

Places for Everyone Representation 2021

<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	Stakeholder Submission
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSWalshaw.pdf</a> <a href="#">PFE1287425_SOSGeneral.pdf</a>
<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	Our Vision
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSGeneral.pdf</a> <a href="#">PFE1287425_SOSWalshaw.pdf</a>
<b>Soundness - Positively prepared?</b>	Unsound
<b>Soundness - Justified?</b>	Unsound
<b>Soundness - Consistent with national policy?</b>	Unsound
<b>Soundness - Effective?</b>	Unsound
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No
<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	<p>Legality</p> <p>Para 1.23 of PfE states "The changes made between GMSF 2020 and PfE 2021 are not insignificant in numerical terms, indeed all sections of the plan have seen some form of change." If these changes amount to substantial changes between the two plans then PfE has not had its legality established as per Regulation 18 of the Town and Country Planning regulations. The legality of PfE must be established before the plan proceeds further.</p> <p>The PfE plan provides for the alteration of greenbelt boundaries with any evidence of the existence of "exceptional circumstances" being provided contrary to the NPPF.</p> <p>Soundness</p> <p>There has been a lack of community involvement with the preparation of the plan due to a lack of engagement with the public. The PfE has been poorly publicised by the Councils involved and the amount spent on publicising the plans has been disproportionately small in comparison to the impact that they will have. Consultations have been difficult to access and complete. The plan has therefore been prepared without proper input from residents.</p> <p>Crucial detail is lacking from the PfE plan, including how sites were included/excluded from the plan and the alternatives that were considered, how infrastructure will be paid for, which partners and industries have been identified for employment provision and how housing delivery will be met. The plan relies too heavily on the cooperation of developers. The plan is therefor not justified.</p>

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	Out of date housing need figures (ONS 2014) have been used to predict housing need, ignoring the impact of Covid and Brexit.
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	<p>The legality of the PfE plan must be tested and established before it proceeds further.</p> <p>The exceptional circumstances required to justify the alteration of greenbelt boundaries must be identified and evidenced.</p> <p>Public consultations should be repeated, providing clear, understandable information in accessible formats.</p> <p>Re-assessment of housing need using the latest (2018) ONS population predictions, taking into account the effects of Brexit and Covid.</p> <p>Identification of major partners for employment provision.</p> <p>Inclusion of clear delivery plans for infrastructure.</p> <p>Identification of a strategy to guarantee housing delivery rates.</p>
<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	Our Strategic Objectives
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSWalshaw.pdf</a> <a href="#">PFE1287425_SOSGeneral.pdf</a>
<b>Our strategic objectives - Considering the information provided for our strategic objectives, please tick which of these objectives your written comment refers to:</b>	<ol style="list-style-type: none"> <li>1. Meet our housing need</li> <li>2. Create neighbourhoods of choice</li> <li>3. Ensure a thriving and productive economy in the districts involved</li> <li>4. Maximise the potential arising from our national and international assets</li> <li>5. Reduce inequalities and improve prosperity</li> <li>6. Promote the sustainable movement of people, goods and information</li> <li>7. Ensure that districts involved are more resilient and carbon neutral</li> <li>8. Improve the quality of our natural environment and access to green spaces</li> <li>9. Ensure access to physical and social infrastructure</li> <li>10. Promote the health and wellbeing of communities</li> </ol>
<b>Soundness - Positively prepared?</b>	Unsound
<b>Soundness - Justified?</b>	NA
<b>Soundness - Consistent with national policy?</b>	NA
<b>Soundness - Effective?</b>	NA
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No
<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to</b>	Please see supporting uploaded documents.

<b>co-operate. Please be as precise as possible.</b>	
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	Please see supporting uploaded documents.
<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	Our Spatial Strategy
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSGeneral.pdf</a> <a href="#">PFE1287425_SOSWalshaw.pdf</a>
<b>Soundness - Positively prepared?</b>	Unsound
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<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	Stockport withdrew from the then GMSF at the end of 2020 and Manchester City council has had a 35% uplift applied to their housing targets to be met within that specific area. These are major changes to the Plan and yet it has moved to the Publication Stage without further Consultation.
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	The plan needs to go back to proper consultation with the residents of Greater Manchester.
<b>Family Name</b>	Russell

Places for Everyone Representation 2021

<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	JP-G 10 Green Belt
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSWalshaw.pdf</a> <a href="#">PFE1287425_SOSGeneral.pdf</a>
<b>Soundness - Positively prepared?</b>	Unsound
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<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	<p>The policy on greenbelt is not consistent with National Policy. The NPPF requires evidence of "exceptional circumstances" to justify the alteration of greenbelt boundaries. No specific exceptional circumstances are identified in the policy. The "need to deliver the positive long-term outcomes of the Greater Manchester Strategy" as per pg 166, para 8.6 of the Places for Everyone Plan cannot be defined as exceptional circumstances as this is merely a generalisation and a manipulation of the wording of the legislation to suit the objectives of the plan, rather than an actual identification and justification of the existence of exceptional circumstances. The alteration of greenbelt boundaries is therefore unjustified.</p> <p>In addition, all other reasonable options to meet identified need should have been considered as per the NPPF para 141 including maximising the use of brownfield and underutilised sites and maximising density. These have not been fully investigated.</p> <p>Housing need is not an exceptional circumstance to justify the release of greenbelt.</p>
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	All greenbelt allocations should be removed from The Places for Everyone Plan and the Plan rewritten to fully use brownfield and underutilised sites and maximise density. A review mechanism should be built into the plan for greenbelt sites to only be considered if and when brownfield sites have been exhausted, and only then once "exceptional circumstances" have been identified and proven to exist.
<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	JPA 9: Walshaw
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSGeneral.pdf</a> <a href="#">PFE1287425_SOSWalshaw.pdf</a>

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<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	<p>Please see my supporting document uploaded to this site.</p> <p>1) Walshaw specific Legality and soundness (2).pdf 2) General Legality and soundness.pdf</p> <p>Legality</p> <p>The Walshaw allocation is not legally compliant because:</p> <p>a) Bury Council have failed to comply with their Statement of Community Involvement (Statement of Community Involvement (bury.gov.uk)) at all stages of the creation of the plan. There was no notification to residents of the initial Call for Sites and the amount spent on making residents aware of the original GMSF plan was disproportionately small in comparison to the effect the plans will have upon them (□100 as per the Council's response to a Freedom of Information request). There has been a deliberate campaign of misinformation and misleading statements by the Council to promote and "sell" the Plan to residents, and a reluctance to inform residents and present the facts eg residents only being given leaflets of the plans for their specific ward, and not being informed of the bigger picture across the borough, thus giving the impression that the impact is less than it is. There has been an over reliance on residents finding things out for themselves on social media and websites and thus a failure to engage with various groups. There has been no access to public internet, eg in libraries, during Covid. This has adversely and disproportionately affected older people and those from deprived backgrounds. This is against the SCI 2.4 &amp; 4.17. Most residents have been made aware of the plans due to the activities of the Bury Folk Keep It Green group and not by the Council. Countrywide, Covid restrictions are now lifted but restrictions still remain in place in Bury's Statement of Community Involvement (SCI para 1.7). Consultations have been inaccessible in terms of language and terminology used and have been a deterrent to becoming involved in the planning process as they have been wordy, long winded and intrusive, thus producing an irrelevant response rate.</p> <p>b) the selection of this allocation fails to comply with the NPPF para 137, para 138 a, b, c and e, para 140 and para 141.</p> <p>Para 11.119, page 271 of Places for Everyone states of the Walshaw allocation,</p> <p>"This is an extensive area of land □□ set entirely within the existing urban area. The land is loosely bounded by the urban areas of Tottington to the north, Woolfold and Elton to the east Lowercroft to the south and Walshaw to the west."</p> <p>Filling in this green belt site will therefore create an urban sprawl contrary to NPPF para 137 and para 138 a, b, c and e. There has been no evidence produced of the existence of exceptional circumstances to justify the alteration of the greenbelt boundaries to allow building on the Walshaw allocation as is required by the NPPF, para 140. The Council has constantly argued that the greenbelt land at Walshaw is required in order to meet the housing targets</p>

imposed by the Government. However, Government guidance states that housing need is not a target but merely a starting point and figures can be mitigated upwards or downwards according to local circumstances, eg lack of brownfield, economic shock (Brexit, Covid-19). This has never been considered or explored by the Council. Contrary to para 141, there has been a failure to fully explore other reasonable options to meet development need. Instead of maximising the use of brownfield land, Bury Council has recently embarked upon the sale and disposal of many smaller brownfield sites across the Borough to minimise its brownfield land supply. There has also been a failure to optimise density to minimise greenbelt loss.

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

c) the inclusion of this allocation is contrary to the Places for Everyone Strategic Objectives 2, 6, 7, 8 and 9 as at pages 39, 40 and 41 of the Published Plan.

Under the "Neighbourhoods of Choice" Objective 2, the inclusion of this greenbelt site is contrary to the prioritisation of the use of brownfield sites. No new homes are proposed in Bury town centre despite the availability of brownfield sites (such as the now derelict old police station and fire station sites, of which the latter has been reportedly recently been sold for the development of a hotel). The Walshaw site is approximately 2.5 miles from the transport hub in Bury (far more than the 800 metres specified in the Objective). Homes near Scobell Street in Walshaw are already at a high risk of flooding, and new homes in the area will increase this risk as well as being at risk of flooding themselves.

Under Objective 8, quality of environment and access to green spaces, the current residents of Walshaw and the surrounding areas will be deprived of access to their much used greenbelt. Although new greenbelt areas are proposed, these are mainly unusable as they are in unpleasant or inaccessible locations, such as bordering the dump or alongside the motorway.

Under Objectives 9 and 10, the plan fails to provide infrastructure for Walshaw. This is covered in more detail later in my comments, but no new health centre or secondary school is proposed and there is no specific funding allocated for roads and public transport.

The Walshaw allocation also fails on parts of Objectives 5, 6 and 7 in relation to proximity to a transport hub, proximity to a well connected location, the reduction of car dependency and the promotion of cleaner air and carbon neutrality.

d) the inclusion of this allocation is contrary to Clean Air Policy and Carbon Neutral Policy

Places for Everyone proposes employment sites on the other side of the borough from Walshaw on the M66 Northern Gateway Corridor, necessitating travel by car as no direct public transport route exists or is proposed, thus increasing carbon emissions from the additional car dependency. Local transport hubs in Bury are only accessible from Walshaw by a car journey or an expensive, unreliable and infrequent bus service, again increasing carbon emissions. The proposed new link road at Walshaw will do nothing to alleviate congestion on the roads, simply transferring the problem from one place to another. The destruction of high quality greenbelt land at Walshaw cannot be reconciled with policies designed to improve the environment and the recent declaration of a Climate Emergency by Bury Council.

e) The PfE indicates in Para 1.63 point 2 that the most up to date information be used in plan making, so being the most recent Bury's Housing Development Needs Assessment 2020 must be taken into consideration: <https://www.bury.gov.uk/index.aspx?articleid=15866>

#### Soundness

The plan for the Walshaw allocation is not sound because:

a) it has not been positively prepared as it fails to achieve sustainable development, particularly in terms of infrastructure.

The only way in which the funding levels required for infrastructure at Walshaw could be achieved would be through a 5% increase in the price of the properties on the site: Site Allocation Topic Paper- JPA 9 Walshaw pg 44, 45 and 46. Realistically, this makes the infrastructure for the site undeliverable.

"The Three Dragons Viability Appraisal of the allocation has been run using the base model, which showed the allocation would likely require public support to proceed.

The Three Dragons report shows that without a contribution to strategic transport costs, the scheme produces a positive residual value both for the main and the sensitivity test. However, a small increase in house prices of less than 5% would be required to accommodate the full strategic transport costs identified.

26.3 With a small increase in values compared to the base model, the sensitivity test demonstrates that the allocation would be able to support all policy costs including 25% affordable housing and the infrastructure required to support the development, including the strategic transport costs. A 5% increase is considered appropriate for this location as it is in a popular residential area and is closely linked with Walshaw and the areas to the west of Bury where house prices are typically higher than other parts of the town."

There is no guarantee that higher house prices would be achieved, and higher house prices would appear to be contrary to the aims of providing affordable housing on the site. House prices may well be slightly higher in Walshaw at present, but this is due to the desirability of living near to accessible greenbelt. Once the greenbelt has been built on, there is no guarantee that higher house prices will be achievable.

This also suggests that provision of some infrastructure will not be contemporaneous with the building of houses and will only be forthcoming once funds have been raised. This is supported at Site Allocation Topic Paper- JPA 9 Walshaw pg 46 para 27.2 which states that,

"The phasing strategy will be developed through on-going discussions with key stakeholders in relation to infrastructure delivery. The estimated phasing and delivery trajectory will evolve as the plans for the allocation are developed further."

The plan for infrastructure is therefore unsound as it is undeliverable due to lack of finance and thus the site is unviable.

In addition, the infrastructure that has been proposed for Walshaw is insufficient and vague, with no sources of funding specified. Bury have a very poor reputation for obtaining developer contributions for infrastructure and developers always try to wriggle out of any obligations. We are told by the Council that s106 payments are no longer ringfenced so there is no guarantee that promised infrastructure will be forthcoming.

#### -Healthcare

There is no specific proposal for additional healthcare facilities. Site Allocation Topic Paper PA 9 Walshaw at page 43, para 25.1 states that,

"Further work will be required to determine whether there is additional capacity within any local healthcare facilities to meet the increased demands arising from the prospective occupants of the new development."

#### -Education

Whilst there is a plan for an extra primary school in Walshaw, there is no feasible plan in place to deal with the increased number of secondary school age pupils. Site Allocation Topic Paper PA 9 Walshaw at page 43, para 24.1 states that,

"The Walshaw allocation is expected to yield approximately 263 primary age pupils and 175 secondary age pupils. Current forecasts show both primary and secondary schools in the area full to capacity, therefore all additional demand created would require additional school places."

"Cumulative secondary age demand pressures will need to be considered more strategically" (para 24.2)

It is proposed that secondary places will merely be funded from "financial contributions towards off-site secondary school provision" to meet the needs generated by the development (PfE, pg 270). This is not acceptable and will only provide a short term solution. The Elton High School in Walshaw was oversubscribed by 175 places in 2021 and the furthest distance offered from the school was just over 1/3 of a mile. Distribution of places in Bury secondary schools for September 2021. If it is proposed that the Walshaw site will yield an additional 175 secondary age pupils, a more permanent solution (ie an additional secondary school in the locality as well as the proposed secondary school in Radcliffe) needs to be found for them in the immediate area and for the additional primary age children in the area as they move through the education system.

#### -Transport

"The most significant role which PfE will play in this respect is to locate development in the most sustainable locations which reduce the need for car travel, for example by maximising residential densities around transport hubs." "What are Places for Everyone's proposals for the environment? - Bury Council

Walshaw is not situated near to motorway junctions or to transport or employment hubs, requiring residents to travel across Bury to access them. The only improvement to public transport that is proposed is "a potential upgrade of existing bus services or a new bus service" (PfE pg 270). No new public transport route to employment hubs is proposed.

The proposed new road link will not ease traffic and will potentially create further congestion. As per the Transport Locality Assessments GMSF 2020, the map at page B9, figure 3 shows that the road will start from a mini roundabout on a narrow residential road, cross a busy main road and enter onto Lowercroft Road at Dow Lane where the road is steep and very narrow (barely wide enough for two cars to pass safely). Lowercroft Road at its junction with Ainsworth Road is already congested at peak times. Traffic from here can either turn left towards Bury along Ainsworth Road which meets at a junction with Bury and Bolton Road, or continue along Starling Road and turn left towards Bury along Bury and Bolton Road. Bury and Bolton Road is already notoriously busy and suffers from high air pollution, and that is before any of the proposed new homes for the Elton Reservoir allocation are potentially built. No account has been taken of the additional traffic which will be produced at the Andrews housing development site just down the road from the Walshaw allocation.

The proposed new road will therefore still be sending all traffic to all of the same pinch points this side of the Irwell, but in much greater numbers. No plan whatsoever has been put in place as to how the area at Bury Bridge, being the only crossing of the River Irwell, will cope with the additional volume

of traffic. It cannot cope with the current traffic levels. The continuation of the proposed road through the Elton Reservoir allocation will not sufficiently alleviate this. The Walshaw link road will exacerbate congestion on local roads, which are already highly congested, and increase air pollution in areas which are already suffering.

b) it has not been positively prepared as there have not been objective assessments of development and infrastructure requirements.

Bury's Housing Need and Demand Assessment 2020 was carried out by Arc4, who were supposed to carry out a non-biased survey of housing need. However, they have a partnership with Greater Manchester Housing Partnership, an organisation of housing associations, including Six Town Housing in Bury. The assessment was therefore not impartial. Other assessments carried out have been done on behalf of developers and are therefore not independent. Site wildlife, flood risk and other surveys have been carried out by consultancies on behalf of and paid for by developers rather than entirely independent wildlife organisations or the Department of the Environment so must be considered potentially biased.

c) the plan for Walshaw is not justified because there has been a failure to consider reasonable alternatives

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

In addition, the Walshaw site performs poorly against site selection criteria and strongly against greenbelt assessment criteria. Therefore the inclusion of the Walshaw site cannot be justified:

-The Walshaw site only met one of the criteria for site selection, namely the most general and vague criteria, Criteria 7, land that would deliver significant local benefits by addressing a major local problem (Site Allocation Topic Paper JPA 9 Walshaw pg 8, para 5.4). The only major local problem identified in Walshaw is the extra traffic that will be created by the proposed 1250 new houses. Without the houses, there is not a major problem and the infrastructure proposed would not be needed. This is essentially a cyclical argument and not a specific justification for the inclusion of the site.

NB In the Site Selection Background Paper, Criteria 7 is missing from the table of site selection criteria at pg 18.

- The Walshaw allocation only meets 3 out of 10 of the broad objectives within Section 3 of the PfE plan (Site Allocation Topic Paper JPA 9 Walshaw pg 8, para 5.7):

- Objective 1 - Meet our housing need;
- Objective 5 - Reduce inequalities and improve prosperity;
- Objective 6 - Promote the sustainable movement of people, goods and information.

Again, these objectives could be satisfied by any number of sites in the area.

-The Walshaw site makes a strong or moderate to strong contribution to the purpose of the greenbelt in each of the areas of the Greater Manchester Greenbelt Assessment 2016 (Site Allocation Topic Paper JPA 9 Walshaw, pages 27 □ 28, para 15.3):

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

To prevent neighbouring towns from merging into one another Strong

To assist in safeguarding the countryside from encroachment  
Moderate-Strong

Preserving the setting and special character of historic towns  
Moderate-Strong

-Site Allocation Topic Paper JPA 9 Walshaw at page 29 para 15.8 refers to The Green Belt Harm Assessment, 2020 which concluded that the Walshaw allocation makes a moderate contribution to checking the sprawl of Greater Manchester and safeguarding the countryside from encroachment. The allocation also makes a relatively limited contribution to maintaining the separation of Bury and Tottington which are already merged to a significant degree. Release of the allocation would therefore cause moderate harm to Green Belt purposes.

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

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

These are not exceptional circumstances to justify their selection.

There are clearly no exceptional circumstances in existence to justify the release of the Walshaw allocation from the greenbelt. The needs of the Walshaw community have been overlooked in favour of mass urbanisation by using this particular site rather than sites on the outskirts nearer motorway access, transport hubs and employment sites. There is too much emphasis on economic growth at the expense of mental and physical health of residents with the benefits of the greenbelt being underestimated.

The Walshaw allocation is in a traditionally Conservative area, whilst the ruling party at Bury Council is Labour. The Labour group used the whip in relation to voting for the adoption of the Places for Everyone plan on 28th July 2021 in order to push it through with a margin of just two votes, with all opposition Councillors and one Labour Councillor voting against it. It would seem that the selection of the Walshaw allocation has been politically motivated and predetermined with poor ex post facto justifications provided as an afterthought.

In addition, Bury Council has refused to acknowledge that the standard housing methodology is just a starting point and can be changed in exceptional circumstances. A lack of brownfield land in the area and in particular the economic shock caused by Brexit and Covid 19 have not been taken into account and therefore the potential to reduce or eradicate building on the Walshaw greenbelt has therefore not been thoroughly explored.

Other potential options to reduce building on the greenbelt at Walshaw, such as a review mechanism, have not been considered nor built into the plan. There is insufficient confidence in the accuracy of the predictions in the current uncertain economic climate to justify Green Belt loss at the start of the plan. Greenbelt loss should only occur once all brownfield has been exhausted. A review mechanism should be built in to only include greenbelt at a later stage if proven necessary. PfE para1.42 states: "The majority of development between 2021 and 2037 (the "plan period") will be on land within the urban area, most of which is brownfield land" PfE favours a brownfield first policy wherever possible as does National Policy. Bury Council have informed the public in Bury that they will implement a brownfield first policy. When questioned at a council meeting on 9/9/21 the Leader of the Councillor Eammon O'Brien clarified this statement by saying that for anything the council themselves build they would adopt a brownfield first

	<p>policy but claimed that the council have no control over the actions of private developers. In reality they do, as they could limit the release of green belt sites in accordance with National Policy NPPF 134 part e.</p> <p>d) the plan for Walshaw is not effective as it is not deliverable over its period. Bury Council have consistently failed to meet housing delivery targets and are now in presumption. The plan relies heavily on the cooperation of property developers. There is no indication of how they will be made to keep up with targets and what sanctions will apply if they don't. At a Council meeting held on 9/9/21 the Leader of Bury Council Eammon O'Brien confirmed that it was "unlikely" that the proposed building rates for all developments in Bury (as laid out in JPA9 Walshaw Topic Paper PfE 2021, section 27.4 page 46) would be met as they were "unrealistic". Therefore the plan cannot be considered to be effective and fails the effectiveness test for Soundness.</p>
<p><b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b></p>	<p>The Walshaw allocation should be removed from the Places for Everyone Plan.</p> <p>Smaller, more easily deliverable non-greenbelt sites should be prioritised for development instead.</p>
<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
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<b>Title</b>	JP-D1 Infrastructure Implementation
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<p><b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b></p>	<p>The sheer size of the greenbelt sites allocated within the plan makes it unlikely that the infrastructure can be provided in good time to bring these sites forward within the plan period. This would make the plan undeliverable within the plan period hence making it unsound.</p>

Places for Everyone Representation 2021

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<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	JP-D2 Developer Contributions
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSGeneral.pdf</a> <a href="#">PFE1287425_SOSWalshaw.pdf</a>
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<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No
<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	Section 106 payments are an unreliable source of funding for such large scale infrastructure. It is very well documented that once a site is approved for development it can be reviewed at a later date with a viability assessment. Local councils have very little control after a site has been approved for houses and it is common practice for a developer to change the number of homes on the site, density, type and number that are classed as affordable. In some extreme cases a developer can state inflated development costs and no section 106 payments will come forward.
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	Local council authorities need to enter into more housing partnership projects and develop the land they own instead of selling it and losing control. Salford Council has now created it's own housing building company that will deliver affordable homes on land they own and other councils should follow suit.
<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425

Places for Everyone Representation 2021

<b>Title</b>	Bury - Green Belt Additions
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSWalshaw.pdf</a> <a href="#">PFE1287425_SOSGeneral.pdf</a>
<b>GBA Bury - Tick which Green Belt addition/s within this District your response relates to - then respond to the questions below</b>	Bury GBA03 Pigs Lea Brook 1 Bury GBA04 North of Nuttall Park Bury GBA05 Pigs Lea Brook 2 Bury GBA06 Hollins Brook Bury GBA07 Off New Road, Radcliffe Bury GBA08 Hollins Brow Bury GBA09 Hollybank Street, Radcliffe Bury GBA10 Crow Lumb Wood Bury GBA11 Nuttall West, Ramsbottom Bury GBA12 Woolfold, Bury Bury GBA13 Nuttall East, Ramsbottom Bury GBA14 Chesham, Bury Bury GBA15 Broad Hey Wood North Bury GBA16 Lower Hinds
<b>Soundness - Positively prepared?</b>	Unsound
<b>Soundness - Justified?</b>	Unsound
<b>Soundness - Consistent with national policy?</b>	Unsound
<b>Soundness - Effective?</b>	Unsound
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No
<b>Redacted reasons - Please give us details of why you consider the consultation point not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	No evidence to support the "exceptional circumstances" requirement under the NPPF for the alteration of greenbelt boundaries has been supplied. Net greenbelt additions have been nothing but a play on numbers to promote the plan as protecting more greenspace. Many of the greenbelt additions do not fulfil the function of greenbelt land. A lot of the new greenbelt additions are currently not viable for building. This is simply an exercise to take away the protection of greenbelt from useable open greenspaces and apply them elsewhere in the borough to give the impression that the overall net greenbelt percentage loss is less.
<b>Redacted modification - Please set out the modification(s) you consider necessary to make this section of the plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above.</b>	Leave the greenbelt boundaries unchanged and present the true loss of greenbelt land in any further proposals.

Places for Everyone Representation 2021

<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	Supporting Evidence
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSGeneral.pdf</a> <a href="#">PFE1287425_SOSWalshaw.pdf</a>
<b>Redacted comment on supporting documents - Please give details of why you consider any of the evidence not to be legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.</b>	- It is questionable whether PfE and the GMSF can effectively be treated as the same plan. Legality must be decided in court before 'Places for Everyone' can proceed any further. It is assumed that a transition between a spatial framework (GMSF) and a Joint Development plan (PfE) is acceptable without a significant re-write. While the GMSF may have been established as legally compliant (complies with Regulation 18 of the Town and Country Planning regulations) and could therefore possibly proceed to final public consultation and submission under Regulation 19 (this current stage) PfE legality is not established. If there is any substantial difference in scope between the GMSF and PfE it cannot be assumed that Regulation 18 is Automatically satisfied for PfE. Para 1.23 states 'The changes made between GMSF 2020 and PfE 2021 are not insignificant in numerical terms, indeed all sections of the plan have seen some form of change.' So, is 'not insignificant' the same as 'substantial', if it is, the plan is not legal. This can only be established by a proper judicial review. So until proven otherwise the plan must be considered illegal and not put to Government.
<b>Family Name</b>	Russell
<b>Given Name</b>	Kathryn
<b>Person ID</b>	1287425
<b>Title</b>	Other Comments
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSGeneral.pdf</a> <a href="#">PFE1287425_SOSWalshaw.pdf</a>
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<b>Title</b>	Other Comments
<b>Type</b>	Web
<b>Include files</b>	<a href="#">PFE1287425_SOSGeneral.pdf</a> <a href="#">PFE1287425_SOSWalshaw.pdf</a>
<b>Soundness - Positively prepared?</b>	Unsound
<b>Soundness - Justified?</b>	Unsound
<b>Soundness - Consistent with national policy?</b>	Unsound
<b>Soundness - Effective?</b>	Unsound
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No

Places for Everyone Representation 2021

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<b>Soundness - Positively prepared?</b>	Unsound

Places for Everyone Representation 2021

<b>Soundness - Justified?</b>	Unsound
<b>Soundness - Consistent with national policy?</b>	Unsound
<b>Soundness - Effective?</b>	Unsound
<b>Compliance - Legally compliant?</b>	No
<b>Compliance - In accordance with the Duty to Cooperate?</b>	No