 20th July 2021, author Paul Dennett, Page</p>
<b>Family Name</b>	Acheson
<b>Given Name</b>	Paul
<b>Person ID</b>	1287313
<b>Title</b>	Our Strategic Objectives
<b>Type</b>	Web
<b>Our strategic objectives - Considering the information provided for our strategic objectives, please tick which of these objectives your written comment refers to:</b>	<ol style="list-style-type: none"> <li>1. Meet our housing need</li> <li>2. Create neighbourhoods of choice</li> <li>3. Ensure a thriving and productive economy in the districts involved</li> <li>4. Maximise the potential arising from our national and international assets</li> <li>5. Reduce inequalities and improve prosperity</li> <li>6. Promote the sustainable movement of people, goods and information</li> <li>7. Ensure that districts involved are more resilient and carbon neutral</li> <li>8. Improve the quality of our natural environment and access to green spaces</li> <li>9. Ensure access to physical and social infrastructure</li> <li>10. Promote the health and wellbeing of communities</li> </ol>
<b>Soundness - Positively prepared?</b>	NA

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<b>Soundness - Justified?</b>	Unsound
<b>Soundness - Consistent with national policy?</b>	NA
<b>Soundness - Effective?</b>	NA
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No
<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	See vision comments
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	See vision comments
<b>Family Name</b>	Acheson
<b>Given Name</b>	Paul
<b>Person ID</b>	1287313
<b>Title</b>	JPA 1.2: Simister and Bowlee (Northern Gateway)
<b>Type</b>	Web
<b>Soundness - Positively prepared?</b>	Unsound
<b>Soundness - Justified?</b>	Unsound
<b>Soundness - Consistent with national policy?</b>	Unsound
<b>Soundness - Effective?</b>	Unsound
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No
<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to</b>	Failure to comply with Statement of Community Involvement Bury Council have failed to comply with their Statement of Community Involvement Statement of Community Involvement (bury.gov.uk) at all stages of the creation of the plan. There was no notification to residents of the initial call for sites and the amount spent on making residents aware of the plan is disproportionately small (£100 as per the response to a Freedom of Information

**comply with the duty to co-operate. Please be as precise as possible.**

request) in comparison to the effect it will have upon them. There has been a deliberate campaign of misinformation and misleading statements to promote and "sell" the Plan to residents, rather than a presentation of the facts e.g., residents only being told of the plans for their specific ward, and not being informed of the bigger picture across the borough, thus giving the impression that the impact is less than it is. There has been an over reliance on residents finding things out for themselves on social media and websites and thus a failure to engage with various groups due to over reliance on the use of social media and technology. There has been no access to public internet, e.g., in libraries, during Covid. This has adversely and disproportionately affected older people and those from deprived backgrounds. This is against the SCI 2.4 & 4.17. Countrywide, Covid restrictions are now lifted but restrictions still remain in place in Bury's Statement of Community Involvement (SCI para 1.7). Consultations have been inaccessible in terms of language and terminology used and have been a deterrent to becoming involved in the planning process as they have been wordy, long winded, and intrusive, thus producing an irrelevant response rate.

**National Planning Policy Framework greenbelt protection clauses**

The purpose of the NPPF greenbelt protection is to prevent urban sprawl. Developing on this green belt site will create an urban sprawl contrary to NPPF para 137 and para 138 a,b,c, and e.

This proposed allocation will result in the loss of approximately 74 hectares of Green Belt. This area of Green Belt currently performs strongly in relation to checking the unrestricted sprawl of large built-up areas and in preventing neighbouring towns from merging. The loss of this land from the Green Belt will therefore clearly result in harm which has not been justified. The case for exceptional circumstances to release this site for development has simply not been made given the lack of suitable assessment of reasonable alternatives.

To prove that exceptional circumstances to justify alteration to greenbelt boundaries exist, the NPPF requires evidence that all other reasonable options to meet identified need have been considered (NPPF para 141). This must include maximising use of brownfield and underutilised sites and maximising density.

**Assessments**

There has been a failure to conduct thorough and independent ecological assessments. Assessments carried out have been done on behalf of developers and are therefore not independent. Site wildlife, flood risk and other surveys have been carried out by consultancies on behalf of and paid for by developers rather than entirely independent wildlife organisations or the Department of the Environment so must be considered potentially biased.

The Housing Need Assessment was carried out by Arc4, who were supposed to carry out a non-biased survey of housing need. However, they have a partnership with Greater Manchester Housing Partnership, an organisation of housing associations, including Six Town Housing in Bury. The assessment was therefore not impartial.

**Climate change policy and carbon neutral policy**

Simister and Bowlee currently have illegal air quality readings due to the motorways (M60, M62 and M66) surrounding the site. Bury Council have confirmed by email that they are not responsible for the Strategic Road Networks (motorways) and this is Highways England. However, the local authority as a duty of care for all residents and should consider all intelligence particularly when it could jeopardise the health and wellbeing of local residents.

Highways England provided the readings through a freedom of information request and the readings on the Strategic Road Networks around Simister and Bowlee in 2015/2016 were:

75% at illegal limit

15% at legal limit

10% not full year readings

With the introduction of a 1.2 million square metres of industrial and 1550 homes this will undoubtedly increase already illegal levels of carbon emissions even further.

Point 17 Page 233 of the PfE states we will "incorporate appropriate noise and air quality mitigation measures and high-quality landscaping along the M60 motorway corridors and local road network if required within the allocation."

Highways England have already tried this through the Barrier erecting study and it failed. The before and after results were provided and it was confirmed there was no reduction in pollution.

Up to date information

The PfE indicates in Para 1.63 point 2 that the most up to date information be used in plan making, so being the most recent Bury's Housing Development Needs Assessment 2020 must be taken into consideration:

<https://www.bury.gov.uk/index.aspx?articleid=15866>

**Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.**

Site Selection

The site selection process for Bury has been especially opaque. Little information has been given about why other more apparently suitable sites were rejected, or what alternatives were considered. Bury Council admitted in a Freedom of Information response that site selection was decided at a series of informal meetings with no list of attendees or minutes available. This site choice cannot be justified as the most appropriate when no reasonable alternatives appear to have been examined. Alternative options were ruled out too early or were not considered despite other areas having similar if not more appropriate criteria.

The Simister and Bowlee allocation only meets 4 out of 10 of the broad objectives within Section 3 of the PfE plan:

- Objective 1 - Meet our housing need.
- Objective 3 Playing our part in ensuring a thriving and productive economy in all parts of Greater Manchester.
- Objective 5 - Reduce inequalities and improve prosperity.
- Objective 6 - Promote the sustainable movement of people, goods, and information.

These and other objectives could be satisfied by any number of sites in the area.

According to the Greater Manchester Green Belt assessment the Simister and Bowlee site makes a strong or weak to moderate contribution to the purpose of the greenbelt in each of the areas:

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

To prevent neighbouring towns from merging into one another - Strong

To assist in safeguarding the countryside from encroachment - Weak to moderate

Preserving the setting and special character of historic towns - Weak to moderate

However, it is believed the Simister and Bowlee site has been assessed incorrectly as all these contributions should be strong or strong to moderate.

The definitions below have been taken from the GM Green Belt Assessment document:

To assist in safeguarding the countryside from encroachment

Strong - The land parcel contains the characteristics of countryside, has no or very little urbanising development, and is open.

Moderate - The land parcel contains the characteristics of countryside, has limited urbanising development, and is relatively open.

Preserving the setting and special character of historic towns

Strong - The parcel plays a major role in the setting and or special character of historic towns in terms of its physical extent and degree of visibility and/or its significant contribution to special character.

Moderate - The parcel plays a moderate role in the setting of historic towns in terms of its physical extent and degree of visibility and/or its contribution to special character.

Several character areas are included in this allocation, such as National Character Area (54), Manchester Pennine Fringe, Simister, Slattocks and Heald Green, as well as Fringe Settled Valley Pasture and Settled Farmlands. At paragraph 18.3, the Topic Paper describes the character of the area, including undulating pasture and rough grassland, mature trees, hedgerows, woodland blocks, and scattered farmsteads etc. These would all be destroyed if the development of this allocation were to proceed.

The site can be seen from a number of longer vantage points, as well as in the immediate neighborhood. However, due to the scale, form, and nature of the proposed development, visual amenity will be adversely affected. The landscape mitigation proposals will not address these fundamental concerns.

There are numerous key habitats on the site, including wetlands, woodland, grassland, etc., which will all be damaged and could be lost as a result of this scheme. Additionally, the scheme will negatively impact protected species, including great crested newts, as well as wider ecological networks, which have not been adequately considered in the plan. There is no consensus that biodiversity net gain can be achieved at this site, given the extent of loss of existing vegetation and greenspace.

According to the Topic Paper at paragraph 191.0, there will be an attempt to achieve a net gain, but there is no guarantee that it will be delivered. This is contrary to current national planning policy, which could jeopardize the allocation. In addition to the impact of the development itself, the proximity of the site area to major highways also raises concerns about air and noise pollution.

The lack of selection criteria met and the harm that will be caused by the release of the Simister and Bowlee greenbelt are evidence of the lack of justification for the selection of this site. In fact, an ex-Bury Council leader, David Jones, admitted in writing that sites had been selected due to their sheer size and the ease of implementation of infrastructure, saying,

'The proposed strategy within the GMSF is to release a small number of large strategic sites from the Green Belt as these will provide the scale and massing of development that is needed to enable the viable delivery of the essential major infrastructure to support the development.'

The majority of the site is located within flood zone 1 with existing watercourses within the allocation boundary and ponds which could pose a risk. Furthermore, given the anticipated scale of development and the large increase in hard surfacing, there is a serious risk that the site could result in flooding on adjacent sites as well as localised floods due to increased surface water runoff.

Paragraph 12.2 of the Topic Paper supports these concerns and draws attention to potential issues on groundwater flooding. Given the importance of ensuring that developments are proposed in the most appropriate and safe areas, greater consideration of flood risk should be given at this stage of the Plan process, prior to adoption, to ensure that the allocations are appropriate and deliverable. Leaving these issues to the design stage is simply inappropriate as they fall to the principle of development.

The viability of this site is noted to have been calculated with a 25% contribution towards affordable housing in Bury and at 7.5% of GDV in Rochdale. However, because the PfE Plan does not specify the conditions for delivering affordable housing throughout the Plan, it is uncertain whether these figures are based on correct and reasonable assumptions. The GMCA has determined that the site

is viable, but there are a number of issues that must be addressed before the site can be considered deliverable.

#### Infrastructure

The Topic Paper supporting this allocation states in paragraph 11.1 that extensive infrastructure investment, including a wide range of public transportation enhancements, is required to ensure its implementation. This aims to prove that the site is unsustainable in its current state and is not properly connected to an existing urban area or community. As a result, the site is deemed unsuitable for allocation.

In paragraph 11.2, it is confirmed that this development will have a major influence on both the strategic and local road networks, both in isolation and in combination with other neighbouring allocations. The impact on the Strategic Road Network (SRN) is expected to be focused at M60 Junction 19 and M62 Junction 19, while the impact on the Local Road Network (LRN) is projected to be concentrated at the intersections on the A6045 Heywood Old Road. To facilitate and deliver this site, it is evident that major investment and improvements to the highway network will be required.

These works are of such a scale as to potentially render the scheme unviable. Furthermore, the construction will have a major negative impact on current inhabitants, not just due to traffic and roadworks during construction, but also due to traffic, increased idle vehicles, and longer travel times once the development is completed.

Investment in public transport is unlikely to be adequate to alleviate these legitimate concerns, especially when considering the cumulative consequences of all the anticipated growth in the surrounding area.

Any development within the proposed allocation site would need to assess the requirement for additional social infrastructure (education, healthcare etc). the impact of these contributions on the viability of the site also needs careful consideration to ensure that the allocation is in fact deliverable

To deliver this allocation there are requirements for investment in the transport network, public transport provision, school places, health, historic assets etc. All of which could well have a detrimental impact on the viability and delivery of the site

#### Housing delivery targets

Bury Council have consistently failed to meet housing delivery targets and are now in presumption. To be effective a plan must actually be deliverable. The plan relies heavily on the cooperation of property developers. There is no indication of how they will be made to keep up with targets and what sanctions will apply if they don't. At a Council meeting held on 9/9/21 the Leader of Bury Council Eammon O'Brien confirmed that it was 'unlikely' that the proposed building rates for all developments in Bury would be met as they were 'unrealistic'. So, the plan cannot be considered to be effective and fails the effectiveness test for Soundness.

#### Housing requirements

Government guidance is clear that standard housing methodology is just a starting point and can be changed in exceptional circumstances - this has not been thoroughly explored. A lack of brownfield land in the area and in particular the economic shock caused by Brexit and Covid 19 have not been considered.

There is insufficient confidence in the accuracy of the predictions in the current uncertain economic climate to justify Green Belt loss at the start of the plan. Greenbelt loss should only occur once all brownfield has been exhausted. A review mechanism should be built in to only include greenbelt at a later stage if proven necessary. PfE para 1.42 states: 'The majority of development between 2021 and 2037 (the "plan period") will be on land within the urban area, most of which is brownfield land' PfE favours a brownfield first policy wherever possible as does National Policy. Bury Council have informed the public in Bury that they

will implement a brownfield first policy. When questioned at a council meeting on 9/9/21 the Leader of the Council Eamonn O'Brien clarified this statement by saying that for anything the council themselves build they would adopt a brownfield first policy but claimed that the council have no control over the actions of private developers. In reality they do, as they could limit the release of green belt sites in accordance with National Policy NPPF 134 part e.

#### Changes to greenbelt boundaries

As part of the overall plan Bury have modified green belt boundaries and allocations in such a way to make it appear that less Greenbelt is being sacrificed. The loss of the Simister and Bowlee site greenbelt has been partially offset by creating extensive but unusable greenbelt in other areas without justifying exceptional circumstances. This is not in accordance with National Policy.