

Stocks Residents' Association, Horwich, Bolton, Lancashire

Chair: Mr Malcolm Harrison

Secretary: Mrs Ruth Rigby Treasurer: Mrs Maria Hilton

Correspondence Address: c/o Mrs R. Rigby, 1 Mayfair, Horwich, BL6 6DH

Email: stocksrahorwich@gmail.com

Web: <https://www.stocksresidentsassociation.com/>

Planning Control
Bolton Council
Department of Place
Development Management
Town Hall
Bolton
BL1 1RU

Thursday, 23 December 2021

By Email to: planning.control@bolton.gov.uk

cc. Members of the Planning Committee of Bolton Council

Dear Ms Hamer, Dear Chair of the Planning Committee, Councillor Dr John Walsh, Dear Members of the Planning Committee

Re: Planning Portal reference 12610/21 Medway Drive, Horwich, Application Number: Ref. No: Planning Portal Reference: PP-10247737

1. This is a letter of objection from the Stocks Residents' Association ('the SRA') to Planning Application 12610/21 ['the Application'].
2. We make number of points about the Application and set them out below, but we preface our objection with several relevant observations that Members of the Planning Committee of Bolton Metropolitan Borough Council ['BMBC' / 'the LPA'] should in our view be made aware.
3. We briefly note that SRA was formally constituted on 18th October 2016 (prior to such date having convened on an informal basis from time to time), has a written constitution, an elected Chairperson, Vice-Chairperson, Secretary, Treasurer, Committee as well as a designated bank account and records of its accounts. The SRA membership consists of "all residents who live in our neighbourhood", that being defined in the SRA constitution as the streets of Mayfair, The Strand, Park Lane, and Broadway, in which there 66 houses. There 55 active members of the SRA living within the neighbourhood area, and a further 270 people have requested to be kept informed of our activities. The SRA shares information with other community groups, especially those in the area surrounding Stocks Park Drive, and also has informal links with the other four residents' associations in Horwich - New

Chapel, Grundy Hill, Ox Hey Lane, and Brazley. The stated aims and objectives of the SRA include, inter alia, working for improvements to our local built environment, working to enhance our local natural environment and endeavouring to promote a culture of good stewardship of the local built and natural environment relating to the local neighbourhood.

4. The SRA has been recognised by Horwich Town Council as an active and fully constituted residents' association pursuing legitimate aims in the local community and has applied for, and been granted, funding by Horwich Town Council and the 'Two Towns Forum' on that basis.

Introductory Remarks

5. The SRA is extremely surprised that Horwich Town Council ['HTC'] having considered this matter on Thursday 16th December has decided that it would recommend the Application for approval when it comes before the LPA, given the following circumstances:
 - i) There is an evident conflict in our view between the Application and the policies of the Local Plan (Bolton Metropolitan Borough Council, 2011) ['the Local Plan'] and the National Policy Planning Framework ['the NPPF'] (Ministry of Housing, 2021);
 - ii) There appears to be conflict with the emerging Neighbourhood Development Plan's objectives, the Neighbourhood Plan being a special and valued initiative of the Horwich Town Council itself to which the Town Council has committed expenditure, time and considerable effort (Horwich Town Council, 2020) and which it continues to support and resource;
 - iii) Very significant local outrage at the felling of trees which took place at dawn on the 17th December, 2020, evidenced by a temporary memorial for the trees which were removed, and a further increase in awareness of the value of every piece of green space that remains in the area;
 - iv) The strong and immediate action of many local councillors on the morning of the 17th December, 2020, to prevent the complete clearance of the site of trees by the application of temporary orders to prevent felling;
 - v) The site is considered as one of the few green spaces left in Horwich which can be enjoyed by many walking from Stocks Park to the centre of Horwich and by those living in the vicinity of the site. Its importance is reflected in the designation of the site as a Green Space in the emerging Horwich Neighbourhood Development Plan.
 - vi) Considerable local opposition and concern that yet another site valuable for its open aspect, the diversity of bird species, the presence of bats and other fauna, and its historic aspects, is under threat from development.
6. The SRA considers that the opportunistic exploitation of green spaces of the kind now proposed, and which has led to a planning decision that will develop a vast tract of Other Protected Open Land ['OPOL'] at Horwich Golf Club and Adjacent Land [Conjoined Appeal APP N4205W 20 3256381 3266030] results from a long-term failure on the part of successive



administrations at Bolton to meet a Five-Year supply of deliverable housing sites. **We consider also that the current attempt to ensure delivery of housing targets through Places for Everyone is a welcome attempt to meet such the target, but the strategy is high risk. It may yet fail to deliver housing supply and, in the short-term, it will lead to more opportunistic applications to build housing on valuable green space, however valued that green space is by those who live and work around it.**

7. We also consider that the Five-Year Housing Supply policies in the NPPF and the requirement for buffering combined with the government's wholly inadequate financing of support to brownfield housing development places undue pressure on green space including OPOL, and it is even leading to pressure for Green Belt release for executive homes in some areas. **We therefore commend BMBC on its initiatives in Bolton in bringing forward brownfield sites for development [e.g., Church Wharf in the centre of Bolton and locally in Horwich at the loco works], and it is our hope that such schemes bring success and good fortune to the town.**

Specific Objections

The Local Plan

8. **The trite but fundamentally important starting point for any planning application is the development plan ['the Local Plan' or 'the LP'] comprised by Bolton Core Strategy and the Bolton Allocations Plan. In this case, there is conflict with the development plan as a whole. A statutory presumption therefore exists against the grant of planning permission on this site.**
9. **This also gives rise to a negative policy presumption given that the planning system is meant to be genuinely plan-led. This application is very self-evidently not the outcome of a plan-led process but another haphazard exception to it.**
10. The Local Plan Policy CG1 is very clear on seeking to give protection to certain sites. At CG1 § 2, the Local Plan states that it will 'Safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.'
11. At CG1§ 3, the Local Plan undertakes to 'Safeguard and enhance parks, gardens, allotments, civic spaces, cemeteries and playing fields and improve the quality and multi-functional benefits of these assets. The proposed development is in clear conflict with these policies. While CG 1 § 4 states that 'some development on informal green spaces in the urban area, [can take place] if it allows for the improvement of remaining green spaces and helps to



meet the strategic objectives for housing', the Application's proposed improvements in our view fail to do this.

12. The Application is also in our view in conflict with the Council's aims of ensuring an attractive built environment outlined in the LP: in terms of landscape quality, we consider CG3 § 2 stands against the Application; in terms of historical associations of this site we consider CG3 § 3 stands against the Application, and in terms of landscape character CG3 § 2 stands against the Application.

13. The Council's Policy SC1 § 2 concerns the allocation of sites for housing. Regarding SC1, we consider that the decision to build on the Horwich Golf Course and adjacent land will lead to most of the development in this part of Horwich being on greenfield land. **Any requirement which the Council has set for housing development on previously developed land is clearly not met by construction of housing on a site such as proposed in this application.**

14. Policy OA1 of the Council considers development and commits the Council and its partners to several priorities. Regarding the site, we consider that the proposed development conforms with § 4 which is to 'Concentrate sites for new housing in Horwich town centre, at Horwich Loco Works and on other sites within the existing urban area. **However, given the pressure and loss of OPOL, which is now an objective of OA1 § 6 that the Council can no longer achieve, we consider that OA § 9, which is to 'conserve and enhance the character of the existing landscape and physical environment, especially the conservation areas at Horwich town centre, Horwich Loco Works and Wallsuches' to carry increased weight and to preclude development of the kind now proposed at Medway Drive.**

15. OA § 11 seeks to 'ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape'. We consider this area is a landscape within the meaning of the policy and that it has historic value although temporarily reduced by the felling of trees. Regarding trees on the site, we note that trees have been on this site since at least 1850, the area was adopted by Horwich District Council from the original developer after residents cleared the site of debris. The residents of Medway Drive held a Queen's Jubilee party on the site in 1977 and a picture shows young trees on the area. The BMBC planted trees in early 1977, these are the bulk of the now mature trees. BMBC has maintained the area by mowing the grass and trimming trees as necessary until the last few years.



NPPF

16. As we have noted earlier but for the avoidance of doubt, at § 1 (2) NFFP the NFFP states that 'Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be considered in preparing the development plan and is a material consideration in planning decisions and is so in the case of this application to develop the Medway Drive site. The NPPF sees planning decisions as meeting three interlocking objectives, economic, social, and environmental. **Broadly stated, economic objectives should also support social and environmental objectives. While the application may provide a single dwelling, the application does not in our assessment necessarily deliver a development that provides open space – indeed it removes it with the effect that may compromise 'current and future needs and support communities' health, social and cultural well-being'. Furthermore, we do not consider that the proposals meet at c) the environmental objectives which the NPPF identifies of making effective use of land, including the improvement of biodiversity.**
17. At § 69, a, b, c, d, the NPPF notes that the development plan should favour small and medium sized sites, which 'can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly'. **But we draw attention to the fact that the site is not afforded such a priority as it is not within the development plan. Nor is the site contributing in any significant way to the Five-Year Supply.**
18. At § 92 NFFP, the NFFP states that planning policies and decisions should aim to achieve healthy, inclusive, and safe places. We consider that the application conflicts with § 92 (c) NFFP, as the application removes a safe and accessible green infrastructure. A key point here is the accessibility of the site. **Increasingly, the area in which the development is proposed is its losing green infrastructure. The development planned on Horwich Golf Club and adjacent land removes from the area significant green infrastructure, and what remains therefore has an even greater value placed upon it.**
19. At § 98, the NPPF notes the following:
- 'Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport, and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.'

20. We also note that at § 99NFFP, the following:

'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

None of the conditions from § 99 NPPF can be held to apply here, the land is being taken away from public use and enjoyment and developed without any significant regard for public benefit. For this reason, the Application cannot be considered sustainable development in the terms of the NPPF.

21. At § 170, the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment. We consider that under § 170, the proposed development does not contribute to or enhance the local environment in respect of § 170 (a) or (b) or (d). Such dereliction as exists upon the site has largely been the result of the felling of trees on the site.
22. At § 175, the NFFP states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate. We consider that the removal of trees from the site in December 2020 and the proposed construction on the site fail this test. Development on this site does not comply with § 175 (d) although we do note the promise that an orchard [monoculture] will be planted. **But such a promise is merely that. No substantive and legally enforceable commitments [such as a covenant regarding the land] are offered by the developer, as far as we can see, in the Application. Granting the Application commits the developer to nothing.**



The Neighbourhood Development Plan

NDP- Housing Need

23. We consider that the need for housing on this site is not justified by any relevant planning policy. Whilst the HNP may be at an early stage, it is underpinned nonetheless by an independently produced Housing Needs Assessment [‘the HNA]. The general approach to the AECOM HNA – produced for Horwich Town Council’s own Neighbourhood Plan - accords with §66 NPP. This HNA took account of “the latest evidence of local housing need [the Standard Method], the population of the neighbourhood area [shown by the Government’s 2014 household projections] and the most recently available planning strategy of the local planning authority”. Section 4.3 reveals that planning strategy of the LPA was considered, and that the potentially aged nature of the LP [the CS in fact] was considered. The emerging GMSF (the only emerging planning strategy for the area) was also considered. Therefore, in these circumstances, the only evidence of housing needs prepared in broad accordance with national policy in Horwich is a figure of between 347 and 491 dwellings for Horwich (or between 19 and 27 dpa), between 2018 and 2036. This need is now demonstrably more than satisfied with the loss of the Golf Club and adjacent land. Such development as allowed on the locoworks from planning consent for the Loco works [91352-14] which although a Strategic Allocation, makes further contribution the supply of homes.
24. In our view, the evidence of recent planning permissions and evidence of housing need provided by the HNA demonstrates no urgency to deliver further houses in Horwich.

NDP- Green Spaces

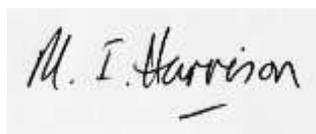
25. In §100, the NPPF identifies the Local Green Space designation for use as a mechanism within the planning system for the protection of green space under certain conditions, namely: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land. We consider that in the emerging Neighbourhood Plan the site is defined as such a space and is therefore not suitable for development. Residents living in the area confirm this and have made and continue to make representations [objections] on this point.



Concluding Remarks

26. In our view, the Application is opportunistic approach that results from BMBC's sale of its own valuable green space assets, assets which BMBC should have taken the opportunity protect and to nurture, given their importance.
27. The Application is in our view contrary to the LP and in conflict with the following policies:
- a. CG1 § (2)
 - b. CG1 § (3)
 - c. CG1 § (4)
 - d. CG1 § (4)
 - e. CG3 § (2)
 - f. CG3 § (3)
 - g. CG3 § (7)
 - h. SC1 § (2)
 - i. OA § (9)
 - j. OA § (11)
 - k. CG1 § (2)
28. The Application is in our view in conflict with the NPPF, at:
- a. § 92 (c)
 - b. § 98
 - c. § 99
 - d. § 100
 - e. § 170 (a), (b) (d)
 - f. § 175 (d)
29. **If the site is accepted as a designated development site, residents may well find themselves on the end of further applications to build more houses there. Only firm and legally binding commitments by the developer within the Application could have provided the necessary guarantee that there would only ever be a bungalow and orchard on the site. They are not given.**
30. **We respectfully invite members of the Planning Committee to consider refusing permission for this development and that to do so is an entirely reasonable and legal course for them to take.**

Yours sincerely



Malcolm Harrison

Chair, SRA



References

- Bolton Metropolitan Borough Council. (2011). *Bolton's Core Strategy Development Plan Document Adopted 2 March 2011 - The Local Plan*. Retrieved from <https://www.bolton.gov.uk/planning-policy-strategy/local-plan/1>
- Horwich Town Council. (2020). Neighbourhood Plan. Retrieved from <https://www.horwichneighbourhoodplan.org.uk/documents-minutes/5-sport-recreation-wellbeing/>
- Ministry of Housing, Communities and Local Government,. (2021). *National Planning Policy Framework: February 2021 Ministry of Housing, Communities and Local Government*. London: HMSO Retrieved from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

