

Family Name	Nixon
Given Name	Stephanie
Person ID	1287037
Title	Stakeholder Submission
Type	Web
Family Name	Nixon
Given Name	Stephanie
Person ID	1287037
Title	JPA 9: Walshaw
Type	Web
Soundness - Positively prepared?	NA
Soundness - Justified?	Unsound
Soundness - Consistent with national policy?	Unsound
Soundness - Effective?	Unsound
Compliance - Legally compliant?	No
Compliance - In accordance with the Duty to Cooperate?	No
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.	<p>This cannot accurately be called a consultation. It does not follow the Gunning Principles whereby a public consultation must be fair and lawful, presented prior to decision making, otherwise the outcome is flawed. This is an approved plan for comments only, and is therefore unsound on that basis alone.</p> <p>In addition, JP Allocation 9 is currently designated as Green Belt. Sufficient evidence has not been put forward to justify release of Green Belt in this location. The Greater Manchester Green Belt Study confirms that the "Harm Rating" for removing this site from the Green Belt is "moderate." The required housing should be located in an area of lower importance in Green Belt terms.</p> <p>Paragraph 140 of the NPPF states that: "Once established, Green Belt Boundaries should only be altered where exceptional circumstance are fully evidenced and justified."</p> <p>The five purposes of the Green Belt are set out in paragraph 38 of the NPPF, these are repeated below for ease, with commentary on each purpose in relation to JP Allocation 9.</p> <p>a)to check the unrestricted sprawl of large built-up areas; Development here would cause unrestricted sprawl - hence this site is performing one of the Key purposes of the Green Belt.</p> <p>b)to prevent neighbouring towns merging into one another; Development of the Green Belt in this location would lead to the merger of Tottington, Elton, Woolford, Starling, Walshaw, Woolfold and down to Radcliffe, into a single enormous housing estate. This piece of land plays an important role in the identity of these towns.</p> <p>c)to assist in safeguarding the countryside from encroachment; Development here would encroach on the countryside - this piece of land should remain undeveloped to preserve the intrinsic value of the countryside.</p>

d)to preserve the setting and special character of historic towns;

This does not apply here.

e)to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

This applies strongly, Bury and Greater Manchester as a whole has a large number of deliverable brownfield sites which are badly in need of regeneration. Development here will undermine regeneration efforts in the town centres.

The plan is therefore not justified and not consistent with National Policy - as this is a piece of important Greenbelt land which is performing the functions as set out in paragraph 38 of the NPPF, the Green Belt Assessment admits that moderate harm will be caused to the Green Belt in this location through development. Exceptional circumstances have not been fully evidenced or justified.

Furthermore there is not robust evidence that alternative sites have been tested, the plan does not justify why this site should be developed ahead of other sites.

The NPPF defines deliverability in relation to housing sites as: "sites for housing should be available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on the site within 5 years."

With regards to JP Allocation 9 the policy includes the following: 1,250 dwellings; New Highways infrastructure a through road and offsite highways upgrades; major public transport investment; new cycling and walking routes; 25% affordable housing provision; a new one form primary school; financial contributions to a secondary school; new local centre, retail, health clinic and community facilities; High quality green and blue infrastructure; Biodiversity Net Gain; Reduced flood risk through SUDS; Protection and Enhancement of heritage assets. There is no evidence that this level of policy ask is deliverable on site and will not render the site unviable. Therefore the site is not deliverable.

The site is in fact in multiple ownerships, there does not appear to be any evidence that land agreements between landowners are in place to enable the whole site to be delivered. The site is therefore not available.

There is insufficient evidence that the scheme is achievable - the ground report notes potential contamination from previous use of the site. An intrusive investigation has not been carried out. Without a Phase 2 ground investigation it is very difficult to ascertain what the foundation solution may be, what mitigation is required for contamination and potential made ground. These abnormal costs may render the site unviable.

There is no evidence regarding the off site highways works required, the impact upon the local road network and the deliverability of the proposed improvements. The proposed scheme will have a major impact upon local road infrastructure which may not be able to cope and will result in severe residual cumulative impacts and potentially unacceptable impacts upon road safety which will be in conflict with paragraph 11 of the NPPF.

There is no evidence of viability testing of the scheme, this is a major housing scheme with significant infrastructure requirements. Given the level of policy contributions required (25% affordable) and so on there are major question marks over the viability of the scheme.

No planning application has been submitted on the site - there is no detailed worked up scheme and therefore the achievability of the site has not been proved.

There is no evidence that the site can deliver the number of dwellings required over the plan period. Using typical build out rates applicable for volume

house builders at an average delivery rate of 0.75 dwellings per week over the plan period the site will only deliver approximately 486 dwellings. Even with 3 outlets on the site delivering 75 units per year the realistic delivery allowing for the local plan to be adopted and planning permission to be granted over the plan period would only be 1010. This would also result in a lower revenue for the housebuilders due to increased competition driving down sales prices and impacting viability further.

The site is not available, suitable or achievable (or viable) and therefore in accordance with the NPPF is demonstrably not deliverable.

Therefore in its current form the plan is demonstrably unsound. To make the plan sound amendments to the plan are required. These amendments are set out below:

-Delete site JP Allocation 9 Walshaw, Bury.

-Replace with smaller deliverable sites on non Green Belt sites.

On an additional note, it is very revealing to see a public body put up a ridiculous proposal and only accept challenge on whether you ticked all the legal boxes and complied with all technicalities in preparing that ridiculous proposal, rather than on the proposal itself.

Building on JPA9 would significantly impact on the quality of life not just for the current residents, but also any who purchased the newly built houses, with very little green space available around them, little infrastructure (such as doctors, hospitals, police etc) to support the proposed additional number of residents, and gridlocked traffic travelling out of the housing developments across to the other side of the town where the proposed new jobs will be.

Bury Council needs to liaise with Rochdale Council to agree which areas of land around Heap Bridge can be released for building, rather than land in Walshaw, as Heap Bridge is on the same side of the town as the proposed new jobs and has easy motorway access.

I would also request that GMCA explicitly articulate why they are continuing to maintain that the targets they are following are mandated by government, when the government have been abundantly clear that this is simply not true. GMCA are undermining their whole case and credibility when people can see that they are saying something is true when everyone can see it isn't.

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.

-Delete site JP Allocation 9 - Walshaw, Bury.

-Replace with smaller deliverable sites on non Green Belt sites, or around Heap Bridge (ie in the vicinity of the proposed new jobs) so that there is not gridlock on the roads through Bury as residents commute from one side of town (where the houses are) to the other (where the jobs are).