



www.landuse.co.uk

Review of Protected Open Land in Bolton

Prepared by LUC and MVGLA
Final Report
November 2018



Project Title: Review of Protected Open Land in Bolton

Client: Bolton District Council

Version	Date	Version Details	Prepared by	Checked by	Approved by
1	29/10/18	Draft For Client Review	Harry Briggs David Green Stuart Langer Edith Lendak Steven Orr Michelle Statton Bea Dower (MVGLA)	Melissa Kurihara	Sarah Young
2	20/11/18	Updates to reflect client comments	Melissa Kurihara Stuart Langer	Melissa Kurihara	Sarah Young
3	18/12/18	Update referencing	Melissa Kurihara	Melissa Kurihara	Melissa Kurihara



www.landuse.co.uk

Review of Protected Open Land in Bolton

Prepared by LUC and MVGLA
Final Report

November 2018

Planning & EIA
Design
Landscape Planning
Landscape Management
Ecology
GIS & Visualisation

LUC BRISTOL
12th Floor Colston Tower
Colston Street Bristol
BS1 4XE
T +44 (0)117 929 1997
bristol@landuse.co.uk

Offices also in:
Edinburgh
Glasgow
Lancaster
London
Manchester



Land Use Consultants Ltd
Registered in England
Registered number: 2549296
Registered Office:
43 Chalton Street
London NW1 1JD
LUC uses 100% recycled paper

Contents

1	Introduction	1
	Background	1
	Report Structure	1
2	Planning Context	3
	Planning Policy Context in Bolton	3
	Background to Protected Open Land Designations	3
	Implications of Emerging Planning Policy and Material Considerations	5
	Implications of Planning and Appeal Decisions	6
	Summary of Implications of Planning Policy Changes and Appeal Decisions	18
3	Methodology	19
	Adjoining uses and compatibility with residential development	19
	Historic Environment	20
	Ecology	24
	Landscape	29
	Public Recreation and Tree Preservation Orders	31
	Flooding	33
4	Overview of Results	35
5	Site Specific Results	40
	Appendix 1: Overview of Protected Open Land Sites	0

Figures

Figure 5.1 Aerial view: LUC1	40
Figure 5.2 OS base map: LUC1	41
Figure 5.3 Heritage: LUC1	43
Figure 5.4 Ecology: LUC1	46
Figure 5.5 Landscape: LUC1	49
Figure 5.6 Public Recreation and TPOs: LUC1	50
Figure 5.7 Flooding: LUC1	51
Figure 5.49 Aerial view: LUC2	53
Figure 5.50 OS base map: LUC2	54
Figure 5.51 Heritage: LUC2	56
Figure 5.52 Ecology: LUC2	60
Figure 5.53 Landscape: LUC2	62
Figure 5.54 Public Recreation and TPOs: LUC2	63

Figure 5.55 Flooding: LUC2	64
Figure 5.8 Aerial view: LUC33	65
Figure 5.9 OS base map: LUC33	66
Figure 5.10 Heritage: LUC33	68
Figure 5.11 Ecology: LUC33	71
Figure 5.12 Landscape: LUC33	73
Figure 5.13 Public Recreation and TPOs: LUC33	74
Figure 5.14 Flooding: LUC33	75
Figure 5.15 Aerial view: LUC34	77
Figure 5.16 OS base map: LUC34	78
Figure 5.17 Heritage: LUC34	79
Figure 5.18 Ecology: LUC34	82
Figure 5.19 Landscape: LUC34	84
Figure 5.20 Public Recreation and TPOs: LUC34	85
Figure 5.21 Flooding: LUC34	86
Figure 5.22 Aerial view: LUC35	87
Figure 5.23 OS base map: LUC35	88
Figure 5.24 Heritage: LUC35	90
Figure 5.25 Ecology: LUC35	93
Figure 5.26 Public Recreation and TPOs: LUC35	95
Figure 5.27 Flooding: LUC35	96
Figure 5.28 Aerial view: LUC36	98
Figure 5.29 OS base map: LUC36	99
Figure 5.30 Heritage: LUC36	101
Figure 5.31 Ecology: LUC36	105
Figure 5.32 Landscape: LUC36	107
Figure 5.33 Public Recreation and TPOs: LUC36	109
Figure 5.34 Flooding: LUC36	110
Figure 5.35 Aerial view: LUC37	112
Figure 5.36 OS base map: LUC37	113
Figure 5.37 Heritage: LUC37	114
Figure 5.38 Ecology: LUC37	117
Figure 5.39 Landscape: LUC37	118
Figure 5.40 Public Recreation and TPOs: LUC37	119
Figure 5.41 Flooding: LUC37	120
Figure 5.42 Aerial view: LUC38	122
Figure 5.43 OS base map: LUC38	123
Figure 5.44 Heritage: LUC38	124
Figure 5.45 Ecology: LUC38	128
Figure 5.46 Landscape: LUC38	130

Figure 5.47 Public Recreation and TPOs: LUC38	131
Figure 5.48 Flooding: LUC38	132
Figure 5.56 Aerial view: LUC39	133
Figure 5.57 OS base map: LUC39	134
Figure 5.58 Heritage: LUC39	135
Figure 5.59 Ecology: LUC39	138
Figure 5.60 Landscape: LUC39	140
Figure 5.61 Public Recreation and TPOs: LUC39	141
Figure 5.62 Flooding: LUC39	142
Figure 5.63 Aerial view: LUC40	143
Figure 5.64 OS base map: LUC40	144
Figure 5.65 Heritage: LUC40	146
Figure 5.66 Ecology: LUC40	150
Figure 5.67 Landscape: LUC40	152
Figure 5.68 Public Recreation and TPOs: LUC40	154
Figure 5.69 Flooding: LUC40	155
Figure 5.70 Aerial view: LUC41	157
Figure 5.71 OS base map: LUC41	158
Figure 5.72 Heritage: LUC41	159
Figure 5.73 Ecology: LUC41	162
Figure 5.74 Landscape: LUC41	163
Figure 5.75 Public Recreation and TPOs: LUC41	164
Figure 5.76 Flooding: LUC41	165
Figure 5.77 Aerial view: LUC42	166
Figure 5.78 OS base map: LUC42	167
Figure 5.79 Heritage: LUC42	168
Figure 5.80 Ecology: LUC42	171
Figure 5.81 Landscape: LUC42	173
Figure 5.82 Public Recreation and TPOs: LUC42	174
Figure 5.83 Flooding: LUC42	175
Figure 5.84 Aerial view: LUC43	177
Figure 5.85 OS base map: LUC43	178
Figure 5.86 Heritage: LUC43	180
Figure 5.87 Ecology: LUC43	183
Figure 5.88 Landscape: LUC43	185
Figure 5.89 Public Recreation and TPOs: LUC43	186
Figure 5.90 Flooding: LUC43	187
Figure 5.91 Aerial view: LUC44	188
Figure 5.92 OS base map: LUC44	189
Figure 5.93 Heritage: LUC44	190

Figure 5.94 Ecology: LUC44	193
Figure 5.95 Landscape: LUC44	194
Figure 5.96 Public Recreation and TPOs: LUC44	195
Figure 5.97 Flooding: LUC44	196
Figure 5.98 Aerial view: LUC45	198
Figure 5.99 OS base map: LUC45	199
Figure 5.100 Heritage: LUC45	200
Figure 5.101 Ecology: LUC45	203
Figure 5.102 Landscape: LUC45	205
Figure 5.103 Public Recreation and TPOs: LUC45	206
Figure 5.104 Flooding: LUC45	207
Figure 5.105 Aerial view: LUC46	209
Figure 5.106 OS base map: LUC46	210
Figure 5.107 Heritage: LUC46	211
Figure 5.108 Ecology: LUC46	214
Figure 5.109 Landscape: LUC46	216
Figure 5.110 Public Recreation and TPOs: LUC46	217
Figure 5.111 Flooding: LUC46	218
Figure 5.112 Aerial view: LUC47	219
Figure 5.113 OS base map: LUC47	220
Figure 5.114 Heritage: LUC47	221
Figure 5.115 Ecology: LUC47	224
Figure 5.116 Landscape: LUC47	226
Figure 5.117 Public Recreation and TPOs: LUC47	227
Figure 5.118 Flooding: LUC47	228
Figure 5.119 Aerial view: LUC48	230
Figure 5.120 OS base map: LUC48	231
Figure 5.121 Heritage: LUC48	232
Figure 5.122 Ecology: LUC48	236
Figure 5.123 Landscape: LUC48	238
Figure 5.124 Public Recreation and TPOs: LUC48	239
Figure 5.125 Flooding: LUC48	240
Figure 5.126 Aerial view: LUC49	242
Figure 5.127 OS base map: LUC49	243
Figure 5.128 Heritage: LUC49	245
Figure 5.129 Ecology: LUC49	249
Figure 5.130 Landscape: LUC49	251
Figure 5.131 Public Recreation and TPOs: LUC49	252
Figure 5.132 Flooding: LUC49	253
Figure 5.133 Aerial view: LUC50	255

Figure 5.134 OS base map: LUC50	256
Figure 5.135 Heritage: LUC50	257
Figure 5.136 Ecology: LUC50	259
Figure 5.137 Public Recreation and TPOs: LUC50	261
Figure 5.138 Flooding: LUC50	262
Figure 5.139 Aerial view: LUC51	263
Figure 5.140 OS base map: LUC51	264
Figure 5.141 Heritage: LUC51	265
Figure 5.142 Ecology: LUC51	268
Figure 5.143 Public Recreation and TPOs: LUC51	270
Figure 5.144 Flooding: LUC51	271
Figure 5.145 Aerial view: LUC52	273
Figure 5.146 OS base map: LUC52	274
Figure 5.147 Heritage: LUC52	276
Figure 5.148 Ecology: LUC52	280
Figure 5.149 Landscape: LUC52	282
Figure 5.150 Public Recreation and TPOs: LUC52	283
Figure 5.151 Flooding: LUC52	284
Figure 5.153 Aerial view: LUC53	286
Figure 5.153 OS base map: LUC53	287
Figure 5.154 Heritage: LUC53	288
Figure 5.155 Ecology: LUC53	292
Figure 5.156 Landscape: LUC53	294
Figure 5.157 Public Recreation and TPOs: LUC53	295
Figure 5.158 Flooding: LUC53	296
Figure 5.159 Aerial view: LUC54	298
Figure 5.160 OS base map: LUC54	299
Figure 5.161 Heritage: LUC54	301
Figure 5.162 Ecology: LUC54	305
Figure 5.163 Landscape: LUC54	307
Figure 5.164 Public Recreation and TPOs: LUC54	308
Figure 5.165 Flooding: LUC54	309
Figure 5.166 Aerial view: LUC55	311
Figure 5.167 OS base map: LUC55	312
Figure 5.168 Heritage: LUC55	313
Figure 5.169 Ecology: LUC55	316
Figure 5.170 Landscape: LUC55	318
Figure 5.171 Public Recreation and TPOs: LUC55	319
Figure 5.172 Flooding: LUC55	320
Figure 5.173 Aerial view: LUC56	321

Figure 5.174 OS base map: LUC56	322
Figure 5.175 Heritage: LUC56	324
Figure 5.176 Ecology: LUC56	328
Figure 5.177 Landscape: LUC56	330
Figure 5.178 Public Recreation and TPOs: LUC56	331
Figure 5.179 Flooding: LUC56	332

1 Introduction

Background

- 1.1 Bolton District Council commissioned LUC in August 2018 to undertake a review of 26 of the 27¹ sites currently designated as 'Other Protected Open Land' in Bolton in order to assess whether there are any issues that should be taken into account in the consideration of planning applications for residential development on these sites.
- 1.2 These areas of land have been defined within the Bolton Local Plan, specifically under policy CG6AP of the Allocations Plan (2014): Other Protected Open Land, which sets out that only specific types of development are appropriate in these areas. A key ambition of this policy is to achieve Strategic Objective 15 of the Bolton Core Strategy, which seeks *"To focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites"*.
- 1.3 The supporting text in the Allocations Plan (2014) states that some of this Other Protected Open Land could be appropriate for development in the future, but not during the plan period up to 2026 and not without a further review of the Core Strategy. Since 2015, some of these 'Other Protected Open Land' sites have come under pressure for housing development which has been resisted by the Council, mostly resulting in a number of planning appeals, several of which have been allowed.
- 1.4 The purpose of this report is to provide an overview of the issues that are likely to affect housing development across the 26 Other Protected Open Land sites, thereby identifying which sites would result in the greatest amount of potential harm if they were developed for housing within the plan period.
- 1.5 This report provides an overview of the current planning policy for Bolton. Furthermore, for each site, it includes a review of the planning context, planning history and a review of the implications of housing development in relation to the following topics:
 - adjoining uses and compatibility with surrounding residential development;
 - historic environment;
 - ecology;
 - landscape;
 - public recreation and Tree Preservation Orders (TPOs); and
 - flooding.
- 1.6 The sites are referred to as 'Protected Open Land' sites within the remainder of this report.

Report Structure

- 1.7 The remainder of this report is structured as follows:

Chapter 2 presents a review of the planning context of Protected Open Land in Bolton including a review of relevant planning application and appeal decisions.

¹ The POL site 'Land at Last Drop' is not included within this review as planning permission for residential development has been granted for the entirety of the site.

Chapter 3 sets out the detailed methodology for the review of the sites, on a topic by topic basis.

Chapter 4 provides an overview of the results of the assessment.

Chapter 5 sets out the results of site specific investigation.

2 Planning Context

- 2.1 The following chapter sets a review of the planning context with regards to Protected Open Land in Bolton. This includes a review of relevant planning policies and material considerations as well as planning application and appeal decisions.

Planning Policy Context in Bolton

- 2.2 The Development Plan in Bolton is comprised of the following documents:
- Bolton Core Strategy (2011).
 - Bolton Allocations Plan (2014).
 - Greater Manchester Waste Plan (2012).
 - Greater Manchester Minerals Plan (2013).
- 2.3 In addition, the Greater Manchester Spatial Framework (GMSF) is currently being prepared which will be adopted as a development plan following the appropriate drafting, consultation and examination procedures. The first draft of the GMSF was published in October 2016 and work is now underway on a revised version. The GMSF is at a relatively early stage of production and therefore holds some weight as a material consideration (although relatively little), in accordance with NPPF (2018) paragraph 48.
- 2.4 In summary, at the current time it is the Bolton Core Strategy and Allocations Plan which provide the policies in relation to housing land supply. A central theme within these documents is the need to focus in Bolton on urban regeneration, by safeguarding open and natural spaces within the Borough whilst promoting redevelopment of brownfield sites. In particular, Strategic Objective 15 sets out this ambition:

Strategic Objective 15

To focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites.

- 2.5 The key policies which manage development outside the settlement boundaries within the local plan are the 'Green Belt' and 'Protected Open Land' designations. This report provides a review of the Protected Open Land designations.

Background to Protected Open Land Designations

- 2.6 As set out above, the Bolton Core Strategy (2011) and Allocations Plan (2014) set out that areas of Protected Open Land in Bolton will be safeguarded from inappropriate development. A key element of the policies relating to Protected Open Land is that these areas will remain undeveloped for the duration of the plan period.
- 2.7 The Protected Open Land designation sites were carried over from the previous planning policy document for Bolton, the Unitary Development Plan (2005). However, the specific boundaries have been updated, most recently in the Allocations Plan for Bolton (2014) and the associated allocations map. There are 27 designated Protected Open Land sites; these are shown on the overview map contained in **Appendix 1**. However, it should be noted that the definition of Protected Open Land can apply to other areas of the Borough as well. This study has considered 26 of the sites. The Last Drop Village site has not been assessed as it already has planning permission for housing on the entirety of the POL site, however the decision to allow this is reviewed below in the section on **'Implications of Planning and Appeal Decisions'**.

- 2.8 There are several area-based policies within the Core Strategy which refer to the Protected Open Land designations. However Policy CG6AP – ‘Other Protected Open Land’ within the Allocations Plan provides the greatest detail about this designation, and sets out the basis for determining whether development on Protected Open Land sites is appropriate. It states that:

Policy CG6AP – Other Protected Open Land

The Council will permit development proposals within the defined areas of Protected Open Land shown on the Proposals Map, provided that they fall within one or more of the following categories:

1. The development represents limited infilling within an established housing or industrial area, is in scale with it and would not adversely affect its character or surroundings; or
2. It forms part of, and is required for, the maintenance of an existing source of employment; or
3. The development requires a location outside the urban area, but is inappropriate within the Green Belt, and providing it maintains the character and appearance of the countryside; or
4. The development would be appropriate within the Green Belt.

Where new buildings are permitted they should be sited to form a group with existing buildings wherever possible. In cases where this is not possible, buildings, car parking areas and any other new structures should be sited where they will be well screened and unobtrusive in the landscape. All buildings and extensions should be of a high standard of design, using materials that are compatible with the landscape.

- 2.9 Protected Open Land sites have been designated as they form areas of countryside which are not protected by green belt designation. A key purpose of the Protected Open Land designation is to help concentrate development in existing urban areas, thereby promoting regeneration.
- 2.10 The Allocations Plan sets out that although these sites may be appropriate for residential development, housing need and the supply of sites means that there is no requirement to build on Protected Open Land sites during the plan period, which is until 2026. However, the principle that there is sufficient land elsewhere in the Borough has been strongly challenged through planning applications in Bolton. Numerous planning applications for residential development have come forward on Protected Open Land sites and have been refused by Bolton Council. During subsequent appeals, it has been concluded by planning inspectors that due to the lack of a demonstrable housing supply as required by the NPPF (paragraph 47 in the 2012 publication and paragraph 73 in the 2018 publication), there is insufficient land within the Borough outside the Protected areas (including the Protected Open Land sites). As a result the policies and strategic objectives in relation to Protected Open Land have been deemed ‘out of date’, and residential applications have been permitted within these sites.
- 2.11 It has proven challenging to demonstrate a sufficient housing supply in Bolton in accordance with the requirements of the NPPF. It is notable that this has been the case for several years. In addition, the policy and technical context for the calculation and demonstration of sufficient housing requirements and supply is changing.
- 2.12 Furthermore, the first draft of the GMSF (2016) included development allocations within it which potentially conflict with the Protected Open Land designations. All these issues are discussed in further detail in the **Implications of Emerging Policy Section** below.

Implications of Emerging Planning Policy and Material Considerations

- 2.13 As set out above, assessment of housing requirement and demonstration of an adequate housing supply are key issues in Bolton, which affect the implementation of the Housing supply policies, including those relating to Protected Open Land. There are several emerging policies and material considerations which influence the assessment of housing requirement and how the supply is calculated. These are discussed below.

Updates to the National Planning Policy Framework

- 2.14 The National Planning Policy Framework (NPPF) was first published in 2012. This is a material consideration, relevant to all planning applications in England and Wales. Within the 2012 NPPF, paragraph 47 set out that local authorities should be able to demonstrate a five-year supply of deliverable sites, to meet the 'housing requirement' as set out in local policy. In accordance with paragraph 49 and 14 of this document, if a five year supply cannot be demonstrated, local plan policies in relation to the supply of housing are not to be considered up to date. Planning appeals have shown that this is the case in Bolton.
- 2.15 In July 2018 the NPPF was revised and republished. At a similar time, the National Planning Practice Guidance (NPPG) was also updated, which also forms a material consideration. The amended position within the NPPF and NPPG remains that local plan policies for the supply of housing are out of date if a five year land supply cannot be demonstrated by the local authority (paragraph 11 footnote 7 sets out when a plan is out of date and paragraph 73 sets out how the supply should be calculated). A change in the approach of the 2018 NPPF is that the 'housing requirement' to be used in the demonstration of a five year housing supply should have been calculated or reviewed within the past five years. If the housing requirement was identified in a plan that is more than five years old, then the 'local housing need' figure must be used. The 'local housing need' figure is calculated using a methodology set out in the NPPG. Bolton's housing requirement was most recently reviewed for the Core Strategy which was adopted 2 March 2011. As such, this can be considered 'out of date' since 2 March 2016.
- 2.16 A further key material consideration is the emerging planning policy for Greater Manchester, which is likely to provide a more up to date 'housing requirement' figure for Bolton. Once adopted, the GMSF housing figures, and not the NPPG based 'local housing need' calculation would be used to calculate the five year housing supply requirement. The implications of the emerging GMSF on the calculation of housing requirement are discussed in paragraph 2.19 below. Having said this, it is important to note that the Government strongly advises that the 'local housing need' assessment methodology is used in future calculations of housing requirement for individual planning authorities.
- 2.17 The 2018 NPPF also introduces a housing delivery test, which means that the housing supply policies in the local plan can also be rendered out of date if the following scenarios occur:
- housing delivery is below 25% of the housing required over the past three years (measured after the Housing Delivery test results are published in November 2018);
 - housing delivery is below 45% of the housing required over the past three years (measured after the Housing Delivery test results are published in November 2019); and
 - housing delivery is below 75% of the housing required over the past three years (measured after the Housing Delivery test results are published in November 2020).
- 2.18 Failure to meet these requirements would mean that housing supply policies are out of date regardless of being able to demonstrate a five year housing supply. It remains to be seen how Bolton will fare against the housing delivery test (as it begins in November 2018).

Emerging Greater Manchester Spatial Framework

- 2.19 As set out above, the second draft of the Greater Manchester Spatial Framework (GMSF) is currently being prepared. This is a joint plan which is being produced by the 10 councils in Greater Manchester working together in partnership. The proposed plan period is 2015-2035. The GMSF intends to provide a housing apportionment for Bolton, and will also identify specific areas of land which are to be developed within the plan period.

Implications of Planning and Appeal Decisions

- 2.20 This section provides a review of recent planning and appeal decisions on key development applications within areas of Protected Open Land. These include:
- Hill Lane.
 - Ditchers Farm.
 - Land at the Last Drop.
 - Bowlands Hey.
 - Lee Hall.
 - Knowles Farm.
- 2.21 The cases are presented in chronological order of the decision - by either Bolton Council or the appeal decision, as appropriate - starting with the oldest. Different applications on the same sites are therefore not necessarily presented together.

Hill Lane

Site Address	Hill Lane, Blackrod, Bolton, BL6 5JN
POL Reference	LUC34: Hill Lane
Description of Development	Outline Application For Erection Of 110 Dwellings (Access Details Only)
Planning Application Reference	94656/15
Application Validated	22/07/2015
Bolton Council Decision	Refused 24/09/2015
Appeal Reference (if relevant)	APP/N4205/W/15/3136446
Appeal Decision (if relevant)	Appeal Allowed 26/04/2016

Key Issues

The application was refused by Bolton Council for two reasons including that the proposal would comprise inappropriate development of Other Protected Open Land (contrary to the strategic objective of focussing new housing in the existing urban area) and that the proposed development did not outweigh the loss of mineral resources. The reason for refusal in relation to mineral resources was not defended at the appeal due to new evidence demonstrating that this was not a suitable reason for refusal.

With regard to housing delivery, the inspector concluded that due to persistent under delivery against annual housing targets, a 20% buffer should be applied to the full objectively assessed need of 965-983. In addition the inspector found that the evidence of deliverability was not conclusive and in any case the Council could only demonstrate 2 - 3.4 years of housing supply.

In accordance with paragraphs 14, 47 – 49 of the NPPF (2012) the inspector concluded that the relevant policies for the supply of housing in Bolton were not up to date, including Policy CG6AP and the relevant area specific Core Strategy policies (in this case Policy OA1). Following an assessment of the suitability of the proposal in accordance with the NPPF the inspector allowed the appeal.

Implications for Protected Open Land Designations

The inspector concluded that the policies relating to Protected Open Land were out of date and should be afforded very little weight. There is no similar policy protection for these sites within the NPPF or NPPG and as such their suitability for development is determined by other matters, in accordance with the NPPF.

Paragraph 47 of the inspector's report sets out that other sites in Bolton may be more appropriate for housing development than this site, however evidence of the suitability of other sites was not submitted to the appeal and this was not considered further.

The inspector also reported that this decision does not necessarily mean that all other Protected Open Land Sites would be appropriate for development.

Ditchers Farm

Land off Dixon Street, Westhoughton, Bolton

Site Address	Land off Dixon Street, Westhoughton, Bolton
POL Reference	LUC1: Ditchers Farm
Description of Development	Outline application for the erection of up to 14no. residential detached dwellings (access and scale details only)
Planning Application Reference	96689/16
Application Validated	08/06/2016
Bolton Council Decision	Refused 06/09/2016
Appeal Reference (if relevant)	APP/N4205/W/16/3162124
Appeal Decision (if relevant)	Appeal Dismissed 15/05/2017
Key Issues	
<p>The reasons for refusal were that the proposals were incongruous within the landscape, a lack of ecological information had been provided and that the applicant had failed to demonstrate that the need for housing outweighed the need to extract mineral from the site (which is within a minerals safeguarding area).</p> <p>Despite the lack of five year supply the inspector concluded that the proposals would not be appropriate due to the identified harm to the openness of the area, contrary to Core Strategy Policy CG3 and OA3. The inspector also noted that reasonable likelihood of protected species being present. She concluded that on balance these matters were not outweighed by the benefits of the scheme.</p>	
Implications for Protected Open Land Designations	
<p>Although the site was within Protected Open Land, it appears that the decision turned on the landscape and biodiversity impacts, rather than because the site was within the Protected Open Land designation.</p> <p>The inspector stated that the proposal is contrary to policy OA3, which does set out that the site should be safeguarded from development because it is within a Protected Open Land designation (point 6). However, it is not considered that this decision gives weight to this specific point of the policy, as the policy also sets out that regards is had to the character of the wider open landscape (at point 8).</p> <p>The inspector's reference to paragraph 14 of the NPPF (2012) appears key to this decision. This sets out that where the development plan is out of date (as is the case in this scenario) that development may be refused if the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF (2012) taken as whole. The NPPF (2012) sets out in section 11 that the planning system should conserve and enhance valued landscapes, and it appears that this has influenced the decision on this application, rather than specifically the local plan policies.</p> <p>The inspector reiterated that due to the lack of a five year housing supply the policies in the local plan relating to housing supply should be afforded little weight.</p>	

Land at the Last Drop

Site Address	Land at the Last Drop, Hospital Road, Bromley Cross, Bolton, BL7 9PZ
POL Reference	N/A
Description of Development	Erection of 98no. Residential dwellings (to include a mix of 1 & 2 bedroom apartments & 2, 3 & 4 bedroom houses) including new footpaths, landscaping and boundary treatments
Planning Application Reference	97617/16
Application Validated	07/10/2016
Bolton Council Decision	Approved 05/06/2017
Appeal Reference (if relevant)	N/A
Appeal Decision (if relevant)	N/A
<p>Key Issues</p> <p>This site is Other Protected Open Land that was allowed to be developed by the Council.</p> <p>The committee report updates the Council's position with regards to the five year housing supply, setting out that this was in the range of 2.8 - 3.5 years, and therefore the policies in relation to Protected Open Land were to be considered out of date and that the planning application should therefore be considered in accordance with the NPPF.</p> <p>Reference is made to the Hill Lane, Blackrod appeal decision, with officers drawing attention to the similarities in the cases, particularly with reference to the five year land supply.</p>	
<p>Implications for Protected Open Land Designations</p> <p>This decision demonstrates that the policies in relation to Protected Open Land are not considered to be up to date by the council, and are afforded little weight.</p>	

Bowlands Hey

Site Address	Land at Bowlands Hey, off Collingwood Way & Old Lane, Westhoughton, Bolton
POL Reference	LUC54: Bowlands Hey
Description of Development	Erection of 129no. Residential dwellings, laying out of roads and footways, hard and soft landscaping, walls, fences and drainage together with the laying out of public open space including ecological mitigation and other associated works.
Planning Application Reference	97377/16
Application Validated	08/09/2016
Bolton Council Decision	Refused 16/01/2017
Appeal Reference (if relevant)	APP/N4205/W/17/3167848
Appeal Decision (if relevant)	Appeal Allowed 21/08/2017
<p>Key Issues</p> <p>Although recommended for approval by the Council officers, the planning application was refused by Bolton Council Planning Committee for two reasons. Reason 1 set out that the site was Other Protected Open Land and therefore its development was not appropriate. Reason 2 related to highways safety and congestion.</p> <p>At the appeal it was agreed between parties that the annual housing land supply was adequate to meet only 3.1 years of need, and that in accordance with the NPPF (2012), the policies in relation to the supply of housing were not to be considered up to date. The inspector agreed that Core Strategy Strategic Objective 15, which seeks to focus development to previously developed sites, generally accords with the NPPF (2012), but that it also holds little weight, due to the lack of a five year land supply.</p> <p>There was discussion at the Inquiry as to whether protected open land should be considered as 'safeguarded land' for the purposes of Framework paragraph 85.</p> <p>The whole of this Protected Open Land site is proposed to be allocated for development in the 2016 draft GMSF.</p>	
<p>Implications for Protected Open Land Designations</p> <p>The planning officers of Bolton Council considered that the Hill Lane appeal decision formed a material consideration to this application and that policies in relation to other protected open land were out of date, and that the application should be determined in accordance with the NPPF. In light of this the application was recommended for approval.</p> <p>The inspector considered that the shortfall in housing supply was such that it was not appropriate to deal with housing supply matters through updated planning policy, as this would not provide results quickly enough.</p> <p>He also considered that the Protected Open Land designation did not fulfil the requirements of 'safeguarded land' in accordance with NPPF (2012) paragraph 85, and that it would not be appropriate to determine the case of sites within Protected Open Land on that basis.</p>	

Ditchers Farm

Hartleys Farm, Westhoughton

Site Address	Hartleys Farm, Wingates Lane, Westhoughton, Bolton, BL5 3LP
POL Reference	LUC1: Ditchers Farm
Description of Development	Outline Planning Permission for the Erection of up to 58 No. Residential Dwellings (Access Details Only)
Planning Application Reference	00579/17
Application Validated	29/03/2017
Bolton Council Decision	Refused 21/11/2017
Appeal Reference (if relevant)	APP/N4205/W/18/3193664
Appeal Decision (if relevant)	Pending
Key Issues	
<p>This site is to the west of the other site within this POL designation, Land off Dixon Street, and is for a greater amount of housing –up to 58 units instead of 14 units. Although recommended for approval by the planning officers, the site was refused by the Bolton Planning Committee.</p> <p>The Officer's report set out that the site was Other Protected Open Land² and makes specific reference to other planning and appeal decisions (discussed in the report) which have largely resulted in overturning the council's decisions. The committee report confirmed that Bolton could not demonstrate a five year housing supply and that policies OA3 and CG6AP, as well as the other housing supply policies, carried relatively little weight. The report also referred to the presumption in favour of development as set out in the NPPF (2012). The report concluded that the impacts of the scheme, including the impact of losing the open character of the site, were not considered sufficient to 'significantly and demonstrably' outweigh the benefits, and as such, the application should be approved.</p> <p>The planning committee considered that the harm to the character and appearance of the area and harm to highway and pedestrian safety arising as a result of the development would 'significantly and demonstrably' outweigh the benefits in accordance with paragraph 14 of the NPPF (2012), and therefore the application was refused.</p>	
Implications for Protected Open Land Designations	
<p>The Officer's report and Members reason for refusal both accepted that the housing supply policies of the Bolton Local Plan were out of date in accordance with paragraph 49 of the NPPF (2012). However the Officers and Members came to different conclusions in applying the planning balance. The scale of this proposal compared to the Land off Dixon Street Scheme may have affected the application of the planning balance.</p>	

² The amendments sheet taken to the committee clarifies that the area of existing built development within the site, comprising Hartleys Farm, is not considered to be covered by the Protected Open Land designation.

Lee Hall

Site Address	Land North of Platt Lane, East of Park Road & South of Chequerbent Roundabout, Westhoughton, Bolton
POL Reference	LUC56: Lee Hall
Description of Development	Erection of 300 no. dwellings including public open spaces, landscaping & play areas, together with creation of new internal access road which connects into the existing road network at Chequerbent Roundabout in the north and Platt Lane in the south
Planning Application Reference	94696/15
Application Validated	30/07/2015
Bolton Council Decision	Refused 13/11/2015
Appeal Reference (if relevant)	APP/N4205/W/15/3139219
Appeal Decision (if relevant)	Appeal Allowed 19/12/2017
<p>Key Issues</p> <p>Crucially, this application was refused prior to the Hill Lane Appeal Decision. The application was refused by the council as it was deemed contrary to the Other Protected Open Land designation. Other reasons for refusal related to highway safety and capacity, and that the delivery of the site was piecemeal (premature) and may obstruct future infrastructure delivery.</p> <p>Significant time elapsed between the commencement of the inquiry and the conclusion of the appeal to allow further transport modelling. Within this timeframe, the Hill Lane Appeal decision was made. The inspector found that due to the lack of five year land supply, the policies in relation to Protected Open Land were out of date.</p> <p>The draft GMSF (2016) included this site within a large development opportunity area known as Hulton Park and Chequerbent.</p> <p>The other reasons for refusal were overturned following further assessment / mitigation.</p>	
<p>Implications for Protected Open Land Designations</p> <p>In accordance with previous decisions the inspector afforded little weight to the policies in relation to protected open land.</p> <p>The GMSF (2016) included this site within a large residential allocation known as Hulton Park and Chequerbent. The supporting text sets out that land south of Chequerbent Roundabout will provide for approximately 1,700 new homes.</p>	

Bowlands Hey

Site Address	Land at Bowlands Hey, Westhoughton, Bolton, BL5
POL Reference	LUC54: Bowlands Hey
Description of Development	Erection of 174 Dwellings Including Access, Landscaping, Public Open Space with Ecological Mitigation and Other Associated Works
Planning Application Reference	02781/18
Application Validated	05/02/2018
Bolton Council Decision	Refused 04/07/2018
Appeal Reference (if relevant)	APP/N4205/W/18/3207361
Appeal Decision (if relevant)	Pending
<p>Key Issues</p> <p>This site forms an extension to the previous Bowlands Hey site reviewed above, this site being located to the southwest of the previous site.</p> <p>The Officer's report identified that harm to local landscape character is likely, and that increased congestion was also likely, however it was not considered that this harm significantly and demonstrably outweighed the benefits of the scheme. As such the application was recommended for approval by the officer. The planning application was ultimately refused by Bolton Council Planning Committee for four reasons.</p> <p>Reason 1 refused the development based on its location within Other Protected Open Land – the reason acknowledged that policy CG6AP was 'out of date' but in line with the other three reasons for refusal the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposal, as set out in paragraph 14 of the NPPF (2012).</p> <p>The three other reasons for refusal included:</p> <ul style="list-style-type: none"> • Lack of school capacity to accommodate an increase in pupils arising from the new development; • Severe cumulative transport impacts; • Significant local landscape and visual impacts. <p>It is important to note that the whole Protected Open Land site is proposed to be allocated for development in the 2016 draft GMSF.</p>	
<p>Implications for Protected Open Land Designations</p> <p>The Officer's report considered that the draft of the revised NPPF held little weight. The report set out the latest housing supply figure, which was the equivalent of 2.6-3.4 years (calculated against a range of requirements including the Core Strategy requirement, Draft Local Housing Need NPPG methodology and the draft GMSF). It concluded that the housing supply policies in the Local Plan were out of date.</p>	

Ditchers Farm
Land off Dixon Street

Site Address	Land off Dixon Street, Westhoughton, Bolton
POL Reference	LUC1: Ditchers Farm
Description of Development	Outline application for the erection of up to 14no. residential detached dwellings (access and scale details only)
Planning Application Reference	01088/17
Application Validated	05/06/2017
Bolton Council Decision	Refused 31/08/2017
Appeal Reference (if relevant)	APP/N4205/W/17/3184723
Appeal Decision (if relevant)	Appeal Dismissed 07/07/2018
<p>Key Issues</p> <p>The application was refused by committee in line with the officer recommendation. The single reason for refusal set out that the proposals were incongruous within the landscape, contrary to Core Strategy Policy CG3 and OA3.</p> <p>The inspector concluded, similar to the previous appeal on the site, that the site provided an important contribution to openness in this part of the Borough and that the application should be dismissed due to the harm that would arise from its implementation.</p>	
<p>Implications for Protected Open Land Designations</p> <p>Although the site was within Protected Open Land, it again appears that the decision turned on the landscape impacts, rather than because the site was within the Protected Open Land designation.</p> <p>The inspector stated that the proposal was contrary to policy OA3, which does set out that the site should be safeguarded from development because it is protected open land (point 6). However, it is not considered that this decision gives weight to this specific point of the policy, as the policy also sets out that regards is had to the character of the wider open landscape (at point 8).</p> <p>As above, the inspector's reference to paragraph 14 of the NPPF (2012) appears key to this decision. This states that where the development plan is out of date (as is the case in this scenario) that development should only be refused where adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF (2012) taken as whole. The NPPF (2012) sets out in section 11 that the planning system should conserve and enhance valued landscapes, and it appears that this has influenced the decision on this application, rather than specifically the local plan policies. Indeed, the inspector reiterated that due to the lack of a five year housing supply the policies in the local plan relating to housing supply should be afforded little weight.</p> <p>The inspector also specifically reviewed the other Hill Lane, Bowlands Hey and Westhoughton appeal decisions and determined that those proposal sites were of a different character and faced different planning issues. In short, the inspector concluded that those decisions did not set a precedent for allowing all development within protected open land.</p>	

Ditchers Farm

Hartleys Farm

Site Address	Hartleys Farm, Wingates Lane, Westhoughton, Bolton, BL5 3LP
POL Reference	LUC1: Ditchers Farm
Description of Development	Outline Planning Permission for the Erection of up to 58 No. Residential Dwellings (Access Details Only)
Planning Application Reference	03000/18
Application Validated	26/02/2018
Bolton Council Decision	Refused 29/06/2018
Appeal Reference (if relevant)	N/A
Appeal Decision (if relevant)	Not appealed
Key Issues	
<p>A resubmission of application 00579/17 which is discussed above. Following the previous refusal the applicant resubmitted the same proposals, supported by additional information, which sought to overcome the previous reasons for refusal. An appeal is pending on that previous decision.</p> <p>The planning case officer recommended that the committee approve the development, however the committee considered that the development would still result in the harm to the character and appearance of the area and to highway and pedestrian safety to an extent which would 'significantly and demonstrably' outweigh the benefits in accordance with paragraph 14 of the NPPF (2012).</p>	
Implications for Protected Open Land Designations	
<p>The implications from this case are similar to those for the previous (identical) application on the site assessed above.</p>	

Knowles Farm

Site Address	Land off Victoria Road, Horwich
POL Reference	LUC2: Golf Club / Knowles Farm
Description of Development	Outline application for the erection of up to 300 dwellings with associated works (access details only)
Planning Application Reference	02434/17
Application Validated	06/12/2017
Bolton Council Decision	Refused 29/06/2018
Appeal Reference (if relevant)	APP/N4205/W/18/3210299
Appeal Decision (if relevant)	Pending
<p>Key Issues</p> <p>The application was recommended for approval by Bolton Council Planning Officers however was refused by the Planning Committee because the proposal would result in adverse effects to the landscape character of the area, also resulting in adverse impacts to the setting of the Wallsuches Conservation Area, contrary to policies CG3 and OA1 of the Bolton Core Strategy. The decision notice also cited that this harm to landscape means that the proposals are contrary to policy CG6AP.</p> <p>An additional reason for refusal cited severe transport impacts, contrary to Bolton Core Strategy Policies P5 and S1.2 and the NPPF (2012).</p>	
<p>Implications for Protected Open Land Designations</p> <p>The Officer's report sets out that the housing supply was between 2.6-3.4 years and therefore that the policies in the local plan relating to the supply of housing should be given relatively little weight as they were out of date, in accordance with NPPF (2012) paragraphs 47-49.</p>	

Ditchers Farm

Hartleys Farm

Site Address	Hartleys Farm, Wingates Lane, Westhoughton, Bolton, BL5 3LP
POL Reference	LUC1: Ditchers Farm
Description of Development	Outline planning permission for the erection of up to 58no. dwellings (access details only).
Planning Application Reference	00579/17
Application Validated	27/03/17
Bolton Council Decision	Refused
Appeal Reference (if relevant)	APP/N4205/W/18/3193664
Appeal Decision (if relevant)	Allowed
Key Issues	
<p>The application was recommended for approval by Officers but was refused permission by the Planning Committee for one reason; namely that the site is protected open land and that the harm (pedestrian safety, congestion and impact on character of the area) outweighs the benefits of the proposed development.</p> <p>The inspector acknowledged and agreed that the proposals are contrary to LP Policy CG6AP and contrary to CS Policy 0A3 criterion 6 which seeks to ensure that protected open land around Westhoughton remains undeveloped. However the inspector did not agree that the harm outweighed the benefits of additional housing provision. The Council acknowledge that they cannot currently demonstrate a 5 year supply of housing land and this provides a clear indication of an unmet housing need.</p> <p>The inspector made reference to the Dixon Road appeal but considered that the two schemes are not comparable as the Dixon Road appeal site is more open at its boundaries and is in an isolated location away from development to the south.</p>	
Implications for Protected Open Land Designations	
<p>The inspector noted concerns regarding precedent but considered that the evidence at this appeal did not indicate that the proposal would undermine the Council's regeneration efforts.</p> <p>Again the decision was predominantly guided by the lack of a five year land supply.</p>	

Summary of Implications of Planning Policy Changes and Appeal Decisions

- 2.22 Since the adoption of the Bolton Core Strategy and Allocations Plan, significant changes have occurred in relation to planning policy, material considerations and the context of housing delivery in the Borough. Specifically, appeal cases have shown that the current Local Plan has not delivered a sufficient supply of housing to meet needs within the Borough. As such the policies in relation to housing in the local plan are considered out of date, and therefore carry less weight. In these circumstances all planning applications should be considered in accordance with paragraph 11 of the NPPF (2018) – that is, applications should be considered in accordance with the NPPF as a whole. Appeals have shown this to be the case, with inspectors assessing development proposals in accordance with the policies in the NPPF taken as a whole, whilst affording limited weight to Local Plan policies such as CG6AP.
- 2.23 Changes to the way that housing requirements are calculated, and the introduction of the housing delivery test from November 2018 mean that it is likely that the housing requirement for Bolton will change in future. It is unclear at the moment what the implications for Bolton will be but, unless housing delivery in Bolton accelerates significantly it is likely that the local plan will continue to be considered 'out of date'.
- 2.24 The second draft of the Greater Manchester Spatial Framework (GMSF) is being prepared, and seeks to identify a new housing allocation for Bolton. In order to deliver this allocation, it sets out that specific sites within the Borough should provide strategic scale development, and several of the previously proposed sites include Protected Open Land areas. Importantly, the GMSF does not safeguard any protected open land sites within Bolton.
- 2.25 At present the following Protected Open Land sites have had planning permission granted for substantial development (which would not accord with local plan policy CG6AP 'Other Protected Open Land'):
- LUC1: Ditchers Farm.
 - LUC34: Hill Lane.
 - LUC54: 'Bowlands Hey'.
 - LUC56: 'Lee Hall'.
 - Land at Last Drop.
- 2.26 There are only 27 Protected Open Land sites, 5 of which now have had major development permitted on all, or part of the site. It may be the case as further development proposals are received that more protected open land sites are developed. It may also be the case that POL sites are included as draft allocations in the emerging GMSF.
- 2.27 However, safeguarding the Protected Open Land Sites in Bolton remains a planning and political aspiration in order to ensure that redevelopment and regeneration of the existing urban realm takes place. To help safeguard the remaining Protected Open Land sites it is necessary to understand the particular qualities of each site, so that development proposals on Protected Open Land Sites can be assessed more robustly. The purpose of this report is to undertake a review of all Protected Open Land sites to provide further information and context to decision makers.
- 2.28 The following chapters set out the methodology and findings of the site specific reviews undertaken.

3 Methodology

3.1 As explained above, this report reviews each Protected Open Land site against the following topics:

- Adjoining uses and compatibility with residential development.
- Historic Environment.
- Ecology.
- Landscape.
- Public Recreation and TPOs.
- Flooding.

3.2 This chapter sets out the background and methodology of how the sites were appraised against each of these topics. Each site assessment begins with a brief description of the site and provides any relevant planning history. Land ownership details have been included where provided by the Council.

Adjoining uses and compatibility with residential development

3.3 A high-level assessment was undertaken reviewing the implications of current and adjoining uses, which would be relevant to the suitability / design of residential development on the Protected Open Land sites, if it were to come forward. The key issues considered as part of this assessment included:

- proximity to facilities and services such as schools;
- whether development within the site would be restricted.

3.4 In addition the planning history on each site was reviewed – this was based on GIS information relating to the planning register provided by Bolton Council.

Assessment Methodology

3.5 Geographic information systems (GIS) data was provided by Bolton Council under licence. This included Ordnance Survey (OS) maps and a range of data sets including the Protected Open Land site boundaries and others, as described under the other individual topics below.

3.6 For proximity to facilities and services, a review of mapping was undertaken to assess whether any of the following destinations were within 500m of the site boundary:

- schools;
- shops;
- other local services such as small grouping of employment uses.

3.7 If any of the above were identified within 500m the site was considered to have good access to services and facilities.

3.8 For the assessment of whether development on the site could be restricted, a review using OS mapping, aerial mapping and where possible site visits was undertaken. This considered the uses on and adjacent to the site, and whether these were likely to restrict development in certain parts of the site. Development was considered to be restricted in the following scenarios (as explained):

- Major transport infrastructure such as a railway, motorway or dual carriageway runs through or adjacent to the site. This is because it was considered likely that noise and air quality impacts may result in appropriate set-backs from such infrastructure.

- Large areas of tree cover – where a single group of trees, forming a copse or woodland, cover greater than 25% of the site, these were considered to form a significant barrier to development, due to the requirement to satisfy the 'net gains' in biodiversity as set out in NPPF paragraph 170.
- Other uses on the site such as electrical substations, culturally important uses such as schools, or cemeteries (as appropriate) were also considered to remain within the sites, thereby limiting the potential for residential development of the sites.
- Adjoining uses likely to generate noise issues were also considered, such as industrial units, as some set back may be required from these.

Assumptions and Limitations

- 3.9 As this assessment was undertaken mainly utilising OS mapping and aerial photography, it is possible that some adjoining uses were not identified and therefore are not reflected in this assessment.
- 3.10 Although air quality issues are reported in relation to strategic roads (dual carriageway and wider) and railways, this assessment did not take into account designated air quality management areas.
- 3.11 An assessment of tree cover on the site was undertaken measuring mapping or aerial photography, and therefore is an approximate figure rather than an absolute figure.
- 3.12 Site specific design and mitigation will usually find that a full site is not developable for many various reasons. The purpose of this review was to highlight the current uses on site and adjacent to sites that are likely to restrict development. In accordance with this approach, it is also possible that site specific design and mitigation finds that minimal setbacks are required as mitigation could be provided by another means (such as, in the case of noise, appropriate insulation).

Historic Environment

Legislative and Policy Context

- 3.1 Legislation relating to archaeology and Scheduled Monuments is contained in the Ancient Monuments and Archaeological Areas Act 1979, as amended.
- 3.2 Legislation regarding buildings of special architectural or historic interest is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended. Section 66 of the 1990 Act is relevant as it states that the decision maker, when exercising planning functions, must give special regard to the desirability of preserving a listed building and its setting. Section 72 of the 1990 Act provides protection for the character and appearance of Conservation Areas.

National planning policy

- 3.3 The application of these laws and national policy covering the effects of development on the historic environment are outlined in the National Planning Policy Framework (NPPF). There are references to the historic environment throughout the NPPF but Section 16 'Conserving and enhancing the historic environment' deals with the topic in detail and provides guidance for planning authority's, property owners, developers and others on the conservation and investigation of heritage assets. Overall, the objectives of Section 16 of the NPPF can be summarised as seeking to:
- deliver sustainable development;
 - understand the wider social, cultural, economic and environmental benefits brought by the conservation of the historic environment;
 - conserve England's heritage assets in a manner appropriate to their significance; and
 - recognise the contribution that the historic environment makes to our knowledge and understanding of the past.
- 3.4 The paragraphs of the NPPF set out in **Table 3.1** below are relevant to consideration of the historic environment effects of proposals.

Table 3.1: Relevant NPPF (2018) policies

Paragraph	Content
189 ³	In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authority's should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
190 ⁴	Planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
192 ⁵	In determining planning applications, planning authorities should take account of: <ul style="list-style-type: none"> • the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; • the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and • the desirability of new development making a positive contribution to local character and distinctiveness.
193 ⁶	When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
194 ⁷	Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: <p>a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.</p>
195 ⁸	Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use
199 ⁹	Planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible ⁶⁴ . However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
200 ¹⁰	Planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

³ Paragraph 128 in the 2012 NPPF.

⁴ Paragraph 129 in the 2012 NPPF.

⁵ Paragraph 131 in the 2012 NPPF.

⁶ Paragraph 132 in the 2012 NPPF.

⁷ Paragraph 132 in the 2012 NPPF.

⁸ Paragraph 134 in the 2012 NPPF.

⁹ Paragraph 141 in the 2012 NPPF.

¹⁰ Paragraph 137 in the 2012 NPPF.

Definitions

3.5 Key definitions relating to the consideration of the Historic Environment include:

- **Heritage Assets** are defined in Annex 2 of the NPPF as: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).
- **Archaeological Interest** is defined as: There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
- **Designated Heritage Assets** comprise: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
- **Significance** is defined as: The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.
- **Setting** is defined as: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Assessment Methodology

Sources of information

3.6 Supporting data and information was collected and collated for the study area. Sources consulted included:

- GIS data for the proposed land allocation.
- Historic England (HE) designated heritage asset data.
- Historic Environment Records (HER) data from the Greater Manchester HER.
- Conservation Areas – GIS data and supporting documents (e.g. Conservation Area Appraisals).
- Modern Ordnance Survey (OS) base mapping.
- Historic OS mapping¹¹.
- Recent digital aerial photos, online 3D models and 'Streetview' imagery.
- Historic Landscape Characterisation data.

Approach to assessment

3.7 The study was conducted in line with recognised practice, as set out in the Chartered Institute for Archaeologists (CIfA) Standards and Guidance¹² - noting that this is a strategic study, looking at sites with no scheme details, whereas the standards are targeted towards project-specific assessment.

3.8 In addition, Historic England guidance The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 ('GPA3') was followed in understanding the contribution of setting to the significance of assets and impacts thereon. Similarly, The Historic Environment and Site Allocations in Local Plans: Historic England Advice Note 3 ('HEAN3') informed the methodology.

¹¹ Made available online by the National Library of Scotland <http://maps.nls.uk/>

¹² CIfA (2014; 2017) *Standard and guidance for historic environment desk-based assessment*. Reading: CIfA

- 3.9 Using GIS datasets as a starting point, each site was examined in turn, identifying:
- The historic landscape context and known heritage assets with the potential to experience effects as a consequence of development.
 - The significance of those assets, including the contribution of setting.
 - The susceptibility of that significance to change as a consequence of development:
 - physical change, for assets within potential development boundaries; and
 - setting change for assets outside potential development boundaries.
 - Likely risk of harm to significance as a consequence of development on site.

Assessment framework

- 3.10 The outputs of this process were recorded in tabular form, dealing with potential effects on designated and non-designated assets separately and then providing an overall judgement on the risk of harm to the assets from housing development – using the scoring framework illustrated in **Table 3.2: Definition of Potential Effect** below. The overall effect predicted is based on the highest impact that has been identified to any single asset within the site.

Table 3.2: Definition of Potential Effect

Potential Effect	Definition
High	Asset is of high or medium significance and the magnitude of the impact is likely to be of such a scale that the significance of the heritage asset would be substantially harmed.
Medium-high	Asset is of high or medium significance and the magnitude of the potential impact will be of such a scale that the significance of the asset would be harmed but not substantially.
Medium	Asset is of low significance and the impact will be of such a scale that the significance of the asset would be substantially harmed.
Low-medium	Asset is of low significance but the scale of the impact will be of such a scale that the significance of the asset would be harmed but not substantially.
Low	Asset is of high, medium or low significance and the potential impact will be of such a minimal scale that the significance of the asset will not be harmed.

Assumptions and Limitations

Assumptions

- 3.11 The following assumptions were applied to translate effects on heritage significance/harm in NPPF terminology into the above framework:
- Archaeological potential has been considered in relation to the pattern and significance of known assets (drawn from the Greater Manchester HER) in the vicinity and site land use history to understand level of potential and likely effects.
 - No assumptions have been made with regard to the potential for mitigation to be applied, as this would require detailed site-specific understandings of both heritage assets (their significance and the contribution of setting to that significance) and of development proposals to understand the potential interactions and opportunities to avoid or mitigate harm.
 - Assessments are policy neutral and make no assumptions with regard to the application of local or national policy, as it is for the decision-maker to understand the likely level of harm to heritage assets and balance this accordingly. (Where there are interactions with other legislative regimes – e.g. the need for Scheduled Monument Consent – this is highlighted.)

- No reference has been made in the individual site assessments to the protection of trees within Conservation Areas. Before works to unprotected trees over 7.5cm in diameter in a Conservation Area, a Notice of Intention of the proposed work must be submitted to the local planning authority at least six weeks before the work starts. This gives the authority an opportunity to consider protecting the tree with a tree preservation order – in order to ensure that ‘special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’.

Limitations

- 3.12 The study utilised a range of sources on the area’s historic environment. Much of this is necessarily secondary information compiled from a variety of sources (e.g. Historic Environment Record (HER) data and Conservation Area documentation). It was assumed that this information is reasonably accurate unless otherwise stated.
- 3.13 Targeted site visits were undertaken for select sites to assess potential setting impacts, but only via public access.
- 3.14 The study provides a strategic assessment of the risk of harm to heritage assets arising from development within the study area. As detailed proposals for the sites are not available, the study cannot draw conclusive statements regarding the significance of the potential impacts or definitive levels of harm. Detailed assessments would need to be undertaken as part of any subsequent planning applications and, if necessary, accompanying Environmental Impact.
- 3.15 The assessment of potential effects was based upon a series of assumptions to provide a ‘maximum case’ scenario, in line with the required precautionary approach.

Ecology

Legislative and Policy Context

- 3.16 Statutory nature conservation sites and protected species are a ‘material consideration’ in the UK planning process (in accordance with the NPPF, 2018). Where planning permission is not required, for example on proposals for external repair to structures, consideration of protected species remains necessary given their protection under UK and EU law.
- 3.17 Natural England Standing Advice aims to support Local Planning Authorities decision making in respect of protected species (Natural England 2012). Standing advice is a material consideration in determining the outcome of applications, in the same way as any individual response received from Natural England following consultation.
- 3.18 The Conservation of Habitats and Species Regulations 2017 transpose the requirements of the European Habitats Directive (Council Directive 92/43/EEC) and Birds Directive (Council Directive 79/409/EEC) into UK law, enabling the designation of protected sites and species at a European level.
- 3.19 The Wildlife and Countryside Act 1981 (as amended) forms the key piece of UK legislation relating to the protection of habitats and species.
- 3.20 The Wild Mammals Protection Act 1996 sets out the welfare framework in respect to wild mammals, prohibiting a range of activities that may cause unnecessary suffering.
- 3.21 The Government has a duty to ensure that involved parties take reasonable practice steps to further the conservation of such species under Section 41 of the Natural Environment and Rural Communities Bill 2006. In addition, the Act places a biodiversity duty on public authorities who ‘must, in exercising their functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’ (Section 40 [1]). Criteria for selection of national priority habitats and species in the UK include international threat and marked national decline.

- 3.22 The NPPF (2018) states (Section 15) that the planning system should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks; promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 3.23 It also states that local planning authorities should refuse planning on the following principles:
- *"If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for;*
 - *If development is on land within or outside a Site of Special Scientific Interest (SSSI), and is likely to have an adverse effect on it (the exception being where the benefits of the development in the location proposed clearly outweigh its likely impact);*
 - *If development results in the loss or deterioration of irreplaceable habitats, such as ancient woodland and ancient or veteran trees (unless there are wholly exceptional reasons and a suitable compensation strategy exists)".*
- 3.24 Additionally the NPPF states that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Bolton's Core Strategy Development Plan (Adopted 2 March 2011)

- 3.25 Policy CG1 sets out that the council and its partners will:
- *"Safeguard and enhance the rural areas of the Borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational or agricultural value; or its contribution to green infrastructure, reducing flood risk and combating climate change.*
 - *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.*
 - *Safeguard and enhance parks, gardens, allotments, civic spaces, cemeteries and playing fields and improve the quality and multi-functional benefits of these assets.*
 - *Allow some development on informal green spaces in the urban area, provided that it allows for the improvement of remaining green spaces and helps to meet the strategic objectives for housing".*

Assessment Methodology

Sources of information

- 3.26 A desk based review of the nature, location and scale of the Protected Open Land sites in Bolton was undertaken.
- 3.27 To inform this, biological records for each site/site cluster with a 1km buffer were obtained from Greater Manchester Local Records Centre (GMLRC). In addition, other datasets available at <http://magic.defra.gov.uk/> were considered, including statutory designated sites, priority habitat mapping and the presence of any notable habitats such as ancient woodlands, ponds or rivers in the vicinity of sites.

Approach to assessment

- 3.28 Site surveys were undertaken for each site by experienced ecologists with extensive experience of conducting Phase 1 Habitat Survey¹³. These surveys were completed using hand-held survey devices, pre-installed with survey maps (for navigation only), and checklist proformas to reduce the double-handling of data.

¹³ JNCC (1991). Handbook for Phase 1 Habitat Survey

3.29 These surveys confirmed the potential presence of habitats of principal importance¹⁴ and local BAP priority habitats such as woodlands, watercourses, and semi-improved and unimproved grasslands. The surveys also allowed the consideration of the suitability of sites to support protected and notable species such as reptiles, great crested newt, otters, water vole, badger, breeding and wintering birds and bats. This included an assessment of habitat suitability as well as any incidental records noted during the survey. Best practice methods were followed when considering the suitability of habitats for species.

Assessment framework

3.30 The combination of site and desk-based methods enabled the identification of potential constraints and opportunities for mitigation and enhancement associated with the site. For each site, the ecological features, or receptors (designated sites, habitats and/or species), were valued to determine their relative importance. This was largely based on the sites constituent habitats and the ecological connectivity of the site. The approach to valuation relied on tried and tested approaches, ensuring a robust and transparent assessment, including those produced by the Chartered Institute of Ecology and Environmental Management¹⁵ and the British Standards Institute¹⁶.

3.31 The Ecological Value of any given Study Area relates to its habitat assemblages and species populations and their importance to wider ecological processes. The Ecological Value of the Study Area was assessed as being of High, Medium or Low ecological value based on its component habitats and an overall judgement of the likely species populations which may occur. This approach drew on the approach advocated by the CIEEM EcIA guidelines¹⁷ which recommend that Ecological Value should be determined within a defined geographical context. The levels of geographical value adopted in this assessment are described in **Table 3.3** below. The valuation of a given site may alter following detailed ecological assessment.

Table 3.3: Ecological Value Assessment

Ecological Value	Relevant geographic context	Description
High	International	<p>A site which supports:</p> <ul style="list-style-type: none"> • An internationally designated site or candidate site (SPA, pSPA, SAC, cSAC, pSAC, Ramsar site) or an area which Natural England (NE) has determined meets the published selection criteria for such designations, irrespective of whether or not it has yet been notified. • A viable area of a habitat type listed in Annex 1 of the Habitats Directive, or smaller areas of such habitat which is essential to maintain the viability of that ecological resource on an international level. • >1% of the European Resource of an internationally important species, i.e. those listed in Annex 1, 2 or 4 of the Habitats Directive.

¹⁴ As defined by Section 41 of the NERC Act, 2006

¹⁵ Guidelines for Preliminary Ecological Appraisal and Ecological Impact Assessment guidance

¹⁶ British Standards Institute (2013). BS42020:2013 Biodiversity – Code of Practice for Planning and Development.

¹⁷ Chartered Institute of Ecology and Environmental Management (2016). Guidelines for Ecological Impact Assessment in the United Kingdom, 2nd Edition.

Ecological Value	Relevant geographic context	Description
	National	<p>A site which supports (or is likely to support):</p> <ul style="list-style-type: none"> • A nationally designated site (SSSI, NNR) or a discrete area which NE has determined meets the published selection criteria for national designation irrespective of whether or not it has yet been notified. • A viable area of a Habitat of Principal Importance for Conservation, or smaller areas of such habitat which is essential to maintain the viability of that ecological resource at a national level. • A viable area of Ancient Semi-Natural or Ancient Replanted Woodland. • >1% of the National Resource of a regularly occurring population of a nationally important species, i.e. a Species of Principal Importance for Conservation and/or species listed on Schedules 1, 5 (S9 (1, 4a, 4b)) or 8 of the Wildlife and Countryside Act. • A regularly occurring and viable population of a UK Red Data Book species.
	County	<p>A site which supports (or is likely to support):</p> <ul style="list-style-type: none"> • County sites and other sites which the designating authority has determined meet the published ecological selection criteria for designation, e.g. Local Nature Reserves (LNRs), County Wildlife Sites, and other sites which the designating authority has determined meet the published ecological selection criteria for designation, e.g. Sites of Biological Importance • Viable areas of legally protected habitat/habitat identified in County Biodiversity Action Plan (BAP), or smaller areas of such habitats, or important habitats such as ancient woodland, that are essential to maintaining the viability of the resource at a county scale. • Any regularly occurring population of an internationally/nationally important species or a species in a relevant County BAP which is important for the maintenance of the regional meta-population. • Networks of species-rich hedgerows.
Moderate	District	<p>A site which supports (or is likely to support):</p> <ul style="list-style-type: none"> • Viable areas of legally protected habitat/habitat identified in a Local BAP or smaller areas of such habitats, or important habitats such as ancient woodland, which are essential to maintaining the viability of the resource at a district level. • Any regularly occurring population of an internationally/nationally important species or a species in a Local BAP which is important for the maintenance of the viability of the feature at a district level.

Ecological Value	Relevant geographic context	Description
		<ul style="list-style-type: none"> • Networks of habitats which contribute to ecological connectivity at a district level.
	Local	<p>A site which supports (or is likely to support):</p> <ul style="list-style-type: none"> • Commonplace and widespread semi-natural habitats, e.g. scrub, poor semi-improved grassland, coniferous plantation woodland, intensive arable farmland etc. which, despite their ubiquity, contribute to the ecological function of the local area (habitat networks etc); • Small, but viable, populations of internationally/nationally important species or a species in a Local BAP which may be important for the maintenance of the local meta-population. • Networks of linear features, including species-poor hedgerows, tree lines.
Low	Site	<p>A site which supports (or is likely to support):</p> <ul style="list-style-type: none"> • Habitats of limited ecological value, e.g. amenity grassland, but which contribute to the overall function of the application site's ecological functions. • Common and widespread species, or very small numbers of protected and/or notable species which are widespread in the wider area, or that do not contribute particularly to the nature conservation status of wider populations.

Assumptions and Limitations

Assumptions

- 3.32 No assumptions were made with regard to the potential for mitigation to be applied, as this would require detailed site-specific understandings of the current ecological assets and of development proposals to understand the potential interactions and opportunities to avoid or mitigate harm.

Limitations

- 3.33 The study utilised a range of sources to identify ecological assets but a full appraisal (e.g. Phase 1 Habitat Survey and protected species mapping) was not carried out.
- 3.34 Site visits were undertaken to identify key ecological features, but only via public access.
- 3.35 As detailed proposals for the sites are not available, the study cannot draw conclusive statements regarding the potential impacts on ecological assets. Detailed assessments would need to be undertaken as part of any subsequent planning applications and, if necessary, accompanying Ecological Impact Assessments.
- 3.36 While every attempt has been made to collect an accurate ecological overview of each site, the site interpretations represent a broad and indicative 'snapshot' of their current status. Ecological features are dynamic and often transient and it is not possible to confirm the presence or absence of a species, or the relative value of any population of species through such an approach. Detailed ecological assessments of a site would be required to fully understand the presence or absence, value and sensitivity of its constituent ecological features.

Landscape

Legislative and Policy Context

- 3.37 The European Landscape Convention requires "*landscape to be integrated into regional and town planning policies and in cultural, environmental, agricultural, social and economic policies, as well as any other policies with possible direct or indirect impacts on landscape*".
- 3.38 Section 15 of the NPPF is concerned with conserving and enhancing the natural environment. It states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and recognising the intrinsic character and beauty of the countryside.
- 3.39 The NPPF encourages the use of brownfield land, but does not require a sequential approach to be adopted.

Assessment Methodology

Sources of information

- 3.40 The baseline review studies comprised a review of landscape character information, and of Ordnance Survey maps and (web based) aerial imagery to establish the location and setting of each site with respect to existing landscape and adjacent townscapes. Fieldwork was carried out during September-October 2018. Standardised recording forms were used in the field to ensure consistency of information collection. Reporting for each site included:
- Site location details and description, including access points and viewpoints used during the study (setting out where access limitations impeded reviews).
 - Representative photographs (with grid refs).
 - A brief review of landscape characteristics:
 - features on/within each site that contribute to character and/or value;
 - landscape character and key characteristics present/absent from site;
 - landscape designations on or adjacent to the site;
 - setting and relationship to surrounding townscape/open land, including views and landmarks;
 - access, roads, circulation, footpaths (if present);
 - perceptual qualities.

Approach to assessment

- 3.41 The review of landscape issues was undertaken in accordance with the principals set out in the Guidelines for Landscape and Visual Impact Assessment (3rd edition, referred to hereafter as GLVIA3). It included a desk based review as well as field visits to identify potential issues, and allow consideration of the relative sensitivity of the landscape and visual amenity of each site to development for housing. Development of other types was not considered.

Assessment framework

- 3.42 The appraisal for each site considered the sensitivity of the site in terms of its susceptibility to being changed by residential development. This considered current landscape condition, landscape features and 'value' based on its contribution to its surroundings in landscape and visual terms. Sites were categorised as being of low, medium or high sensitivity to development. The justifications for the sensitivity ratings are set out for each site, but in general terms can be described as follows:
- **Low sensitivity sites** – e.g. land with 'peri-urban' or 'urban edge' character, non-agricultural land uses, with features in poor condition, including poor quality remnant hedgerows often filled with rubbish, unmaintained field boundaries (fences or gates) and/or degraded land such as neglected land ungrazed and subject to fly tipping. Visual characteristics are likely to

include a close relationship/intervisibility/interconnectivity with existing urban edge landscapes with weak urban edges.

- **High sensitivity sites** – e.g. land of rural character and agricultural use, with well-maintained field boundaries and features in good condition, or other land conforming well to landscape character descriptions. High sensitivity sites also include land with little or no connectivity with existing townscapes, and those well separated from existing urban areas beyond well-defined urban edges.
- **Medium sensitivity sites** fall in between these two categories and include sites with mixed characteristics, qualities, features and values such that they cannot be considered of high or low sensitivity. For example sites with higher sensitivity with respect to landscape characteristics, but which have lower sensitivity because of substantial weaknesses such as poor quality boundary features or boundaries that have been breached by development.

3.43 It is assumed throughout, that change from Protected Open Land (either open or wooded) to housing would irreversibly and permanently alter the character of the landscape to 'urban'.

Boundaries

3.44 Different types of boundaries create urban edges that can be strong or weak. Boundaries that can create a strong and logical edge to an urban area include linear features such as watercourses or distinct and abrupt changes in topography, particularly where these features are wooded or tree lined. Railways and motorways are also logical boundaries as the tracks, especially on embankments or cuttings, form linear obstacles, and there would be a level of isolation between residential areas on either side, depending on the locations of crossings. Weak edges include boundaries that allow a close landscape and visual connection between existing urban areas and open land, including rear garden fences, or amenity areas separated from open areas only by post and wire fences or 'urban' railings.

3.45 It is noted that hedgerows are not generally considered to be strong defensible edges, although thick and mature hedges or outgrown hedges that have formed tree lines can be used to screen urban areas from the surrounding landscape. Field walls are also not normally considered to be strong urban edges, although 'estate walls' that are considered to be distinctive landscape features may form logical edges to settlement within or outside policy landscapes.

Developable land

3.46 Some areas of the landscape are considered to be undevelopable, as a result of existing land use (such as cemeteries or for water works) or topography (particularly steep slopes), but land uses such as recreational facilities (golf courses, playing fields and amenity grassland) are considered to be potentially developable.

3.47 The sensitivity of woodlands may vary when considering its removal to facilitate development, from mature woodlands, orchards or planted community woodlands, to unmanaged immature woods or self-seeded scrub. Individual trees or hedgerows are not considered to be features that would deter development, but are features that if development is proposed, should be valued as features and retained as part of a masterplan.

Assumptions and Limitations

Assumptions

3.48 The following assumptions have been made in this study:

- All parts of the POL sites have been assumed to be theoretically developable, except for cemeteries, reservoirs/water works and areas with particularly steep slopes, as set out above.
- No assumptions have been made regarding the potential for mitigation of landscape and/or visual effects, as this would require detailed understanding of site-specific development proposals and an analysis of potential vulnerable receptors.
- Assessments identify relative sensitivity, based on characteristics of the sites as discussed in the methodology above. Development for housing is assumed to be a neutral to adverse change to the landscape, although sites for which there are potential opportunities to improve the landscape setting have been identified.

Limitations

3.49 The limitations to the study include:

- Site visits were undertaken for each POL site, but only via public access routes. Some sites or parts of sites were therefore inaccessible. Assessments were undertaken at nearest publicly accessible locations.
- The assessments do not identify potential landscape and visual effects that may arise as a result of specific housing development schemes, and therefore does not form a substitute for detailed landscape and visual impact assessment of individual proposals.
- The study includes a relatively brief overview of issues and sensitivities at each POL site, more detailed studies for larger POL sites may be appropriate to identify variations in sensitivity at a more detailed level.

Public Recreation and Tree Preservation Orders

Legislative and Policy Context

- 3.50 Whilst the Protected Open Land sites are designated and protected from strategic scale development partly to encourage regeneration of existing urban areas, it is important to recognise that they provide (generally) green spaces within the city. Such spaces can provide for recreational activity, so long as there is public access. Recreational spaces are important in the context of providing space to explore, exercise and relax, resulting in improved physical and mental health and wellbeing. Some, but not all, areas of protected open land sites are classed as areas of open space, sport and recreation and where this is relevant it is noted.
- 3.51 Key NPPF (2018) Paragraphs in relation to recreation are set out below in **Table 3.4** with commentary on how this assessment may be considered in relation to each paragraph.

Table 3.4: NPPF Recreation and Tree Policies

Paragraph	Key text (quoted)	Commentary
92	<i>To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:... c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.</i>	This assessment seeks to identify those Protected Open Land areas which offer the most benefits in terms of recreation, generally by assessing the accessibility within the site, for example via Public Rights of Way and any formal designations upon it which provide for public access.
97	<i>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.</i>	Some locations within the Protected Open Land sites are designated open space. Whilst this review does not consider whether the loss of each parcel of protected open land would lead to a loss of open space, the findings of the Bolton Council Open Space, Sport and Recreation Study: Strategy and Action Plan are reported.

Paragraph	Key text (quoted)	Commentary
98	<i>Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</i>	The public rights of way upon and leading to the site have been identified.
170	<i>Planning policies and decisions should contribute to and enhance the natural and local environment by... b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland</i>	This assessment considers the location of important trees which are protected through Tree Preservation Orders.

Assessment Methodology

Sources of information

- 3.52 In order to identify the recreational value of the individual Protected Open Land sites, GIS was used to identify the key recreational assets, including:
- Public Rights of Way that intersect or join to the site.
 - National trails.
 - National Cycle Network Routes.
 - Play areas.
 - Village greens and common land.
 - Parks.
 - Millennium Woodland.
 - Tree Preservation Orders (TPOs).
- 3.53 Where these are present on the site, this is identified. This allows a broad comparison of sites with regard to their accessibility and therefore likely importance in terms of recreation.
- 3.54 In accordance with NPPF paragraph 97, open spaces should be retained unless it can be demonstrated that they are surplus to requirement.
- 3.55 The assessment therefore also considers the Bolton Council Open Space, Sport and Recreation Study: Strategy and Action Plan¹⁸. Although published in 2007 this provides the most up to date review of those spaces considered to provide for Open Space, Sport and Recreation within Bolton. One of the aims of the study and action plan is to ensure that provision of spaces is appropriately distributed across the Borough, and to ensure that there is not an unnecessary overprovision of such spaces in one area. The report identifies which open spaces could be lost, without subsequent gaps in provision being unacceptable. Although not all Protected Open Land sites contain an area of open land considered by the 2007 study, this provides an indication as to which spaces may be demonstrably 'surplus to requirement' – although further assessment is likely required to demonstrate this against today's context, given the age of the 2007 study.
- 3.56 Where Protected Open Land Sites do not feature an open space site which was identified in the 2007 study, 'not applicable' is written in the results for 'Open Space Assessment results for area (surplus/deficiencies)'.
- 3.57 It should be noted that this assessment makes no reference to characteristics which are likely to make some spaces more culturally important than others because of, for example, events within sites or levels of public usage.

¹⁸ Available from: <https://www.bolton.gov.uk/downloads/file/906/open-space-assessment-strategy-and-action-plan-> [accessed 25/10/2018].

Flooding

Legislative and Policy Context

- 3.58 Paragraph 155 of the NPPF sets out that “*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)*”.
- 3.59 The NPPF and NPPG set out a sequential approach to flood risk, stating that developments should be directed to flood zone 1 where this is reasonable, and should not be permitted in flood zones 2 and 3 unless achieving wider sustainability objectives overrides this. In such cases, the exception test should be applied, taking account of table 3 of the NPPG¹⁹. The exception test requires that in order to be acceptable, development must provide wider sustainability benefits so as to outweigh flood risk, must remain safe for its lifetime, must not increase flood risk elsewhere and should reduce flood risk overall (where possible).
- 3.60 The Protected Open Land sites have generally been safeguarded through policy protections and therefore they have not been reviewed to assess their suitability for residential development taking account of flood risk. This report considers the flood risk implications of the Protected Open Land sites in the context of residential development.

Assessment methodology

Sources of information - Flooding from rivers and sea

- 3.61 In order to assess the flood risks of sites, the Environment Agency flood zone maps were reviewed. These identify the areas that are within flood zones, 1, 2 or 3. **Table 3.5** below sets out how flood zones are classified.
- 3.62 The Environment Agency flood zone maps were made available by Bolton Council and have been reproduced within this report.

Table 3.5: Flood Zone Classification

Flood zone	Classification ²⁰
1	Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding
2	Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding
3	Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding

Sources of information - Pluvial flooding

- 3.63 The NPPF makes it clear that flooding from various sources should be considered. Specifically, the NPPF (2018) footnote 50 sets out that flood risk assessments will be required for developments in areas that may be subject to other sources of flooding. Whilst the flood zones consider risk of sea and river flooding, it is recommended that pluvial flooding should also be taken into account. Pluvial flooding events result from water remaining on the surface during and after precipitation events, and are usually caused by poor local drainage conditions.
- 3.64 The Environment Agency mapping data for Risk of Flooding from Surface Water was provided by Bolton Council and has been reproduced within this report.

¹⁹ Available from:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575184/Table_3_-_Flood_risk_vulnerability_and_flood_zone_compatibility.pdf [accessed 25/10/2018].

²⁰ Classifications taken from NPPG. Available from: <https://www.gov.uk/guidance/flood-risk-and-coastal-change#The-Exception-Test-section> paragraph 7-065-20140306 [Accessed 25/10/2018].

3.65 The Risk of Flooding from Surface Water mapping was published in 2013-2016, originally known as the 'updated Flood Map for Surface Water'. This is more up to date than the surface water flooding information set out in the Strategic Flood Risk Assessment for Bolton, as that was published in 2010. The Risk of Flooding from Surface Water mapping uses terrain data and considers the likelihood of flooding to squares in a grid measuring 2x2m. The mapping sets out the likely rainfall scenarios with a 3.3% (1 in 30), 1% (1 in 100) and 0.1% (1 in 1000) chance of occurring in any given year²¹. This assessment takes account of the mapping and sets out the areas which are considered at risk from these different rainfall scenarios.

Sources of information - Land drainage problem areas

3.66 The Bolton Strategic Flood Risk Assessment (SFRA) was also been reviewed²². This identifies other sources of flooding, such as land drainage problem areas, which are anecdotal records of flood events. Generally these have been recorded in relation to highway drainage issues. These are referred to in this report as 'BMBC [Bolton Metropolitan Borough Council] land drainage problem areas'.

Sources of information - Sewer and drainage flood risk

3.67 The Bolton SFRA contains information relating to flood events from drainage systems, which is likely to include sewer overflows (although may not be limited to such events). The data for this is collated into areas which identified within five-digit postcode areas, as such, they are termed 'DG5' areas. Although this is not conclusive, a high number of such events suggests that the capacity or design of drainage infrastructure may be an issue within that area, which is relevant to whether the site can accommodate residential development.

Approach to assessment

3.68 The desk based review identifies whether each site contains an area of flood zone 2 or 3. The assessment also considers all other types of flood risk that may affect the site (fluvial, pluvial, sewer and groundwater flooding).

3.69 An assessment has been made as to whether development on the site would require a sequential and exception test; if there is any flood zone 2 or 3 present on the site, the conclusion is that the test is required. It should be noted however that development proposals within these sites which would be located only within flood zone 1 would not be required to pass the sequential or exception tests.

Assumptions and Limitations

Assumptions

3.70 It was assumed that the EA flood map was accurate. No climate change calculations were allowed for, and as a result areas currently outside of flood risk zones may be liable to flooding in the future.

Limitations

3.71 It is important to note that the surface water flooding mapping is not strictly accurate due to the way it has been modelled, however it does indicate the areas where pluvial flooding is likely to be an issue, and as such any proposals for development affecting these areas should undertake further, more detailed, assessment of flood risk.

3.72 The fact that an area contains a land drainage problem area does not mean that the area is subject to flooding, as the reason for the flood event may no longer occur. However such information suggests that there may be drainage issues in the area which should be investigated if residential development is proposed.

²¹ Further information about the Risk of Flooding from Surface Water mapping is available here: <https://data.gov.uk/dataset/d5ca01ec-e535-4d3f-adc0-089b4f03687d/risk-of-flooding-from-surface-water-suitability> [Accessed 26/10/2018].

²² Available From: <https://www.bolton.gov.uk/planning-policy-strategy/planning-policy-evidence-base> [Accessed 25/10/2018].

4 Overview of Results

- 4.1 This chapter provides an overview of the study findings for the 26 assessed sites. This is presented in **Table 4.1**, with the detailed site specific information included in **Chapter 5**.
- 4.2 The following elements of the site specific results have been summarised in **Table 4.1**:
- Adjoining land uses and compatibility – an overview of whether the adjoining uses are likely to prevent residential development on a part or the whole site.
 - Historic Environment – an overall rating of potential effects on the historic environment (low-high effects).
 - Ecology – an overall rating of potential ecological value (low-high value).
 - Landscape – an overall rating of potential landscape sensitivity (low-high sensitivity).
 - Public Recreation / Tree Preservation Orders (TPO) – whether there is current public access within or adjacent to the site boundary, and whether the site includes trees protected by TPO.
 - Flooding –whether a sequential or exception test will be required.

Table 4.1: Overview of Site Results

LUC Reference	Site Name	Adjoining land uses and compatibility	Impacts on Historic Environment	Ecological Value	Landscape Sensitivity	Public Recreation and TPOs	Flooding
LUC1	Ditchers Farm	Development of full site may be restricted due to surrounding uses	Medium	High	Medium - High	Accessible	Sequential / exception tests not required
LUC2	Golf Club / Knowles Farm	No specific development issues identified relating to current use or surrounding uses	Medium - High	Moderate	Medium - High	Accessible	Sequential / exception tests not required
LUC33	Moss Lane	Development of full site may be restricted due to surrounding uses	Medium - High	Moderate	Medium	Accessible	Sequential / exception tests not required
LUC34	Hill Lane	Development of full site may be restricted due to current uses within it	Low	Low	Low	Accessible	Sequential / exception tests not required
LUC35	Melrose Road	No specific development issues identified relating to current use or surrounding uses	Low-Medium	High	High	Accessible Intersects TPO area	Sequential / exception tests not required
LUC36	Leverhulme Park	Development of full site may be restricted due to current uses within it	High	High	Low - High	Accessible Intersects TPO area	Sequential / exception tests may be required
LUC37	Crown Lane	No specific development issues identified relating to current use or surrounding uses	Medium - High	High	High	Accessible	Sequential / exception tests not required
LUC38	Lever Park Avenue	No specific development issues identified relating to current use or surrounding uses	Medium - High	High	Low	Accessible	Sequential / exception tests not required

LUC Reference	Site Name	Adjoining land uses and compatibility	Impacts on Historic Environment	Ecological Value	Landscape Sensitivity	Public Recreation and TPOs	Flooding
LUC39	Bottom o'th'Moor	No specific development issues identified relating to current use or surrounding uses	Medium - High	Moderate	Low	Not Accessible	Sequential / exception tests not required
LUC40	Middlebrook Valley	Development of full site may be restricted due to current uses within it	High	High	Low - High	Accessible Intersects TPO area	Sequential / exception tests may be required
LUC41	Lostock Lane	Development of full site may be restricted due to surrounding uses	Low	High	Low	Not Accessible	Sequential / exception tests may be required
LUC42	Cox Green Road	Development of full site may be restricted due to significant tree cover	Medium	High	Medium	Accessible Intersects TPO area	Sequential / exception tests not required
LUC43	Catterall Crescent	Development of full site may be restricted due to current uses within it and significant tree cover	Medium - High	Moderate	Low	Accessible	Sequential / exception tests not required
LUC44	Mason Clough	Development of full site may be restricted due to significant tree cover	Low	High	High	Accessible Intersects TPO area	Sequential / exception tests not required
LUC45	Longsight Lane	Development of full site may be restricted due to significant tree cover	Low	High	Low - High	Accessible	Sequential / exception tests not required
LUC46	Linden Avenue	No specific development issues identified relating to current use or surrounding uses	Medium	High	High	Accessible	Sequential / exception tests may be required

LUC Reference	Site Name	Adjoining land uses and compatibility	Impacts on Historic Environment	Ecological Value	Landscape Sensitivity	Public Recreation and TPOs	Flooding
LUC47	Stopes Road	Development of full site may be restricted due to surrounding uses	Medium	Moderate-High	Low - High	Not accessible	Sequential / exception tests not required
LUC48	The Hollins / Wil Hill	No specific development issues identified relating to current use or surrounding uses	Medium	Moderate-High	Medium - High	Accessible	Sequential / exception tests not required
LUC49	Ringley	No specific development issues identified relating to current use or surrounding uses	High	Low-High	Low - Medium	Not Accessible Intersects TPO area	Sequential / exception tests may be required
LUC50	Crown Lane / M61 embankment	Development of the site may be restricted due to current use as motorway embankment	Low- Medium	High	Low	Not Accessible	Sequential / exception tests not required
LUC51	Carlisle Close	Development of full site may be restricted due to significant tree cover	Low	High	Low	Not Accessible	Sequential / exception tests not required
LUC52	Red Moss	Development of full site may be restricted due to surrounding uses	Medium - High	High	Medium - High	Accessible	Sequential / exception tests not required
LUC53	Kearsley / Baker Street	Development of full site may be restricted due to surrounding uses and those within it	Medium	Moderate-High	Low	Accessible	Sequential / exception tests not required
LUC54	Bowlands Hey	Development of full site may be restricted due to surrounding uses	Medium - High	Moderate-High	Low - Medium	Accessible	Sequential / exception tests not required

LUC Reference	Site Name	Adjoining land uses and compatibility	Impacts on Historic Environment	Ecological Value	Landscape Sensitivity	Public Recreation and TPOs	Flooding
LUC55	Anchor Lane	Development of full site may be restricted due to surrounding uses and those within it	Medium	Moderate	Low - Medium	Accessible	Sequential / exception tests not required
LUC56	Lee Hall	Development of full site may be restricted due to surrounding uses	Medium - High	High	High	Accessible	Sequential / exception tests not required