

REF: P0959

PLANNING STATEMENT

Location: Pilsworth Lake, Moss Hall Rd, Heywood, OL10 2RF

Applicant: I & I Patel

Date: April 2024

QUALITY ASSURANCE

Status	Issue	Date	Prepared By	Checked By
Final	1	March 2024	AR	PH

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1.0 INTRODUCTION

Overview

- 1.1 This Planning Statement has been prepared by Planning Insight on behalf of I Patel & I Patel (hereafter referred to as 'the Applicant') to accompany a planning application to Bury District Council in respect of the proposed development at Pilsworth Lake Moss Hall Rd, Heywood, OL10 2RF (the 'Site'). The description of development is as follows:
- "Construction of Class E building, rebuilding of boathouse and associated access road, parking & landscaping"*
- 1.2 The overall objective of the scheme is to enhance the existing recreation and leisure use of the site by expanding access to the site through a Class E building comprising café and shop.
- 1.3 This statement provides an assessment of the proposed development against the development plan and other material considerations. The Applicant has commissioned a consultant team to prepare this Planning Application, this *Statement*, should be read in conjunction with the following documents:
- Application Drawings and Design & Access Statement prepared Atelier Architecture and Design.
 - Landscape Drawings prepared by Barnes Walker.
 - Transport Statement prepared by SCP.
 - Ecology Reports prepared by Rachel Hacking Ecology.
 - Sustainability Report prepared by Expedition.
 - Drainage Report prepared by Expedition.
 - Tree Report prepared by Murray Tree Consultancy.
- 1.4 The above documents are referred to as appropriate within this *Statement*.

The Proposal

- 1.5 Central to the proposal is the aspiration to create an open site that improves the existing facility for anglers but also invites new users to experience the site. This would be through the construction of a new class E building which would provide a café, shop for angling purposes and deck. It would also involve the reconstruction of the existing boathouse that has become degraded. Pre-application advice was sought which has been taken on board as part of the proposal.



- 1.6 This planning application at Pilsworth Lake is a unique opportunity to start the process of opening this facility to the wider public whilst also improving the facilities for the community of anglers. The proposed building would provide an anchor, supporting a range of uses that are integral to this vision.

Cross-Boundary Application

- 1.7 The application site as detailed in the site description is partially located in Rochdale. This is a small portion of the site (less than 15%) and is the access only.

2.0 PLANNING CONTEXT

SITE AND SURROUNDINGS

- 2.1 The site, Pilsworth Lake, is an extensive piece of land that benefits from two angling lakes and smaller ponds. There is a former cotton mill site that forms part of the site. There is surrounding woodland and grassed banked areas.
- 2.2 In terms of the site amenities, there is a car park and various stations for angling. The site is used for recreational angling, overnight angling takes place, and the site is actively used all year round. Various paths across the site provide access to the stations and visitor car parking.
- 2.3 Regarding built form, works were started to an approved café/bait shop structure and the foundations remain, full details are contained in the Planning History section below. Additional structures associated with the angling lakes are located on the site including pontoons and the like.
- 2.4 The site has ecological significance, it is a Special Landscape Area and a wildlife corridor. It represents a significant opportunity for enhancement.



Figure 1 – Aerial Photo of site

- 2.5 The application site is predominantly located in Bury, it borders Rochdale, and part of the site is located in this authority. This is shown in the below Figure.

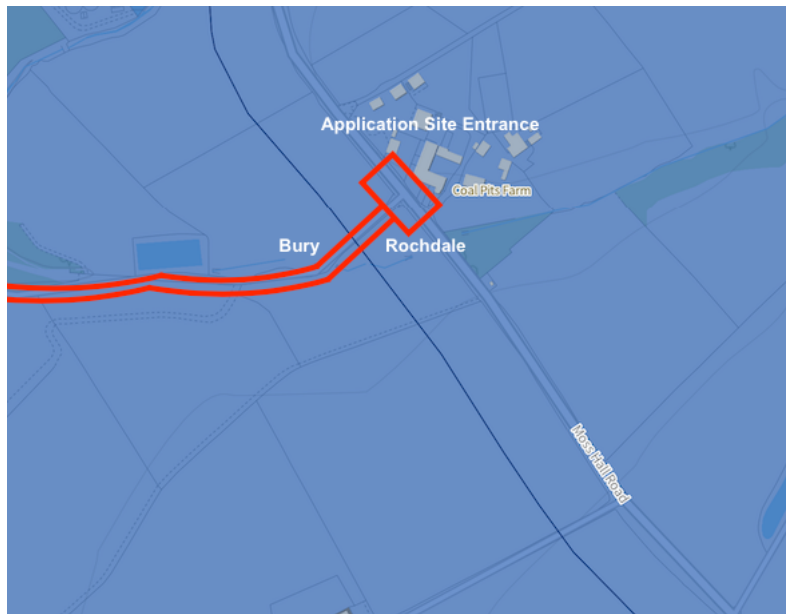


Figure 2: LPA Boundaries

PLANNING HISTORY

2.6 The below sets out the relevant planning history associated with the site.

- **Planning Reference 54304:** Erection of single-storey building containing cafe, bait shop and bailiffs accommodation. Approved 16 Nov 2011.
- **Planning Reference 50161:** Construction of New Banking and Islands Reusing Inert Materials, Footpath & Platforms (Resubmission) Approved 22 Oct 2008.

2.7 Relevant planning applications are detailed below.

Planning Reference 54304

2.8 Planning permission was granted in 2011 for the erection of a single-storey building with a pitched roof for a café, bait shop and accommodation. Permission was granted on the basis that the building was necessary to support the use of the site as a recreational activity. In terms of accommodation, this was deemed necessary as the lakes are used on a 24hr basis. Drawings are enclosed as Appendix 1.

Pre-application Advice 02831E

2.9 The applicant sought pre-application advice which provided guidance on developing the proposals. The LPA were supportive of a new building which aligned with the previous structure in terms of scale and use. The LPA were of the view that broadening the site uses was supported in principle.

3.0 PLANNING POLICY

- 3.1 Planning decisions in England and Wales should be taken in accordance with the development plan unless material considerations indicate otherwise. This statutory requirement is set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 3.2 The statutory development plan for Bury Council consists of:
- Places for Everyone Joint Development Plan Greater Manchester Spatial Framework (2021)
 - Bury Unitary Development Plan (1997).
- 3.3 The relevant policies of the above documents are referred to in the 'Planning Considerations' section.

Designations

- 3.4 According to the Proposals Map, the following UDP designations apply to the site:
- Policy Ref EN9/1 - Special Landscape Areas
 - Policy Ref EN6/4 - Wildlife Links and Corridors
 - Policy Ref EN6/2 - Grades B and C of Biological Importance
 - Policy Ref OL5/2 - River Valleys
 - Policy Ref OL1 - Green Belt
- 3.5 The above policies are considered as appropriate in the Assessment section.

MATERIAL CONSIDERATIONS

- 3.6 While not forming part of the statutory development plan, the following documents remain important material considerations for the determination of planning applications in Bury:
- National Planning Policy Framework (NPPF).
 - National Planning Practice Guidance (NPPG).

National Planning Policy Framework

- 3.7 In December 2023, the government adopted the revised National Planning Policy Framework (NPPF). The document provides a consolidated framework of planning policy that replaces the previous National Planning Policy Framework.
- 3.8 The NPPF outlines the presumption in favour of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental.

- 3.9 The framework is clear in Paragraph 11 that development that accords with an up-to-date Local Plan should be approved without delay.
- 3.10 Paragraph 152 states, “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.
When assessing an application paragraph 153 states that authorities should attribute substantial weight to any harm to the Green Belt. It goes on to state that other material considerations may outweigh the harm and therefore constitute Very Special Circumstances.
- 3.11 Paragraph 154 sets out a series of examples where new buildings are appropriate in the Green Belt, of relevance is (b) which is the provision of appropriate facilities for recreation and leisure.
- 3.12 The NPPF constitutes a material consideration in determining applications.

4.0 PLANNING ASSESSMENT

PRINCIPLE OF DEVELOPMENT

Policy Overview

Proposed Class E Building

- 4.1 Whilst there is a presumption against new buildings in the Green Belt, certain types of development are permitted in the Green Belt. This includes the provision of appropriate facilities for outdoor recreation and sport (paragraph 149(b)). In terms of openness, new facilities must preserve the openness and not conflict to include it within the Green Belt. Places for Everyone policy JP-G 3 (River Valleys and Waterways) part (2) expressly promotes public enjoyment of river valleys and connecting urban areas to the countryside, these would be benefits arising from the scheme. Policy JP-G 10 (The Green Belt) is a high-level policy that refers to the NPPF and sets out that the Green Belt will be protected.
- 4.2 The UDP seeks to promote tourism in Bury, recognising that is an important aspect of the diversification of the economy. Policy RT3 (Recreation in the Countryside) supports the use of the countryside for appropriate outdoor activities, it specifically states that the Green Belt provides opportunities for these types of uses. In this regard, the diversification of the existing site to enhance recreational uses is supported in principle. The scheme would provide an exemplar facility that draws on the landscape and context bringing visitors close to nature in the wider context of significant development.
- 4.3 Policy RT3/1 (Protection of Existing Recreation Provision in the Countryside) seeks to protect existing recreational facilities and is of importance in the assessment of the existing use. It states that the council will not support development proposals that lead to the loss of or prejudice the use of areas predominantly used for recreation outside the urban area. The scheme would enhance facilities for the anglers by providing a shop and facilities, at present the site only provides temporary welfare facilities which are inadequate. It is noted that the scheme replicates the facilities provided in the previous application 54304 which was deemed appropriate in the context of the Green Belt This was discussed with the LPA at pre-application stage who endorsed the construction of a similar scale development as to what was previously consented.

The Boathouse

- 4.4 The scheme involves the rebuilding of the boathouse, this is an appropriate facility given it serves the lake and as such is an exception to Green Belt policy as per part (b) of paragraph 154 of the NPPF. Alterations and extensions to existing buildings are also acceptable under part (c), the rebuilding of the boathouse if firmly supported in policy terms.

Purposes of the Green Belt

- 4.5 In the first instance, it is helpful to understand the purposes of the Green Belt, assessed against the proposal. As part of the Places for Everyone plan, a Green Belt review was carried out, the site falls within parcel BU_BA2. This is referred to below.
- a) to check the unrestricted sprawl of large built-up areas.*
- 4.6 The Green Belt review confirmed that the wider parcel did not serve this purpose.
- b) to prevent neighbouring towns merging into one another.*
- 4.7 The Green Belt review confirmed that the wider parcel did not serve this purpose. The scheme comprises visitor facilities would not harm this propose.
- c) to assist in safeguarding the countryside from encroachment.*
- 4.8 The Green Belt review confirmed the wider parcel did contribute to this purpose. This is because the parcel is between Whitfield, Middleton and Heywood, the site itself does not serve this purpose.
- d) to preserve the setting and special character of historic towns.*
- 4.9 The Green Belt review states that the plot makes a moderate contribution, given the location of the site within the parcel it is considered to be limited.
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 4.10 The Green Belt review confirms the parcel does not contribute to the purposes of the Green Belt this respect.
- 4.11 The above analysis clearly demonstrates that the proposed development would not interfere with the proposes of the Green Belt.

Proposed Uses and Openness & Built Form

Proposed Uses

- 4.12 The proposal seeks planning permission for a Class E building comprising café and bait shop. The UDP supports the existing success of recreational facilities and their expansion. Given the naturalistic landscape and the benefit of the open water, it has been identified as a location where an enhanced offer that locals and people further afield can enjoy whilst also providing necessary facilities for anglers.

Openness & Built Form

- 4.13 Openness is a fundamental characteristic of the Green Belt; the second aspect of paragraph 154(b) is that new recreational facilities should preserve openness. As established in the courts, openness has both a spatial and visual aspect to it. In this regard, the impact on openness is not confined to a metric assessment of the existing built form but it extends to the visual impact of the proposal.
- 4.14 Firstly, the existing boathouse would be rebuilt to the same size as the historic structure. For this reason, the reconstruction of the boathouse would not result in harm to the Green Belt.
- 4.15 Turning to the proposed Class E building, planning permission was previously granted for a single-storey building in 2011, the Development Plan remains consistent. As advised by the LPA at the pre-application stage, the applicant is seeking a similar scale structure for the same uses as the previously approved scheme. As such the previous consent forms a fall-back position that carries significant weight.
- 4.16 As demonstrated through the design and accompanying documentation the applicant is seeking to create an exceptional design that draws from and integrates with the landscape which would be highly sustainable. The application scheme design, prepared by Atelier Architecture & Design, shows a rigorous site analysis that has determined the optimum location to relocate the built form on the site. The building itself would support recreational uses in the countryside, which is supported at all policy levels.
- 4.17 The test in relation to new recreational facilities is that they would preserve the openness of the Green Belt. The scheme would be of a similar scale and volume as the previous approval, as such a building of this scale has been established. Differing from the previous scheme, the proposed building would be positioned adjacent to the larger lake in a location where the topography allows for a subtle insertion into the landscape. Testing of views demonstrates that the scheme would not be readily viewable from the public domain, as such as a starting point the openness would be preserved both in visual and spatial terms.

- 4.18 The scheme draws on core principles established by the previous approval, namely use, volume and scale. As demonstrated through the application documents the scheme would deliver a lakeside café and ancillary facilities that would support the wider recreational use of the site and the existing anglers. The proposed building would serve a wider population, creating a destination which in turn would facilitate access to the countryside, all of which is directly encouraged by the UDP. The scheme would not interfere with the purposes of the Green Belt and is considered to be an exception in accordance with paragraph 154(b) of the NPPF. It is therefore concluded that the scheme is acceptable in the context of the Green Belt.

DESIGN

- 4.19 The NPPF holds achieving high quality design and beautiful places as a key aspect of successful planning. Chapter 12 of the NPPF seeks to elevate design standards in planning and development. The NPPF emphasises "well-designed and beautiful places" as critical for sustainable development. The policies contained in the UDP, namely EN1/1 Visual Amenity seek to create cohesive design that relates to context.

Architectural Design

- 4.20 The applicant has commissioned Atelier Architecture & Design who are specialists in landscape-led design. Being part of the community, the applicants are committed to delivering a unique development to Bury, in turn, this means have developed a high-quality design that embodies 'beauty' as required by National Policy. Their vision is to open up this unique site by providing an exceptional building for the benefit of the wider community and the existing users of the site.
- 4.21 A deck extending into the lake is proposed, this could be covered by a tensile/temporary structure to ensure all-year-round usability. The structure would be demountable reducing the degree of permanence of built form on the site.
- 4.22 The scheme would also involve rebuilding the existing boathouse which was a historical part of the site that has been left. The proposal would renew this part of the site and contribute to the wider visitor use of the site.

Sustainable Design

- 4.23 Expedition in conjunction with Architecture & Design have developed a scheme that would be highly sustainable, key aspects that are integrated into the design are detailed below in the below table:

Table 1: Sustainable Design Features (See Page Expedition Sustainability Statement).

Natural environment	Carbon and resources	Climate resilience	Value for the community
Landscape-led approach that strengthens wildlife links and enhances biodiversity through: • >10% biodiversity net gain • Significant areas of native species woodland planting; • Sections of native species of hedgerow and wildflower meadow; • A number of larger stock, individual native species trees planted in the access 'hub' area, the plaza of the proposed building and the main car park; • An area of sedum roof for the visitor bait shop • Other appropriate habitat enhancements & restoration elements proposed by the project ecologist; • A biodiversity management plan during construction, and • A biodiversity management and monitoring programme that spans at least the first five years of operation.	A building that is built to best practice environmental design standards: • Passive design that responds to the local microclimate, and delivers healthy and comfortable indoors with minimum energy input • Passivhaus-level building envelope performance, mixed-mode ventilation with heat recovery and daylight spaces • All-electric energy strategy with water source heat pump and roof mounted PVs to cover approximately 58% of the south facing roof and EUI of space heating no more than 15kW/m2 • Circularity embedded in the building design for efficient use of material resources (lean design), durability, low maintenance requirements and end-of-life reuse • Timber-frame building structure to reduce embodied carbon • Waste prevention and sustainable waste management strategy in operation • Low flow water fittings and submetering to reduce water use by 40%	Proposals that enhance the resilience of both the built and natural environment: • Cross-ventilation utilising prevailing wind direction and building-integrated retractable shading elements to reduce overheating risks in the visitor centre through passive means • Retractable structures to provide shade and shelter from wind and rain in outdoor deck areas • Potential for water source heat pump to provide cooling during extreme hot weather and heatwaves • The biodiversity restoration programme and biodiversity management plan will incorporate measures that increase the resilience of the landscape to warmer, wetter weather • The sustainable drainage strategy will effectively protect both building, the proposed landscape and wider catchment from flood risk	A proposal that delivers value for the community: • The site is made more inviting and accessible to anglers, families and other visitors through provision of new and improved amenities (visitor centre, new car parking, picnic site and nature-led play areas amongst others) • Leisure activity within the site and the biophilic design of the centre supports healthy lifestyles and the wellbeing of visitors • The site aspires to become an asset for the community: a hub for social activity and interaction that safeguard its future • The centre will create employment as well as capacity building opportunities for locals • It will support the local economy by prioritizing local supply chains for produce and services

4.24 As can be observed sustainable principles far beyond planning requirements are embedded into the application proposal. On this basis, the scheme when developed could be an exemplar of raising architecture and design standards in Bury as well as creating a new destination.

LANDSCAPE DESIGN AND BIODIVERSITY

Landscape Design

4.25 Enclosed as part of the application documents is a landscaping scheme prepared by Barnes Walker. The brief for the landscape is based on the following principles:

1. Biodiversity Net Gain through the planting of native species and rewilding
2. Retaining and establishing clearly defined routes that create 'place' within the site including a plaza, landscaped gardens
3. Establishing a hub focused around the proposed building.

4.26 The above principles have been integrated into the scheme design to create a landscape design that brings addresses the proposed building. The landscape design would result in a significant enhancement to both the richness of the environment and the useability of the site in a long-term sustainable manner.

Biodiversity

- 4.27 An Ecological Assessment is submitted that demonstrates that harm would not arise to protected species. Confirmation of the surveys to be carried out was provided by Manchester Ecology Services.
- 4.28 In terms of statutory BNG, the scheme demonstrates a 10% increase as required. This can be secured by planning condition as required by the relevant guidance contained in NPPG.

Trees

- 4.29 An Arboricultural Report is enclosed as part of the submission documents. With the exception of the two sections of flanking hedgerow H1 (Hawthorn, Ash and Sycamore) and H2 (Hawthorn, Ash, Blackthorn and Elderberry) amounting to circa 61 linear metres, Tree Group 1 (Leyland Cypress), Tree Group 2 (Cherry) and Tree T14 (Ash), the majority of the existing trees located adjacent to the access road and throughout the site would be retained. The hedgerows and trees that are proposed to be removed are low quality and compensated for by the comprehensive landscape proposals.
- 4.30 Once the access is widened, the proposed removed hedgerows are to be replaced by new sections of native species hedgerow, with a number of associated native species heavy standard trees therein. A further 8no heavy standard trees are proposed further down the access track in order to mitigate the losses associated with Tree Group 2 and Tree T14.
- 4.31 Given the above and coupled with the 10% uplift in BNG, the scheme would result in a demonstrable benefit in terms landscaping and trees.

TRANSPORT AND PARKING

Access

- 4.32 The access to the site is from Moss Hall Road, this part of the application site is located in Rochdale, as such it is envisaged that the relevant Highway Authority may comment on this aspect of the scheme.
- 4.33 Vehicular access to the development will continue to be from the access road off Moss Hall Road. The access will be widened and the gates removed to allow two vehicles to pass. In this regard, the proposed arrangement provides a significant betterment when compared to the achievable visibility splays at the existing access.

- 4.34 The existing access to the application site is mostly single-track with limited invisibility and passing places. Several potential passing places have been identified along the length of the access road, which will provide increased levels of intervisibility for vehicles, as well as safe places for pedestrians to wait for passing vehicles. The proposed widening of the access and introduction of passing places will provide a significant betterment to the safety and operation of the existing access, and more than mitigate the low levels of additional traffic generated by the development.
- 4.35 The scheme would enhance the internally shared access road and the entrance to ensure betterment than the existing situation. This is a positive aspect of the scheme.

Parking

- 4.36 There is an existing car park currently used by the anglers that would be resurfaced and utilised, provision for an overflow would be made. The landscaping scheme shows that the proposed would be reordered and designed whereas the current arrangement is very informal.
- 4.37 Parking standards for new developments are set out in BC's Development Control Policy Guidance Note 11. The most comparable category is 'Food and Drink (A3): Restaurants' with the standards summarised as follows:-
- Maximum of 1 car parking space per 7 sq. m of PFA
- 4.38 The public floor area is approximately 94 sq. m, which equates to a parking requirement of 13 spaces. the proposed development includes three parking areas which provide a combined total of 33no. car parking spaces. The proposed level of parking is therefore sufficient to accommodate the demand generated by the proposed café use, along with the existing demand generated by the anglers using Pilsworth Lakes at peak times. This is deemed the most appropriate approach.

Trip Generation

- 4.39 The proposed development would be expected to generate only 7 two-way vehicle movements in the AM peak hour and no trips during the PM peak hour. Volumetrically, this equates to an increase of 1 vehicle every 8-9 minutes during the AM peak hour, which will not have a material impact on the operation of the local highway network.

FLOOD RISK AND DRAINAGE

- 4.40 Planning policy at all levels seeks to direct flood risk away from the new development and prevent the causation of flooding. The application site comprises a series of lakes and is adjacent to Brightley Brook, Downstream of the site it feeds into the River Irwell via the River Roch.
- 4.41 The Flood Risk Assessment submitted with the application prepared by Expedition confirms that the proposal would not result in increased flood risk elsewhere. The scheme does not propose residential use, as such the commercial nature of the Class E building is low risk notwithstanding most of the site is Flood Zone 1. The drainage proposal is detailed in the accompanying report and associated drawings. A careful approach has been taken to the drainage to ensure that the lakes and Brightley Brook are protected.

5.0 CONCLUSION

- 5.1 Planning permission is sought for a Class E café and shop with associated facilities. The existing anglers lack key facilities, permission was previously granted for a similar scheme and deemed acceptable in the context of the Green Belt. The previously permitted scheme for the construction of a café and bait shop carries significant weight. The scheme would afford a new place to visit in Bury, opening an asset that has been underutilised for a range of people.
- 5.2 The proposed building would be located in a sensitive location, as demonstrated in the DAS, rigorous analysis has determined the most suitable site for the proposed building. The applicants are committed to delivering a building of the highest quality, Atelier Architecture and Design has developed a landscape-led design which could serve as an exemplar in design.
- 5.3 The scheme includes the rebuilding of the boat house which has become in poor condition, this would contribute to the wider use of the site as a visitor location.
- 5.4 Sustainable principles have been integrated into the design proposal and flood risk and drainage have been considered from the outset. An appropriate level of car parking that serves the existing use and the proposed Class E building.
- 5.5 In terms of ecology, 10% BNG has been demonstrated and the scheme would not result in harm to protected species. On this basis, the scheme would result in significant enhancements to the existing ecological position.
- 5.6 This *Statement* has demonstrated that the scheme would accord with the development plan and material considerations. It would deliver an exemplary new building that would open up an asset in the borough whilst providing critical infrastructure for the anglers. On this basis, planning permission should be granted.



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