

PLANNING COMMITTEE
Schedule of Supplementary Information

27th October 2021

Members are advised of the enclosed information that was either received or requested after the production of the planning applications report

**Bolton
Council**

11486/21

Ward	Location
HOBL	HORWICH LOCO INDUSTRIAL ESTATE, CHORLEY NEW ROAD, HORWICH, BL6 5UE

Surface water drainage

Natural England withdrew their holding objection on 21st October. They stated that, following their meeting with the applicant and Bolton Council on 14th October and the subsequent receipt of the "Surface Water Drainage Summary Technical Note & Statement of Intent Note" (by Roc Consulting & Avison Young, dated October 2021), they are satisfied that the specific issues they had raised would be resolved in the Open Space Zone A phase of the development. Natural England have concluded that there will be no significant adverse impacts on Red Moss SSSI by the proposed development.

The wetland (SSSI) is currently fed primarily from the Nellies Clough surface water channel, which forms the northern boundary of the Moss (SSSI) and which is fed from water passing beneath the former loco works via Nellies Clough Culvert and also the Mill Race Culvert. Limited overland flows emanate from the former Loco Works "Central" Culvert which historically conveyed surface water runoff from the buildings and hard standing within the Works and into the Works Reservoir. The condition of the culvert section through Open Space Zone A has deteriorated over time (existing flows are unrestricted, typically characterised as sediment rich and containing impurities from the former industrial operations) and at present these flows have been known to contribute to flooding into the Moss.

The proposed development to the north of the SSSI, which this Bellway application is part of, will occupy the footprint of the former Loco Works. The site will be subject to an extensive remediation clean up and new separate foul and surface water drainage systems will be introduced for the development parcels which, combined with the treatment of soil contamination and introduction of surface water attenuation features and pipes, will control the discharge volume and improve the quality of water passing through the Central Culvert. The intention is for flows arising from the Central Culvert to be ultimately conveyed through Open Space Zone A via a surface water channel with attenuation features constructed as part of Open Space Zone A to serve the upstream development parcels outfalling away from the SSSI (in the area around the Works Reservoir). Details of the overarching sustainable surface water network design for Open Space Zone A are required to discharge the associated planning conditions relating to the Open Space Zone A planning consent (05378/19).

The applicant has submitted the following proposed sequencing of works:

- 1. Bellway will remediate its phase 2 residential land and as part of the development for 205 dwellings, install a new on plot drainage system which will immediately both reduce surface water inflow to the central culvert from this part of the site and significantly increase water quality.*
- 2. The Bellway phase 2 scheme will also deliver an approximate 300 metre length of the new internal spine road within the confines of the former works plateau area.*
- 3. The working up of the detailed engineering solution for the balance of the spine road will coincide with the preparation of the final design and implementation strategy for Open Space Zone A, which includes the land between the former works plateau and the SSSI.*

4. Natural England, in addition to all other relevant statutory consultees, will be fully engaged as part of the Open Space Zone A design and implementation process which will include the finalisation of a suitable surface water strategy which meets its objectives for the Red Moss SSSI.

Bluemantle, RPS Group and ROC Consulting are currently liaising with the lead local flood authority (LLFA), the Environment Agency and Natural England about developing an updated site wide drainage strategy in conjunction with the development of the Open Space Zone and potentially incorporating the old Loco Works reservoir. Once agreed, this detailed engineering solution will provide a greatly improved sustainable drainage system as well as provide attractive natural water features in the open space.

Phase viability appraisal

As mentioned in the officer's report, a phase viability assessment has been submitted as part of the Bellway application in accordance with the S106 requirements updated in 2019. The assumptions from that S106 agreement is that 7.5% affordable housing would be sought from each landowner and there were fixed payments due for off-site highways, primary school and open space provision. The other payments identified would only be due once a profit rate of 25% had been achieved.

In this instance it is noted that 116 affordable housing units have already been approved within the ownership of Bluemantle (the Lane End development) and these are due to start on site before the end of 2021. On the basis of this commencement and the delivery of a total of 590 units across the Bluemantle ownership, this equates to 19.6% affordable delivery. Members will be aware of the difficulty of delivering affordable housing on this brownfield site with the Morris Homes scheme having been approved with no affordable housing delivery. In addition, the site viability as a whole has been interrogated as part of the approval of £12m marginal viability Housing Infrastructure Fund: the whole site has been accepted by Homes England advisors as being unviable and requiring the £12m support to deliver the spine road. Members will also be familiar with the fact that there is a need to seek further funding from Homes England because the cost of the spine road has exceeded the £12m awarded due to the complexity of the construction and the increase in costs since the award.

This application would deliver a proportion of the spine road, in accordance with the spine road application approval and would not result in any draw down of the £12m allocation from HIF funding. One benefit of the delivery of this application is that the delivery of the remainder of the spine road becomes more certain within the £12m budget: the Council will still be seeking additional support from Homes England in order to accelerate the delivery of the spine road. The delivery of the reduced length of spine road within the £12m or extended budget is evidenced as being achievable both on a cost basis and timescale and the Council is committed to doing everything to ensure delivery.

The Council's advisors on the viability for this phase have raised some queries about the assumptions contained within the viability report, however they have still identified that even on a best case scenario the profit would not exceed 25% as detailed in the S106. There are other opportunities to interrogate the viability of the phase as there is an overage review based on the values of the properties to ensure the predicted values are not exceeded and if they are then the Council would be due a payment. Plus, the Heritage Core application that has just been submitted will also need to be assessed as part of the phased viability review. There is also a further residential parcel to be delivered ("Phase 3") which will need a further phase viability assessment (same landowner) and so officers can reassure

Members that the fine detail of the phased viability will continue to be interrogated, more importantly with the Heritage Core, to ensure this element is capable of being delivered.

With the delivery of this application and proposed commencement of development in January 2022, without the need to draw down any of the £12m HIF funding, it would allow the delivery of the whole spine road to be progressed. As stated within the officer's report, the weight attached to the importance of this strategic site delivery and certainty over an increased housing supply is significant. Officers will continue to interrogate and challenge the landowner to seek to secure as much financial benefit for the Loco Works and the retention of its remaining heritage assets over the course and determination of the next two applications within this phase, as well as ensuring that any house price increases are captured.

In conclusion, the delivery of 19.6% affordable housing within the wider phase and the profit being within the maximum cap set out within the S106 means the current proposed scheme is compliant with the S106 requirements.

Additional suggested condition – tree protection fencing

Following the publication of the officer's report, the Council's Tree Officers have accepted the plan submitted by the applicant detailing the proposed protective fencing around the existing trees to the south of the application site (Phase 2). An additional condition is therefore suggested to ensure that these approved tree protection measures are in place prior to commencement of development and are retained during the construction phase.

Correction – para. 104 of the officer's report

The approved Lane End development comprises 116 affordable dwellings, not 112 as reported.

New planning application for the neighbouring heritage parks

A new Reserved Matters application for the two heritage parks, to the west of Bellway Homes' proposed development and within the Heritage Core, has been received by the LPA (currently awaiting validation). The proposals include a park on land between the Lane End development and the Rivington House Roundabout and a larger memorial park to the east of the Lane End development and adjacent the community core access road. Below are artist impressions of the proposals:



Recommendation to Members

The recommendation within the officer's report to Committee is to delegate the decision to the Director to allow for the signing of a supplementary Section 106 Agreement. The applicant however does not require a separate agreement to the original Section 106 (the

original Section 106 Agreement to the hybrid approval, along with the subsequent 2019 Deed of Variation), as the original agreement remains fully applicable to this latest proposal (the proposal complies with the requirements of the original S106). Members are therefore recommended to approve this application subject to the suggested conditions.