

Open land

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INTRODUCTION

Being part of the Greater Manchester conurbation, Bury is a relatively densely developed area although approximately 60% of the Borough can still be classed as open land. This split between urban and open land uses is considered to give the Borough an important and valued blend of town and country, as already emphasised under the Environment section (see Section 6). All open land is, therefore, seen as being of value particularly for the relief it offers from the urban environment and the pressures of urban life. It comprises open land outside the urban area, most of which is Green Belt, mainly in agricultural use, or part of the river valley system. It also includes areas of urban open space, much of which is formally used as public parks and gardens and recreational areas.

Open land in both the urban and peripheral areas is increasingly under pressure for all forms of development. The question the UDP must primarily address is how development demands can be regulated in relation to the needs of protecting open land as outlined above. The Green Belt policies have been successful in restricting peripheral development and have helped to concentrate development in the urban areas. However, the Borough's tight Green Belt leaves little room for manoeuvre and policies have placed increased development pressures on areas of urban open land. It is also recognised that the UDP must provide the policy context for the positive use of land, in order to ensure that only the right sorts of development are accommodated, especially in the countryside. This will help to reduce conflicts which may arise between different open land uses such as agriculture, recreation, forestry or other uses appropriate in the rural areas.

To date, open land in Bury has been afforded protection under various local plan and structure plan policies. As a land use plan, the UDP has a significant role to play in continuing the protection of those aspects of open land which help to project a positive image of the Borough and help to encourage urban regeneration and prevent urban encroachment on open land not positively needed for development.

In addition, the UDP has a positive role to play in strengthening the attitude towards the use and management of open land in order to encourage a wider diversity of uses and to help to maintain the correct balance between the urban and rural areas. The intention will be to achieve a multi-functional countryside capable of catering for the positive uses of open land, which will enhance and benefit the Borough, as well as maintaining a viable rural economy.

STRATEGY, OBJECTIVES AND TARGETS

Strategy

Strategic Guidance for Greater Manchester urges Councils in Greater Manchester to seek to incorporate existing Green Belt in their UDP's and to demonstrate continuing care for the river valleys

and for the open land which helps to project an attractive image of the County. In the case of Bury, supporting these requirements is seen as an important element of the UDP's Strategy, which places particular attention on maintaining and enhancing the environmental quality of the Borough's open land.

Therefore, the UDP's open land policies have three important aims. Firstly, to safeguard the permanence and integrity of the Green Belt. Secondly, to protect and enhance valuable open spaces at the edge and within the urban areas, whenever possible. Thirdly, to promote the positive management of the countryside to integrate traditional rural activities together with developing demands for leisure and tourism, nature conservation and landscape protection. In pursuing these aims through the policies and proposals of the UDP, it is intended to develop a strong policy framework capable of ensuring that open land within the Borough continues to make a positive contribution to the local environment, that unwanted development pressures can be resisted and that the delicate balance between urban development and open land is maintained.

Objectives and Targets

To achieve the broad aims for the open land policies set out in the Strategy, a number of more detailed objectives and targets have been identified below. Each of these objectives is listed followed by the relevant targets. It should be noted that some of the targets may relate to more than one objective and where this occurs the target has been listed with what is felt to be the most appropriate objective.

Objective 1: To maintain and protect a Green Belt which will be sustainable during and beyond the Plan period.

- The designation of a sustainable Green Belt boundary in the Borough.
- The restriction of certain forms of development in the Green Belt.
- The acceptance of limited infill development in the Green Belt.
- The control of conversions and the re-use of buildings in the Green Belt.

Objective 2: To protect open land at the edge of the urban area, but outside the Green Belt, wherever possible.

- The restriction of certain types of development on open land at the edge of the urban area, but outside the Green Belt boundary.

Objective 3: To retain valuable urban open areas.

- The protection of valuable amenity areas.
- The protection of important open land breaks between incompatible uses in the urban area.

Objective 4: To protect good quality agricultural land and maintain a viable rural economy.

- The protection of agricultural land from surrounding development proposals.
- The maintenance of viable farm holdings.
- The support of farm diversification, where there are overriding economic reasons to allow alternatives, which will not be detrimental to the use of land.

Objective 5: To improve and conserve the open character of the river valleys.

- The protection of the river valleys ensuring development does not sever the open parts of the valleys into sections.
- The re-establishment, where appropriate, of open riverside and canalside areas to provide links to the rest of the river valleys.

Objective 6: To encourage and manage beneficial and harmonious open land uses, in order to promote a multi-functional countryside.

- The positive development of the countryside's assets where of benefit to the local environment and the community as a whole.
- The control of development in the countryside to reduce conflict and encourage harmony.

POLICIES AND PROPOSALS

The detailed development control policies and proposals concerning open land are presented below. Following each of the policies there is a reasoned justification. The appropriate general land use policies, or Part I policies which can be found collectively in Part I of the Plan, are included in this section preceding the relevant Part II policies. The reasoned justifications for these policies are also included here.

OL1 - GREEN BELT

The Council will maintain a Green Belt, ensuring that it fulfils the following strategic purposes:

- **to check the unrestricted sprawl of large built-up areas;**
- **to prevent neighbouring towns from merging into one another;**
- **to assist in safeguarding the countryside from further encroachment;**
- **to preserve the setting and special character of historic towns;**
- **to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.**

Justification

The Government attaches great importance to Green Belts, which have been an essential element of planning policy for more than four decades.

Their fundamental aim is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use. They can also assist in moving towards more sustainable patterns of urban development.

The latest expression of Government policy on this subject is contained in PPG2 "Green Belts", first published in January 1988 and revised in January 1995. This states the five purposes for Green Belt as set out above in Policy OL1 at points (a) to (e).

PPG 2 also recognises that, in addition to the purposes set out in Policy OL1, the use of land in Green Belts has a positive role to play in fulfilling a number of land use objectives:-

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;

- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

OL1/1 - Designation of Green Belt

The Council will operate development control policies over a Green Belt as delineated on the Proposals Map. The Green Belt includes the following broad open land areas:

- that part of the open land area within the Borough between Bolton and Bury from the Greater Manchester boundary in the north to Little Lever and Radcliffe in the south and incorporating the settlements of Hawkshaw and Ainsworth;
- the Irwell Valley between Bury and Ramsbottom and the Greater Manchester boundary;
- that part of the Roch Valley within the Borough between Bury and Rochdale and north west and north of Rochdale;
- that part of the Croal/Irwell Valley within the Borough between Darcy Lever, Blackford Bridge and Rainsough;
- that part of the open land area within the Borough which lies between Bury and Heywood, Middleton and generally south of Rochdale.

Justification

The Green Belt boundary has been drawn up to take account of advice contained in Strategic Guidance for Greater Manchester, which states that UDP's must conform with PPG 2 "Green Belts" and that Councils should seek to include the Greater Manchester Green Belt as defined in Local Plans.

The Greater Manchester Green Belt Local Plan, together with other area based local plans, previously defined the areas and detailed boundaries of the Green Belt in the Borough and these boundaries have been largely incorporated into the UDP, albeit with a small number of modifications.

OL1/2 - New Buildings in the Green Belt

The construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- agriculture and forestry (except where permitted development rights have been withdrawn);
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;
- limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces;
- limited infilling in existing villages as set out under Policy OL1/3.

Justification

Green Belt policy has been very successful in controlling development of the urban perimeter and limiting sporadic development on open land. This policy continues the Council's commitment to ensuring that the Green Belt will generally be kept open and protected from inappropriate development. The policy also states how the Council will respond to proposals for development within the Green Belt. The potentially acceptable categories of development listed in the policy all possess at least one of the following characteristics. They would:

- have a low proportion of building area in relation to land area; or

- would not injure the visual amenities of the Green Belt or be conspicuous from or within the Green Belt; or
- be essential or traditional countryside uses; or
- help to secure the proper management of Green Belt land.

In relation to the purposes for which new buildings may be permitted, (see a) to d) above in the policy), the following considerations will apply:

i) Essential facilities, see b) in Policy OL1/2, should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation.

ii) The extension or alteration of dwellings in the Green Belt, see c) in Policy OL1/2, need not be inappropriate providing that any changes are not disproportionate additions over and above the size of the original building. Such proposals should have regard to any supplementary planning guidance issued by the Council. Any such supplementary planning guidance will be issued solely for the guidance of applicants and will be consistent with the Plan and subject to Council approval. Where appropriate, public consultation will be carried out.

Proposals for buildings not falling into one of the above categories, ((a) to (d) in Policy OL1/2), is inappropriate development and is, by definition, harmful to the Green Belt. Any development proposal considered to be inappropriate development will only be permitted in very special circumstances.

When planning permission is sought for an inappropriate development it will be for the applicant to demonstrate the 'very special circumstances' why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The Secretary of State has indicated, in Circular 19/92 "The Town and Country Planning General Regulations 1992", the wish to be notified of all proposals which would give rise to inappropriate development in the Green Belt. Such proposals will be treated as a departure from the Plan and will be determined in accordance with departure procedures.

OL1/3 - Infilling in Existing Villages in the Green Belt

In all named villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings.

Justification

It is acceptable, in accordance with paragraph 2.11 of PPG2 "Green Belts", to carry Green Belt notation across existing villages where infilling, but no extension of a village would be permitted.

There are a number of existing villages within the Borough's Green Belt. Whilst seeking to restrict their expansion this policy recognises the need to accept limited infilling within the villages named below:-

Shuttleworth, Holcombe Village, Hawkshaw, Summerseat, Nangreaves, Affetside, Ainsworth and Simister.

The term 'limited infilling development' may include forms of development other than frontage infilling such as the development of backland where it would be in keeping with the village's character. However, this is not intended as a general dispensation to develop houses in the back gardens of frontage properties.

A particular difficulty exists in relation to "ribbon" development which strings out along a number of roads, from villages within the Green Belt. Where such ribbon developments present a significant and generally unbroken frontage, small gaps may be capable of successful development without prejudicing Green Belt objectives. This will usually be a case of looking at each proposal on its merits: the local planning authority will wish to take into account the character of the site; and, generally, development which would involve the felling of trees, or the spoiling of a fine view, would be prevented.

OL1/4 - Conversion and Re-use of Buildings in the Green Belt

The conversion and re-use of buildings in the Green Belt is not inappropriate development and will be permitted providing that:

- **it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;**
- **any extension of re-used buildings, and any associated uses of land surrounding the building do not conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, gardens, boundary walling or fencing);**
- **the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction;**
- **the form, bulk and general design of the buildings are in keeping with their surroundings;**
- **suitable access and likely traffic generation can be accommodated without creating a traffic hazard or the need for major road improvements or lengthy new routes;**
- **all the necessary services can be provided without extensive works;**
- **it can be established by the applicant, to the satisfaction of the local planning authority, whether or not the building contains any protected species, such as bats or barn owls. Where it is shown such species are present, measures to prevent damage to habitats will be required.**

Justification

This policy acknowledges that when suitable safeguards are taken, the re-use or conversion of buildings should not prejudice the openness of the Green Belt since the buildings are already there. Re-use or conversion can help to secure the continued stewardship of land, especially by assisting farm diversification and can contribute to the objectives for the use of land in the Green Belt.

Buildings which have become so derelict that they could be brought into use only by complete or substantial reconstruction do not fall within the scope of this policy.

In the case of residential conversions there will be an emphasis on preventing 'suburban' style gardens in areas of otherwise surrounding open countryside.

Section 9 of the 1981 'Wildlife and Countryside Act' affords protection to both protected species and any structure or place which such a species may use for shelter or protection. Agricultural buildings are valuable habitats for barn owls, bats and other protected species.

Prior to the granting of planning permission the local planning authority will have to be satisfied that no such species are present. Where it is shown that such species are present, measures must be implemented which ensure that any damage to such habitats is prevented.

OL1/5 - Mineral Extraction and Other Development in the Green Belt

Within the Green Belt other development, not including buildings, will be inappropriate unless:

- it maintains openness and does not conflict with the purposes of including land in the Green Belt; or
- in the case of mineral extraction, it does not conflict with the purposes of including land in the Green Belt, and high environmental standards will be maintained and the site well restored.

Proposals for other development not falling into one of the above categories is inappropriate development and is, by definition, harmful to the Green Belt. Any development proposal considered to involve inappropriate development will only be permitted in very special circumstances.

Justification

The statutory definition of development includes engineering and other operations, and the making of any material change in the use of land, for example car parks or other areas of hardstanding and garden extensions. Such development will not be considered inappropriate if it maintains the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt set out under Policy OL1.

Minerals can only be worked where they are found. Mineral extraction is a temporary activity. Such development need not be inappropriate providing it does not conflict with the purposes of including land in the Green Belt, and provided that high environmental standards are maintained and that the site is well restored.

In the case of large scale development, proposals should, so far as possible, contribute to the objectives for the use of land in the Green Belt as set out under the justification to Policy OL1.

OL1/6 - Reuse/Redevelopment of Clifton House, Prestwich

Clifton House is a major developed site in the Green Belt. The site contains a large mental health institution, the majority of which is now vacant and falling into dereliction, although a significant part still forms a secure unit which is expected to continue in use for the foreseeable future.

The re-use/redevelopment of the site, or parts thereof, offers the opportunity for environmental improvement without adding to the impact on the openness of the Green Belt and the purposes of including land within it.

Any proposals for the re-use/redevelopment of the site and/or buildings will be considered as set out below:

Whilst the secure unit remains on site any re-use/redevelopment will only be permitted for further health related and/or institutional uses (Classes C2 and D1) and proposals will be considered against the factors a) to h), listed below;
Should health related and/or institutional uses cease on the site altogether, then any proposals for re-use/redevelopment will be considered on their merits and against factors a) to h), listed below.

Factors to be taken into account in considering any proposals for the re-use/redevelopment of land and/or buildings at Clifton House are as follows. Proposals should:

- have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;
- contribute to the achievement of the objectives for the use of land in the Green Belt;
- not exceed the height of the existing buildings;
- not occupy a larger area of the site than the footprint of the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity);

- **consider the site as a whole, whether or not all the buildings are to be redeveloped;**
- **have regard to the adjacent Site of Biological Importance and Wildlife Corridor;**
- **have regard to any development brief subsequently issued by the Council. Any such development brief will be issued solely for the guidance and assistance of planning applicants and will be consistent with the Plan;**
- **be considered in the light of all other material considerations and other relevant policies and proposals of the Plan.**

Justification

The majority of this hospital site is redundant and in recognition of this is identified for reuse/redevelopment in the Plan. The identification of the Clifton House site offers the opportunity to secure environmental improvements as part of any re-use/redevelopment proposals without adding to its impact on the openness of the Green Belt. In considering any development proposals the Council will have regard to the factors a) to h) above.

For the purposes of this policy and in line with Government guidance in PPG2 "Green Belts", the footprint of the existing buildings will be taken as the aggregate ground floor area of the existing buildings, excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding. Should any buildings be demolished, suitable records will be kept to record the footprint. These will be agreed between the local planning authority and the landowner.

As well as the footprint, the character and dispersal of the proposed redevelopment will need to be considered. For example, many buildings together may have a much smaller footprint than a few large buildings, but may be unacceptable because their dispersal over a large part of the site and enclosed gardens may have an adverse impact on the character of the Green Belt compared with the current development.

OL2 - OTHER PROTECTED OPEN LAND

On open land outside the urban area, but not within the Green Belt and/or the river valleys, the Council will seek to retain the existing predominant use and character and will expect the land to remain for the most part undisturbed.

Justification

Valuable open land areas are not confined just to the Green Belt and river valleys. This policy is concerned with open land at the edge of the urban area, as defined on the Proposals Map under Policy OL2/1 and which lies outside the Green Belt and river valleys. Although this land does not fulfil Green Belt functions, or lie within the river valleys it is, nevertheless, seen to be worthy of protection as open land in its own right. Therefore, this land still requires protection and is not to be regarded as a reservoir for development during the Plan period. Some of these areas are used for recreation and in certain cases act as useful buffers between agricultural and urban uses.

OL2/1 - Development on Other Protected Open Land

On all defined open land outside the urban area, but not within the Green Belt and/or river valleys (as shown on the Proposals Map), development will not be permitted for purposes other than:

- **agriculture or forestry, or other uses appropriate to a rural area;**
- **outdoor recreational facilities, such as sports grounds, golf courses or country parks, together with ancillary buildings required in connection with these outdoor facilities;**
- **cemeteries and institutions standing in large grounds;**
- **development which is essential for the protection of an established source of employment or required in connection with a bona fide rural enterprise;**
- **essential public utilities infrastructure;**

- **mineral workings, provided that high environmental standards are maintained and that the site is well restored.**

Justification

It is important that new development on all open land subject to this policy is carefully controlled in order to protect both the open character and existing uses of this land. There may be further opportunities for recreational and afforestation initiatives and the policy fulfils other amenity and wildlife objectives of the Plan.

Proposed development falling within the categories a) to f) in the policy above will be subject to the provisions of the policies for agricultural land protection, maintaining farm holdings, special landscape areas and sites of nature conservation interest.

OL3 - URBAN OPEN SPACE

The Council will seek to ensure that valuable areas of urban open space are retained wherever possible for their amenity value.

Justification

Certain areas of open land in the urban parts of the Borough, provide attractive features which contribute to the overall townscape and provide contrast and relief from the built environment. In PPG17 "Sport and Recreation" it is recognised that the Government attaches great importance to the retention of recreational and amenity spaces in urban areas. Urban open space, whether or not people have access to it, is also important for its contribution to the quality of urban life.

The use of land as open space is considered no less important than other uses. Once built on, open space is likely to be lost for ever. Planning decisions resulting in the development of open space should, therefore, take into account the long term impact of the loss of such space.

OL3/1 - Protection of Urban Open Space

Within the urban area, development will not be permitted where it would lead to the loss of urban open space which provides:

- **valuable visual amenity;**
- **valuable wildlife habitats, corridors and links;**
- **important outlets for recreation; or**
- **a buffer between incompatible uses or a link between other open land areas.**

Justification

The loss of certain open spaces in the urban area, ranging from recreation grounds to small landscaped areas, has been a concern in many parts of the Borough. Open space which is considered to be of value should be retained and pressures for development resisted where there is conflict with the wider public interest. This policy will, therefore, have regard to the value of open space not only as an amenity, but also for its contribution to the conservation of the natural and built environment of the Borough.

Certain urban open spaces have been identified for protection on the Proposals Map. This includes the main outlets for recreation. However, it has not been possible to identify all open spaces subject to this policy, as many sites are small incidental areas. In assessing development proposals on urban open space the Council will seek to balance very carefully the competing claims of different land uses and the Borough's long term requirements for open space. Where urban open space is considered to be of value, in conformity with this policy, losses may be acceptable only where adequate compensatory provision is made or other significant benefits are derived from the proposal.

In addition to the open spaces which are of value in amenity, recreational and wildlife terms, certain urban open spaces are necessary protective breaks between incompatible uses, such as housing and industry. These 'buffers' need to be protected and can be of even greater benefit when landscaped or mounded to form screens, so further reducing many of the detrimental effects of noise and visual impact.

OL4 - AGRICULTURE

The Council will seek to protect both farming activities and the best and most versatile agricultural land in the Borough.

Justification

The agricultural picture of Bury is typical of a fringe urban/moorland area. There is a virtual absence of arable farming and the majority of the Borough's agricultural land is characterised by grassland for grazing. Nevertheless, agriculture is still a major land use and it contributes greatly to the semi-rural character of the Borough.

The Plan recognises that agricultural land provides for a variety of farming in the area and will endeavour to accommodate both continuing farming needs and the diversification of the rural economy, where appropriate.

OL4/1 - Agricultural Land Quality

The Council will protect the Borough's best and most versatile agricultural land and will not permit proposals for development which would result in its loss to agriculture.

Justification

The Ministry of Agriculture, Fisheries and Food has devised an agricultural land classification system to grade the quality of land for agricultural production. Land is graded from the best and most versatile (Grade 1) to the poorest (Grade 5). There is no Grade 1 or 2 agricultural land in the Borough, therefore, Grade 3a land will generally represent the best and most versatile land and will be protected against development.

However, it must be accepted that most parts of the Borough face overall agricultural constraints due to the inherent poor quality of the soil and the topographic and climatic characteristics of the area. Proposed changes of use on the poorer Grade 3b, 4 or 5 land would not normally be opposed on agricultural land quality grounds. Nevertheless, in some parts of the Borough, especially on the hills and uplands, Grade 3b or 4 agricultural land has special significance, which must be considered in the viability of the local economy and the management of individual farms. Where less versatile land becomes surplus to agricultural requirements, proposals which safeguard the open character of the land and are of recreational, landscape or nature conservation value, will be looked upon favourably when in accordance with other policies in the Plan.

OL4/2 - Protection of Farm Holdings

The Council will not permit development which would result in the fragmentation or severing of viable farm holdings.

Justification

Farm structure in the Borough has changed in recent years, with an increase in the number of part-time farms and a slight fall in the number of full-time farms. There has also been an increase in the number of holdings under two hectares. These trends reflect, to some degree, the urban fringe nature of the Borough and also the national agricultural picture, which is one of reduced agricultural production and growing agricultural land surpluses. Such trends are likely to continue, but there is still a diversity of farms in the Borough, varying considerably in size, type of farm business and layout.

The loss of part of a holding can have serious implications for the viability of the remainder. Therefore, proposals which have detrimental effects on farm structure or result in severance or fragmentation, will not be permitted in the interests of protecting the rural economy. Where appropriate, proposals may be required to be accompanied by a statement setting out the effect of the development on farm structure and viability.

OL4/3 - Development Impact on Farming Areas

The impact of development proposals on neighbouring agricultural areas will be carefully assessed and development likely to have a detrimental effect will not be permitted unless satisfactory methods of minimising any detrimental effect can be found.

Justification

Bury can be classified as an urban fringe area from an agricultural point of view because of the closeness of farmland to the built-up areas. In the rural parts of the Borough, agriculture is the most important land use and the nature and proximity of certain developments to farms can influence the type of farming, and the extent to which the inherent land quality can be exploited.

Farms in the Borough close to the urban areas tend to suffer from trespass and other forms of disturbance, which may affect their operational efficiency. This policy intends to ensure that the likely impact of development proposals on farming areas are recognised and where possible remedies prescribed.

In considering proposals for development, the control of siting, design and landscaping may help to minimise the possible detrimental effects.

OL4/4 - Agricultural Diversification

The Council will encourage a viable rural economy by supporting farm diversification enterprises which respect the quality of the built and natural environment. Development proposals should seek to conserve and enhance the landscape character and nature conservation value of the countryside.

Justification

As changes in farm practices continue and land needed for food production decreases, alternative uses for agricultural land have increasingly to be considered. However, farming is still considered to be vitally important in shaping and maintaining the fabric of the Borough's countryside. The Government, in PPG7 "The Countryside - Environmental Quality and Economic and Social Development", is encouraging growth and diversification in the rural economy in ways that will enhance the quality of life in rural communities and conserve the nation's countryside heritage.

In Bury, common forms of diversification have been for the increasing use of agricultural land for the keeping of horses and the conversion and re-use of redundant agricultural buildings for residential purposes. Rural industry, commerce, tourism and recreation are likely to play an increasingly important role in maintaining a thriving countryside. To help sustain the rural economy there may be a need to continue and expand the process of diversification on and off farms, and to do so whilst still conserving that which is of value in the countryside.

OL4/5 - Agricultural Development

Agricultural development, buildings or structures which require planning permission will be permitted providing they are sited and designed in such a manner as to:

- **minimise their visual impact on the landscape having regard to height, materials, landform and landscaping;**
- **relate well to existing farm buildings;**

- **not have an unacceptable impact on the amenity of any neighbouring dwellings.**

Justification

This policy is primarily designed to control agricultural development for which planning permission is required. The Council is concerned to ensure that new or altered agricultural buildings and/or other developments are sympathetic to their surroundings and blend satisfactorily with the wider area in terms of their design, location and effect upon the amenity of neighbouring dwellings.

It should also be noted that changes to the Town and Country Planning (General Permitted Development) Order 1995 (in particular, Schedule 2, Part 6 - Agricultural Buildings and Operations) have increased the control over new agricultural development by introducing new procedures requiring prior notification of development intentions to the Local Planning Authority.

Under the Order, Local Planning Authorities are now able to regulate certain aspects of agricultural (and forestry) development for which full planning permission is not required. Where full planning permission is not required, developers should now apply to the local planning authority, in accordance with notification procedures in the above Order, for a determination within 28 days as to whether the prior approval of the authority is needed for the siting, design and external appearance of a building. In circumstances where prior approval is required, consideration will again be given to the provisions of this policy to ensure that new or altered buildings are sympathetic to their surroundings in terms of their siting, design and external appearance.

Further advice on some of these arrangements is contained in PPG7 "The Countryside - Environmental Quality and Economic and Social Development" in particular Annex C and Annex E.

The Council will also give consideration to the need for Supplementary Planning Guidance as a more detailed basis for determining applications for agricultural development. Any such supplementary planning guidance will be issued for the guidance and assistance of planning applicants and will be consistent with the Plan and subject to Council approval. Where appropriate, public consultation will be carried out.

OL4/6 - Agricultural Dwellings

The Council will only permit a development proposal for an agricultural worker's dwelling where the following criteria are satisfied:

- **the need for the new dwelling can be proved to the satisfaction of the Local Planning Authority;**
- **the accommodation cannot be provided within an existing settlement;**
- **the accommodation cannot be provided by adaptation, conversion or extension of an existing building;**
- **the dwelling's scale, siting, design and materials are appropriate to its location and the character of the surrounding landscape;**
- **appropriate and satisfactory access arrangements can be achieved.**

Justification

The Council is concerned to protect the countryside against the risk of pressure for new houses. However, where new houses are considered necessary in the countryside, as in the case of agricultural workers' dwellings, the Council is concerned to ensure that such dwellings are sympathetic to their surroundings and blend satisfactorily with the wider area in terms of their scale, siting, design and use of materials.

In considering proposals for agricultural workers' dwellings the Council will wish to ensure that a need can be demonstrated for key workers to be housed at or in the immediate vicinity of their place of work.

In respect of proposals involving new farm businesses, where there is often uncertainty about the viability of a proposed new enterprise, the Council will wish to consider whether to grant a temporary permission for the provision of a caravan or other temporary accommodation on the site to allow time for the prospects of the enterprise to be clarified.

In pursuing the above aims the Council will assess development proposals against appropriate functional or financial tests. Current advice on such tests is set out in Government guidance contained in PPG7 "The Countryside - Environmental Quality and Economic and Social Development", Annex I.

Where the Council is particularly concerned about possible abuse, regard may be had to the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings have recently been sold. Such a sale could constitute evidence of a lack of agricultural need.

When granting planning permission for a new agricultural dwelling the Council may impose an occupancy condition, not only on the dwelling itself, but also on any existing dwellings on the unit which are under the control of the applicant, do not have occupancy conditions and need, at the time of the application, to be used in connection with the farm. In appropriate circumstances, the Council may use planning obligations to tie a farmhouse to adjacent farm buildings to prevent them being sold separately without further application to the Authority.

It should also be noted that, in connection with any proposals for the removal of occupancy conditions, consideration will be carried out on the basis of a realistic assessment of the continuing need for a dwelling for someone solely, mainly, or last working in agriculture in the area as a whole and not just on the particular holding subject to the proposal.

OL4/7 - Development Involving Horses

The keeping of horses for recreational purposes or as part of commercially based equestrian activities will be considered acceptable where it would not have an adverse effect on the appearance of the rural areas. In particular, high standards of design, construction and maintenance will be expected as part of any development proposals.

Justification

This policy has been drawn up in response to growing pressures for developments involving horses and pays regard to the provisions of Annex F of PPG7 "The Countryside - Environmental Quality and Economic and Social Development". As for all development in the countryside, development proposals involving horses should take particular care to minimise the visual impact on the surrounding area. Any buildings should be sited and designed to blend in with their surroundings.

The size and scale of any buildings will also be important, with large structures, such as indoor arena, only being considered acceptable in the countryside where design and siting would not have an unduly detrimental effect on the surrounding environment.

In considering proposals under this policy it may be necessary to require the removal of jumps and other equipment when not in frequent use. Proposals will also be assessed, where necessary, with regard to the effects on erosion, and on the vegetation of the land to be used. The safety and comfort of horses will be a further factor taken into consideration in development control decisions.

OL5 - RIVER VALLEYS

The Council will maintain and preserve the open character of the Borough's river valleys.

Justification

With the decline of industry in the river valleys, the subsequent reclamation of despoiled areas and the improvement of water quality, the Borough's river valleys are increasingly seen as environmental assets extending into the urban areas through a variety of inter-connected wedges or fingers of open land. Many areas are now used for informal recreation and contribute to a feeling of seclusion from the surrounding urban environment.

The Croal Irwell Valley Local Plan has protected the open character of the Irwell Valley whilst realising recreational potential and has brought about positive environmental changes. The UDP intends to demonstrate continuing care for the river valleys, which means extending the present boundaries to include the Roch Valley and other major tributaries. The Council will continue to protect the open land character and environment of these areas to further the important work which has commenced in the Irwell Valley.

OL5/1 - Designation of River Valleys

The Council will operate development control policies over the Borough's river valleys as delineated on the Proposals Map, including the main valleys of the River Irwell and River Roch and their tributaries.

Justification

Strategic Guidance for Greater Manchester urges Council's to demonstrate continuing care for the County's river valleys. On the Proposals Map the boundary of the river valleys where special development control policies will be applied has been defined (See Policies OL5/2 and OL5/3 in particular). The previous Croal Irwell Valley Local Plan did much to define the open parts of the Borough's river valleys. Here, development was restricted to avoid severing the valley into sections. The majority of these areas have been incorporated into the UDP unaltered.

The major exceptions to this are the deletion of Bury Ground and its allocation as an Opportunity Site and the modification of the valley boundary within the Kirklees Valley at Brandlesholme Road to provide a site for business development. The protection of valley areas other than those in the Croal Irwell Valley Local Plan has led to the designation of additional valley areas: the upper reaches of the Kirklees Brook, Hawkshaw Brook and Holcombe Brook; and the River Roch.

The Council will continue to work jointly with Bolton M.B.C. and Salford City Council on the implementation of management policies for the river valleys.

OL5/2 - Development in River Valleys

Within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below:

- **where the area is designated as Green Belt the established Green Belt policies will apply;**
or
- **where the area does not form part of the Green Belt, at least one of the following circumstances is met:**
- **that the development represents limited infilling to an established valley settlement or industrial area;**
- **that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;**
- **that the development is required in association with an outdoor recreation or appropriate tourist facility;**
- **that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities;**
- **any other development that would be appropriate in a Green Belt.**

Justification

The Council is keen to retain the open character of the river valleys by controlling development. This is to protect, as much as possible, the open land which is left and to help to implement future conservation, recreational and environmental programmes and strategies.

The policy, therefore, intends to protect all the open land in the river valleys regardless of its physical condition, by directing inappropriate development away from the valleys and by only permitting development which would not be damaging to them. This will prevent further urban encroachment although it will not guarantee that open land will be properly used or managed.

The majority of the river valley system in Bury is within the Green Belt and where this occurs, not only will Green Belt policies apply, but the need to ensure that development does not lead to the division of the open parts of the valleys into sections will also be a primary objective.

Within the river valley areas outside the Green Belt, development must still not lead to the division of the open parts of the valleys into sections. However, proposals will be accepted in principle where they are considered to conform with the important exceptions as set out in Part b) of the policy. The first exception accepts that there will be a presumption in favour of limited infilling development within established valley settlements or industrial areas. In the case of industrial areas this means accepting in principle the development for industrial purposes of small parcels of land wholly within existing industrial areas, or of small salients or projections of open land which penetrate into them. There would also be no objection in principle to new industry locating within the existing industrial areas. There are also a number of settlements within the river valleys and whilst seeking to control their expansion, this policy recognises the need to accept limited infilling within a settlement's boundary.

The second exception for river valley areas outside the Green Belt deals only with industry which is already established within the valley. Provided that it would not lead to the division of open parts of the valleys into sections, an extension to or renewal of an industry will be acceptable in principle where economic and employment factors are considered to be of overriding importance. In seeking an exception under this policy, it will be up to the company concerned to demonstrate the economic and employment case to the Council.

The third exception relates to the recreation and tourism objectives of the Plan. In seeking to encourage appropriate recreation and tourism facilities, particular attention will be paid to siting, design, layout, materials and landscaping.

The fourth exception relates to maintaining the provision and improvement of public services and utilities. The Council will continue to give sympathetic consideration to the particular operational requirements of statutory undertakers and other bodies providing essential public services. However, where a proposal is made to locate an entirely new development, or alterations to an existing facility, within the area subject to this policy, the Council will require the bodies concerned to show compelling reasons why sites outside this area were considered by them to be unacceptable. Development of this kind will only be permitted where such compelling reasons appear to the Council to exist.

The final exception relates to all other development proposals and indicates that proposals which would be considered acceptable in Green Belt areas will also normally be acceptable in river valley areas.

OL5/3 - Riverside and Canalside Development in Urban Areas

Within urban areas, where development has taken place adjacent to the rivers and canal, the Council will, where appropriate, and where opportunities arise, seek to maintain and provide open land corridors to help to re-establish the continuity of the river valleys.

In particular, in seeking to implement this policy, the Council will:

- **require the incorporation of an open land/access corridor alongside water frontages as part of any development proposals;**
- **not permit development which would prejudice the establishment of new or the retention of existing open land/access corridors along water frontages;**
- **encourage the inclusion of open land/access corridors within any reclamation or environmental improvement scheme affecting water frontages.**

Justification

Riverside and canalside areas are particularly important linear features which merit and require special attention. The areas indicated on the Proposals Map occur where the open land character of the river valleys has been lost due to past developments locating close to the watersides for mainly economic reasons. Today, there is less need for development to locate close to waterside areas. For this reason, and to complement the environmental and recreational objectives of the Plan, the Council will seek, where opportunities arise, to re-open open land corridors, between the river and built development. These linear links will serve a variety of important purposes. They will provide increased access to the river front, and the potential to develop recreational routes linking the urban area to the open parts of the river valleys. They will enhance the value of the river valleys as wildlife corridors, which are already protected by Environment Policy EN6/4. Finally, they will also improve the setting and soften the impact of development along the river valleys. The implementation of this policy will be carried out by the Council through its development control powers in assessing development proposals and through the Council's own derelict land reclamation programme and environmental improvement schemes.

OL6 -MULTI - FUNCTIONAL COUNTRYSIDE

The Council recognises the increasing and often conflicting pressures on the countryside and will seek to ensure, in considering development proposals, that the countryside is used and managed so as to:

- **minimise conflicts;**
- **balance the benefits it offers to the community as a whole, with the need to protect the value of the countryside for its own sake.**

Justification

The countryside is a valuable resource requiring protection for its own sake. Sensitive management is also required to optimise the benefits it can offer to the whole community and to minimise conflicts between different land uses.

Much of the Borough's countryside can be classed as "urban fringe". This means that there are considerable pressures to use the countryside for a number of, often conflicting uses, including agriculture, informal recreation, tourism and nature conservation.

The best way to ensure a co-ordinated multi-functional countryside is by controlling and balancing, where possible, competing open land demands. PPG7 "The Countryside -Environmental Quality and Economic and Social Development" makes it clear that development in the countryside, without regard to the needs of conservation, is unacceptable since it would lead to the destruction of so much that is of value. Therefore, the need to consider existing needs and appropriate uses in the countryside has to be carefully assessed.

The Council will encourage self-help environmental improvement schemes involving all sections and groups concerned about the countryside. This policy provides the opportunity to balance various land uses in the countryside and to co-ordinate nature conservation, landscape, agricultural, recreational and minerals and waste considerations in the Plan.

OL6/1 - New Uses and Development of the Countryside

The Council will consider favourably those proposals for new uses and development in the countryside which will benefit the environment and the community as a whole. In assessing proposals particular regard will be given to their effect on the following:

- **landscape character and diversity;**
- **nature conservation;**
- **agricultural land and holdings;**
- **recreational value.**

Justification

This policy seeks to encourage, mediate and control, where necessary, land uses in the countryside so as to enhance the quality of life and conserve its interest and setting. Proposals should, therefore, recognise the particular characteristics of certain parts of the Borough's countryside. This includes its attraction to visitors, its natural beauty and landscape diversity, its nature conservation interest and various natural resources, and its potential for appropriate rural economic activities. Development should not prejudice or detrimentally affect the above elements, which are considered to be of value in a multi-functional countryside. The Council will, where necessary, formulate strategies and programmes to this end.

OL7 - SPECIAL OPEN LAND AREAS

The Council will give special consideration to the protection of open land areas which fulfil specific functions, when considering proposals for development.

Justification

This policy recognises that certain areas of open land in the Borough perform specific functions. The more detailed policies under this general policy relate specifically to the water catchment area associated with East Lancashire Paper Mill (Policy OL7/1) and the important recreation/conservation area of the West Pennine Moors (Policy OL7/2).

This policy and the more detailed Part II policies set out measures which will ensure that these areas of mainly open land which fulfil the specific functions identified are protected from the adverse effects of development. It will not preclude development, but will ensure that any development which might be permitted does not prevent the area in question from continuing to fulfil its specific function. The policy relates equally to all forms of development, including built development, changes to the use of land whilst retaining its open nature, the extraction of minerals or the deposit of waste.

OL7/1 - East Lancashire Paper Mill Water Catchment Area

The open land within the water catchment area of the East Lancashire Paper Mill Company Ltd., as defined on the Proposals Map, will be protected from development which would have a detrimental effect on the operation of the mill.

Justification

This policy reflects the importance attached to the protection of the water catchment area associated with the East Lancashire Paper Mill and seeks to protect the whole water catchment area. Any significant reduction in the quantity and quality of water would have a detrimental effect on the paper production of this major employer. This policy will be implemented by the Council through its development control powers in consultation with the paper mill and the Environment Agency.

OL7/2 - West Pennine Moors

Throughout the area of the West Pennine Moors, as defined on the Proposals Map, the Council will control development and manage recreational activity and public access, so as to reduce any possible detrimental effects these may have on the important character of the

area. In considering proposals for development particular regard will be had to the effect on the following:

- **agriculture and forestry;**
- **water catchment;**
- **settlements;**
- **landscape character;**
- **ecological and geological features;**
- **archaeological and historic features.**

Justification

The West Pennine Moors Recreation and Conservation Subjects Plan, adopted in 1985, originally identified approximately 90 square miles of valley and moorland covering parts of Lancashire and the former Greater Manchester County. Part of this area falls within the north western corner of the Borough, stretching from Holcombe Moor in the north to Ainsworth in the south. The area's attractive landscape and close proximity to the towns of Greater Manchester and north east Lancashire has made the West Pennine Moors a traditional recreation area for many generations of local people. Increasing numbers of visitors, with the advent of greater car ownership, resulted in conflicts between the area's recreation and other uses. In a desire to tackle these problems, and to ensure that the area's recreational potential was developed in an orderly way the West Pennine Moors Plan was prepared with the aims of improving opportunities for recreation and conserving and improving the area's environment. At the same time the area's other features and land uses such as its landscape, ecology, geology, archaeology, agriculture, forestry, settlements and water catchment would also be protected and enhanced.

This policy carries forward the aims of the West Pennine Moors Plan and when proposals for development are considered will ensure that the important character of the area is protected. In particular the important moorland character of Holcombe Moor, which extends beyond the Borough boundary, will be protected in conjunction with the complementary moorland protection policies of the Rossendale District Plan. This policy should also be read in conjunction with Environment Policy EN9/1 - Special Landscape Areas, which relates to the West Pennine Moors area identified under this policy and also seeks to protect the landscape of the area.

Implementation of the policy will focus not only on the control of development and the management of recreation and public access, but also on measures to enhance the environment. It is acknowledged that, as in the past, it may be necessary in the future to devise methods of joint working, between authorities in the West Pennine Moors area, to pursue the effective implementation of this policy.