



The Planning
Inspectorate

Report to Bolton Metropolitan Borough Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO BOLTON METROPOLITAN BOROUGH
COUNCIL'S CORE STRATEGY**

DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 7 May 2010

Examination hearings held on 7, 8, 9, 14, 15, 16 September and 14 October 2010

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ABBREVIATIONS USED IN THIS REPORT

AMR	Annual Monitoring Report
BHVA	Bolton Housing Viability Assessment
BREEAM	Building Research Establishment Environmental Assessment Method
CD	Core Document
CIL	Community Infrastructure Levy
CS	Core Strategy
CSC	Consolidated Suggested Changes
DCLG	Department for Communities and Local Government
DPD	Development Plan Document
EA	Environment Agency
GMJTT	Greater Manchester Joint Transport Team
GMPTe	Greater Manchester Passenger Transport Executive
HA	Highways Agency
HCA	Home and Communities Agency
IDP	Infrastructure Delivery Plan
ONS	Office for National Statistics
PAS	Planning Advisory Service
PCT	Primary Care Trust
POL	Protected Open Land
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
RSS	Regional Spatial Strategy
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
TE	Transforming Estates
UDP	Unitary Development Plan

Non-Technical Summary

This Report concludes that Bolton Metropolitan Borough Council's Core Strategy Development Plan Document provides an appropriate basis for the planning of the Borough during the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

The Council proposes a number of changes, summarised as follows:

- More detailed consideration of the risks to the delivery of the Core Strategy, monitoring on a yearly basis by means of the Infrastructure Delivery Plan and the Annual Monitoring Report, the handling of contingencies, alternative strategies for the handling of uncertainty and the circumstances in which their use would be triggered;
- Greater attention to key delivery items, especially the expected year of their completion;
- Additional references to national planning policies;
- More positive drafting of various criteria in certain policies;
- Updating of information, clarification and amplification of various paragraphs.

The sole change which concerns soundness and which is needed to meet legal and statutory requirements relates to contingencies. The Council puts this change forward in response to points raised and suggestions discussed during the public examination. I recommend that it be included in the Core Strategy. All the other changes which the Council suggests are minor and I endorse them. They do not alter the thrust of the Council's overall strategy.

Introduction

1. This Report contains my assessment of the Council's Core Strategy Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the DPD is compliant in legal terms and whether it is sound. Planning Policy Statement (PPS) 12 (paragraphs 4.51-4.52) makes clear that to be sound, a DPD must be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The basis for my examination is the submitted Bolton Council's Core Strategy Publication Document January 2010 together with the Council's Suggested Changes for Submission (April 2010). Since the submission of the Core Strategy on 7 May 2010, the Council has produced Additional Suggested Changes (September 2010) and Additional Suggested Changes Addendum to September 2010. On 14 October 2010, minor changes resulting from the final hearing were circulated to participants present on that day. All these changes, pre- and post-submission, published on the Council's website, have been brought together in the Consolidated Suggested Changes (CSC) October 2010 (Appendix A).
3. My Report deals with the sole change that is needed to make the DPD sound. This change is headed Contingencies and appears at page 5 of the CSC. I recommend its inclusion in the Core Strategy. I endorse all the other changes, which are minor, set out in that document. None should materially alter the substance of the plan or its policies, or undermine the sustainability appraisal or the participatory processes undertaken.
4. Some of the changes put forward by the Council are factual updates, corrections of minor errors or other minor amendments in the interests of clarity. These changes do not relate to soundness. They are therefore not referred to in this Report although I endorse the Council's view that they improve the plan. I am content for the Council to make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption. Owing to the present status of the RSS as part of the development plan, the Council should not delete references to it in the Core Strategy. The suggested change which goes to soundness has been subject to public consultation and I have taken the consultation responses into account in writing this Report.

Assessment of Soundness

Preamble

5. Two months or so before the first Hearing, the Secretary of State revoked RSSs and so the RSS for the North West ceased to be part of the development plan. This decision was, however, quashed on 10 November 2010. PPS 3 has been re-issued with an amendment to the definition of previously-developed land to exclude private residential gardens, together with the deletion of the national indicative minimum density of 30 dwellings per hectare. The Council has issued a statement (CD 454) about the implications of these matters for the CS and I have taken the comments of participants into account in writing this Report.

6. Although the housing requirement for the Borough is set out in the RSS, the Council draws on its own evidence base to justify its figure of an annual average of 694 dwellings. This evidence includes the SHMA (CD/402) which indicates the scale of housing need in the Borough. The Council is content to rely on all this evidence to support the housing figures in the CS and I have no reason to challenge this stance. I do, however, refer below to matters that may lead to a review of these figures and other elements of the strategy in due course. Much the same applies to the employment figures, and again the Council relies on its own mainly local-based evidence. I make a few references to RSS where this would be helpful, but there is no need for any significant change to be made to the CS as a result of the present status of the RSS as part of the development plan or the revisions to PPSs.

Main Issues

7. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified 7 main issues upon which the soundness of the CS depends.

Issue 1 – Whether the Core Strategy's spatial strategy and proposals for sustainable growth are consistent with national planning policy

8. The spatial strategy comprises 5 main elements.
9. Bolton town centre will continue to be a vibrant mix of uses and the main location for retailing, leisure, cultural and civic activities, with such historic assets as Listed Buildings and Conservation Areas being protected by relevant legislation and planning policies. This accords with national policies including PPS 4 Policy EC4 for the promotion of competitive town centres and the Government's objectives set out in PPS 5 for the conservation of the historic environment and its heritage assets.
10. Secondly, renewal areas, particularly those which include a substantial amount of residential development, will be transformed by new investment and development. The 10 year Transforming Estates (TE) programme will have a significant role in regeneration focused primarily around Council estates in regeneration areas. This type of urban regeneration accords with the Government's key housing policy goal of ensuring that everybody has the opportunity of living in a decent home, which they can afford, in a community where they want to live and in locations which, in line with PPG 13, reduce the need to travel.
11. Thirdly, the M61 corridor will be the focus for a substantial amount of new employment opportunities which would be accessible to people who need jobs. The main locations identified are the Horwich Loco Works and Cutacre. In principle these proposals meet the Government's objectives set out in PPS 4 for prosperous economies, the Loco Works according especially with national policies for regeneration and Cutacre with national policy to improve the economic performance of cities.
12. Fourthly, the high quality visual environment of the outer parts of the Borough, including the Pennine moorlands, remnant woodlands, pasture and river valleys, will be protected and enhanced. This objective accords with the Government's overall aim of protecting the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and the wealth

of its natural resources so it may be enjoyed by all. The CS is thus based upon a sense of local distinctiveness, as PPS 12 requires.

13. Fifthly, Bolton will be playing its full part in achieving the economic, environmental and social potential of Greater Manchester and the North West. Owing to the location of the Borough in Greater Manchester and the journey to work pattern, it makes sense to acknowledge the relationships between Bolton and neighbouring towns and cities and to ensure that they are strengthened, to the advantage of all.
14. In these ways, the CS will provide for sustainable growth. Each policy or group of policies has 2 supporting tables, one on key delivery items and one on monitoring and the measuring of delivery. The measuring delivery table states which strategic objective will be met through the policy(ies), the indicators and targets to be used in monitoring delivery and how phasing will be applied to the policy(ies). Rightly, monitoring will be carried out on a regular basis through the Council's AMR.
15. The CS sets the framework for development for as far ahead as 2026 and there are bound to be overall risks to its delivery as a whole. The economy is fragile at present and the amount of development of all types, and particularly for housing, offices, industry, retail and leisure, could be less than is envisaged and/or take longer to complete. Public sector physical, social and green infrastructure may lag behind the programme for its provision, and progress on key sites could be delayed, resulting in the proposed amounts of development being below the relevant targets set for particular times in the plan period. The prospects for timely development at the 2 main locations along the M61 corridor are good at present but, should this change for whatever reason, the delivery of sufficient homes and employment opportunities for the Borough as a whole would be at risk.
16. A strategy is unlikely to be effective if it cannot deal with changing circumstances, and it is vital and a matter of soundness that the CS accords with national policy in PPS 12 paragraph 4.46 and contain the flexibility to demonstrate how it can handle contingencies. It should show what alternative strategies have been prepared to handle uncertainty and what would trigger their use. But those alternative strategies should not undermine the CS; they should be compatible with its 5 elements outlined above and hence with the spatial strategy as a whole. Apart from at Cutacre, the identification of Green Belt, POL or any other tract of countryside for such purposes as residential or employment development would prejudice the CS and should be resisted. It would undermine crucial elements of the strategy, including its important objectives of protecting the countryside and containing the built-up area. Furthermore, the encouragement of development on such predominantly open land would be likely to divert the attention of developers from the urban area and thereby thwart the worthy objective of its regeneration.
17. The Council proposes a change to the CS to deal with the matter of uncertainty, contingencies and, where appropriate, trigger points. This is a matter of soundness. For development for housing and for economic purposes such as offices, industry, retail and leisure, the Council would work with developers to bring land forward, including its own, use its powers of compulsory acquisition if necessary, expedite planning permissions and prepare development briefs. No doubt it avails itself of these opportunities in any event, but they would none

the less be appropriate in the circumstances outlined. The M61 corridor locations are fewer in number and larger in size, and it seems unlikely at present that substantial problems in their delivery will be encountered. Nevertheless, if alternative land has to be found for the homes and jobs which they were due to provide, it should be found within the confines of the main built-up area, even though this alternative strategy might result in the identification of smaller sites.

18. The spatial strategy and proposals for sustainable development are clearly set out in the CS, as suggested to be changed, explaining for example the amount and location of various types of development. They are sufficiently justified by a comprehensive and robust evidence base. They are effective and there is no reason why during the life of the plan they should not realise the Community Strategy's 6 key themes of a healthy, achieving, prosperous, safe, cleaner/greener and strong/confident Bolton.
19. The Council's plan for the spatial vision for the Borough with its succinct set of 5 objectives which is set out in CS paragraph 3.12 and the emphasis on climate change clearly sets out the way forward. Provided that the recommended change headed "Contingencies" is included, national policy, particularly PPS 1, its Supplement on Climate Change and PPS 12, will be satisfied and the proposals will be deliverable, clear, sufficiently justified, effective, and therefore sound.

Issue 2 – Whether the Core Strategy is sound in meeting local housing needs, including the provision of an appropriate mix of housing and the delivery of a suitable number of affordable homes

Local housing needs

20. The RSS proposes 10,400 dwellings for Bolton (2003-2021) at an annual average of 578. The Council had suggested at the RSS Examination in Public an annual average of 650 net completions to reflect the pressing need for affordable housing, the capacity to accommodate dwellings on previously-developed land including in the town centre, and aspirations for the Borough. In March 2009 the DCLG set out its latest household projections which were based upon the 2006 population projections published by the ONS in June 2008. It envisaged households in the Borough increasing in number by 720 annually from 2006 to 2031. Net completions in recent years have ranged widely from 372 in 2009/10 to 1,174 in 2007/08, at an annual average of 753.
21. From these figures, and other evidence including the SHMA, I am satisfied that the Council's total of 12,492 dwellings (2008-2026) at an annual average of 694 is of the right order of magnitude. It lies comfortably within the range of predicted requirements. It provides for an increase of about 20% above the RSS requirement and accords with the designation on 16 July 2008 of Greater Manchester as a Housing Growth Point whose constituent authorities have committed themselves to high levels of housing delivery during 2008-2017.
22. The CS aims to provide for 80% of new dwellings, including conversions, on previously-developed land. Examples include the Horwich Loco Works and former cotton mills. The percentage in recent years has varied from 78% in 2005 to 99% during April 2009-March 2010. In March 2010 there was outstanding capacity in terms of land with extant outline or full planning

permissions or under construction for 5,606 dwellings of which 96% would be on this type of land (Bolton Housing Land Requirements and Supply Briefing Note 2009/10). Given the amount of vacant and under-used land in the Borough, these high percentages are not surprising. Although this land is a finite resource at any one time, there is no reason why 80% or so should not be achieved for the foreseeable future. It accords with national policies for regeneration, redevelopment and the target of providing at least 60% of new housing on well-located previously-developed land.

23. The remaining 20%, taking the total of new homes on previously-developed land up to the above-mentioned 80%, is expected to come from the TE programme for renewal. The original target of this programme was up to 6,000 homes, still an aspiration, but in view of the expected financial constraints during at least the next few years, the current target of 2,000-4,000 is more realistic for the 15 year plan period. Significantly, there are at present as many as 202 funded dwellings under construction, and this might suggest a possible total of 3,000 during the plan period. The wide range allows for considerations like the views of local people and the recreational and/or civic design value of open areas on housing estates to be taken into account. There is a good deal of political will to support this programme. An improving economy should help in the years to come, and any remaining doubts about the deliverability of the higher number of dwellings specified does not justify development on Green Belt or POL, contrary to the sound spatial strategy.
24. The recent annual average of net completions (753) suggests, should it continue, a 5-year supply for 3,765 dwellings for 2011-2016. Even with a non-implementation rate of 20%, the permissions for 5,606 dwellings is more than enough to provide for a 5-year supply at 694 net annual completions, and the continuing grants of planning permissions on windfall sites are likely to add to capacity. The SHLAA (March 2009) assessed nearly 400 sites in terms of their suitability, availability and achievability for housing. Its Priority 1 sites have the fewest constraints and indicate a total capacity of 8,191 dwellings. To this can be added its identified supply of 5,548 dwellings on sites with planning permission. The evidence base clearly demonstrates a 5-year supply of housing land. Priority 2 sites where in accordance with the spatial strategy and not, for example, on POL, may contribute to needs after 2016. The requirements of PPS 3 are met.

Mix of dwellings

25. The Council accepts that, in view of the good number of flats completed since 2003, there should be a greater emphasis on providing larger dwellings to meet family needs. There is no conflict between its focus on previously-developed land and securing an appreciable amount of family housing. The Horwich Loco Works is a likely candidate for some larger dwellings, but there is no reason in principle why regeneration of other land should not make a worthwhile contribution to the need for larger dwellings. The TE programme should also result in more family housing. Policy SC1.4 ensures that 50% or so of market and social rented dwellings should be 3-bedroomed or larger, and this complies with national policy in PPS 3 to promote mixed communities including in terms of a mix of different households such as families with children, single person households and older people. This approach is not inconsistent with the Council's minimum density standard of 30 dwellings per hectare.

Affordable housing

26. The CS provides that open market housing sites with a capacity of 15 or more dwellings will include affordable homes. On previously-developed land, 15% of the homes should be affordable, with 35% on greenfield land. A significant quantity will be through the TE programme with up to 50-60% of the homes being affordable and with other opportunities created by the Local Authority New House Build programme sponsored by the HCA. On the basis of these requirements and contributions, Policy SC1.3 seeks to ensure that 35% of all new homes will be affordable, of which 75% will be social rented and 25% will be intermediate. The Policy is supported by the BHVA (December 2009) and the SHMA (2008). These documents and other evidence substantially justify the approach of the CS. Every site will, of course, have to be considered on its merits, and financial viability is likely to vary from one site to another. The Policy rightly acknowledges this, and allows for a lower percentage and/or a different tenure split where it can be clearly demonstrated that the scheme would not be financially viable and that the affordable element is being maximised. The Policy provides a firm, clear and certain basis for securing the maximum number of affordable homes and the flexibility to allow for exceptions where justified. It is a good starting point for negotiations and accords with national policy in PPS 3.

27. The CS includes an annual target of 243 affordable homes, but this has not been met in recent years with completions varying from no more than 85 in 2008/09 to 164 in 2007/08. That does not mean, however, that substantial amounts of greenfield land must be identified for residential development. This would be contrary to a sound spatial strategy and prejudicial to the urgent need for the regeneration of urban areas. Economic conditions are likely to change during the next 15 or so years as they have done before. Nevertheless, the Council and its partners are in no doubt about the pressing need for affordable housing in the Borough and are fully committed to, and pro-active in, meeting the challenge. Useful progress has already been made on the TE programme and there is a clear political will to ensure delivery of the maximum number of affordable homes during the plan period. These are vital considerations, and the emphasis must be on keeping to the Policy, monitoring delivery and, if need be, relying on the contingency arrangements to secure a suitable number of affordable homes. For these reasons, the affordable housing policy has a realistic chance of achieving its ends.

Issue 3 – Whether the Core Strategy's approach to economic development, town centre uses and the protection of employment land is clearly articulated, sufficiently justified and in line with national policy

Employment land

28. The Council has assessed 3 types of sites in its Employment Land Study (the Arup Report – September 2008). They are those allocated in the UDP but not implemented, those identified through the "call for sites" exercise and town centre sites with the potential for economic development. This assessment accords with PPS 4 Policy EC1.3(d). In principle, employment sites should be protected for their intended purpose, and this is the approach which the CS adopts. It clearly indicates the location and quantity of employment land up to 2026, setting out in more detail the approach to redevelopment for employment purposes in the town centre, the renewal areas and of the mills. In particular,

office development will be concentrated in the town centre, especially in the Innovation Zone, Merchants' Quarter and Church Wharf. This approach accords with the spatial strategy and with national policy to promote the vitality and viability of town centres as important places for communities, and the same applies to the retail and leisure policies. The concentration of public transport services on the town centre, especially with the upgrading of Bolton rail station as part of the proposed Interchange, serves to justify and reinforce the strategy.

29. It is proposed to allocate 145-165 ha of land for employment use. The amount required will depend upon a variety of factors, including the type of employment opportunities, density of development, the assumed continuing trend in the local economy away from manufacturing towards a more knowledge-based economy, any trends towards working at or from home and the general economic climate during the 15 year life of the plan. The RSS does not provide a figure for the Borough, and the Council relies on its own employment land studies. A wide range of expected requirements has been put forward by participants during the preparation of the CS and as part of its Examination. The current proposal is somewhat more than the 140 ha proposed in the UDP only 5 years ago, and somewhat less than the 155-175 ha in the Preferred Option for 2008-2026 and the 175-195 ha proposed in the Arup Report for 2007-2026 when economic conditions were more favourable than they are at present.
30. Prediction is an inexact science, but the evidence base is thorough and the proposal in the CS is within the general order of expected requirements. It is realistic and justified by the evidence base. No Council of a neighbouring Borough has objected to it. A broad location for manufacturing and distribution is proposed at the Cutacre opencast colliery, the extent of the site being up to about 80 ha. The nature, location and limited extent of existing employment sites and the likely amount, location and type of future land requirements justify this proposal. Quality, as well as quantity, is a vital matter in attracting employment to the Borough. This consideration, together with the Council's focus on town centres and sites close to them for job creation, accords the strategy with the sequential approach set out in PPS 4.

Retail, leisure and other development

31. The CS clearly identifies a variety of sites for new retail development to allow for a comparison goods floorspace of up to 130,000 sq m after 2016, concentrated in the town centre. This derives from the Retail and Leisure Study assessment of 74,300-134,600 sq m, based upon 3 scenarios. The amount of retail development proposed up to 2016 reflects existing commitments which have not yet been implemented, including the Central Street phase for a retail-led mixed use development. The CS acknowledges the importance of local centres like Westhoughton and Horwich, and their contribution to local community life. This complies with PPS 4 Policy EC3.1b which refers to a network and hierarchy of centres.
32. Future requirements will depend upon such considerations as the degree to which retention levels are maintained, the effect of under- or over-trading, any changes to the catchment area, the effect of the shopping offer in nearby towns and the trend towards more on-line, mail order and TV shopping. The Study deals with these uncertainties in a pragmatic way and, bearing in mind the

Council's worthy commitment towards strengthening the role and attractiveness of the town centre, the CS retail policies are justified.

- 33.A Health, Leisure and Research Centre is currently being developed next to the University of Bolton within the Bolton Innovation Zone. This is part of the ongoing investment in higher and further education. The Council is represented on the local Skills Board and this provides a good opportunity for the Council, University, local employers and developers to come together on a regular basis to ensure that courses can be tailored as much as possible to meet likely future employment requirements. This is further evidence of the Council's commitment to job creation and should be seen as a key component of its employment policies.
- 34.The CS was published before PPS 4 was issued, but it complies with this national policy. Its policies are justified by the evidence base and, in terms of sustainable economic growth, it is sound.

Issue 4 – Whether the Core Strategy provides sufficient protection for, and preservation and enhancement of, the built and natural environment and introduces measures of sufficient force to mitigate any potentially adverse effects upon these interests

The built environment

- 35.The CS was published 2 months or so before PPS 5 was issued. This national policy refers to heritage assets which are designated and those which, although not designated, are of heritage interest. Heritage assets are described as those parts of the historic environment which have significance because of their heritage, archaeological, architectural or artistic interest. Bolton has a distinctive, attractive and interesting townscape quality deriving from its industrial past based upon textiles. This is acknowledged by the number and extent of the Conservation Areas and Listed Buildings. These Buildings include the magnificent Grade II* Listed Town Hall, and the number of Listed mills draws further attention to this heritage, which is well worth protecting. The Council has amply demonstrated its commitment to this objective.
- 36.The policies are consistent with national policy. Policies TC3, TC9 and TC11 in particular are based upon the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy TC9.1 takes a realistic approach to the reuse of buildings within a Conservation Area. The designation of a Conservation Area does not place an embargo upon development, and the Council recognises that some buildings in it may be of low architectural quality, of no historic interest or beyond viable repair. In those cases, the Council rightly considers that it is better to preserve or enhance the character or appearance of the Area by protecting the best quality and most distinctive buildings and permitting development in accordance with S72 of the Act rather than letting it be blighted by unviable, redundant and low interest buildings. This approach is amplified in the SPD "Building Bolton".

Open space

- 37.The Council intends to protect and improve the most valuable open spaces in the Borough. These, be they Historic Parks or Gardens, allotments or playing fields, are vital elements in the character of the urban areas and, where

appropriate, are an important recreational resource for local people. The Council's commitment to the Borough's parks is demonstrated in the improvements to Queen's Park. Policy CG1.3 confers adequate protection on these open spaces. Policy CG1.4 provides that, where informal open space is of poor quality, residential development can take place on it provided that it would fund improvements on under-resourced but well-used and conveniently accessed spaces. This is a realistic and pragmatic approach. In these ways, the policies and the Council's overall approach to open space, based upon its comprehensive Open Space Assessment, is consistent with national policy in PPG 17. It will be an important consideration in the Council's TE programme. There is no doubt about the Council's commitment, as expressed for example in CS Policies CG1.1 and CG1.2, to safeguard and enhance biodiversity in both rural and urban areas, and this objective accords with national policy in PPS 9.

Climate change

38. Climate change represents a potentially catastrophic threat, and the CS tackles it in various ways. The spatial strategy, with its emphasis on steering development to within the built-up area where jobs and services are, or more likely to be, provided, thereby reducing the need to travel especially by car, is a good start. A complementary approach is the focus on the recycling of well-located previously-developed land. Strategic Objectives 7, 8 and 10 set the scene for more detailed consideration in such CS Policies as CG2.1, CG3.1 and CG3.6 which deal with standards of sustainable construction and design. Some participants have reservations about Policy CG2.2 which sets certain requirements, including Level 3 of the Code for Sustainable Homes or the "very good" BREEAM rating (or any subsequently adopted set of national sustainable construction standards), for 5 or more dwellings or 500 sq m or more of other types of development. It is alleged that these thresholds are too stringent and could deter prospective developers.

39. The Council's bold stance on the matter is to be applauded. Its approach strikes a balance between environmental aspirations and economic viability and the Council's unchallenged evidence is that it has been successfully applied during the last 2 or so years through its Sustainable Design and Construction SPD. In this way it accords with national policy in the Supplement to PPS 1 Planning and Climate Change in anticipating levels of building sustainability in advance of those set out nationally. Every planning application must be determined on the basis of the development plan and there might be exceptional cases where, for whatever reason, it would not be practicable to achieve these standards. As the legislation allows, material considerations might outweigh this particular part of the Policy, but the Policy should normally prevail. The Council should bear in mind that, as the Policy sets out a local requirement for sustainable buildings, it should be applied primarily to development areas such as the town centre, Horwich Loco Works, Cutacre and projects of sufficient size in the TE programme.

Flood risk

40. The Council's evidence on flood risk is convincing and the CS has policies, including CG1.1 and CG1.5, to deal with it. The EA supports the Council's approach, and it accords with national policy in PPS 25.

Conclusion

41. The CS includes sufficient protection for the interests identified and its effective measures are of sufficient force to provide suitable mitigation of any impact arising from development. It is sound in these respects.

Issue 5 – Whether the Core Strategy provides satisfactorily for the delivery of development, particularly its required infrastructure, and convincingly demonstrates adequate monitoring of its provision and measures designed to rectify any shortcomings

42. The IDP (July 2010), prepared in accordance with the PAS "Steps Guide to Infrastructure Planning" is rightly described as a living document. It identifies the infrastructure required during the plan period, when it will be needed, the responsibility for its provision and how it will be funded. It is part of the evidence base and it will be updated annually, thereby complementing the AMR. All the infrastructure commitments are based upon sound evidence and are effective as they rely on a good understanding of delivery resulting from the Council's detailed discussions with its partners across the public sector.

43. Economic conditions and public sector investment are likely to change during the life of the plan, and CS paragraph 2.38 suitably acknowledges current conditions and their likely consequences. The provision of some infrastructure will no doubt be delayed, and that could have an effect upon those development proposals relying upon it. Nevertheless, the infrastructure would still be necessary, and the IDP will give the Council and its partners the opportunity to review progress, identify funding priorities and gaps and make any necessary adjustments within the framework and flexibility of the CS.

44. The information in the IDP Schedule is clearly set out in 3 colour-coded levels of priority. It comprises committed capital programmes or those which are secure or ongoing or completed developments (orange), uncertain capital available or uncertain timescales (dark yellow) and those projects that have had funding removed but are still required or are longer term aspirations (light yellow). As the IDP is reviewed, the colour coding can be altered to reflect more confident economic circumstances and/or changing priorities for funding. The length of the plan period and the present financial climate make aspirations, rather than guarantees, inevitable but this should not be construed as raising false hopes.

45. The IDP takes a pragmatic approach in uncertain times and is clear, comprehensive and convincing. A Project Board has been set up to ensure that there is a focal point that supports it, ensuring that it remains realistic and deliverable. It includes Assistant Directors and Principal Officers from various Council departments, especially Development and Regeneration, Highways, Property and Housing, as well as representatives from the PCT, the Royal Bolton Hospital, the University of Bolton, Bolton College and the GMJTT. This demonstrates the Council's commitment to the delivery of infrastructure at such time as it is reasonable to predict in current circumstances. Some infrastructure will continue to be provided by private developers through, for example, Section 106 agreements in compliance with the terms of Circular 05/2005. The CIL may also provide further funding. There is no doubt that the Council will continue to collaborate with its partners and other infrastructure providers to devise an appropriate framework for negotiation for developer contributions for the provision of infrastructure. Policy IPC1 applies.

46. Development schemes of some significance will continue to depend upon the public and/or private provision of infrastructure. The CS satisfactorily provides for their delivery and their required infrastructure, and the Council is committed to effective annual monitoring, both of the IDP and by way of its AMR. The alternative strategies and other measures set out in the contingency arrangements, designed to rectify any shortcomings, are justified, effective and comply with national policy. In these respects, the CS is sound.

Issue 6 – Whether the Core Strategy's proposals for the M61 Corridor are effective, justified and consistent with national planning policies

Introduction

47. The main proposals for this part of the Borough concern the former Horwich Loco Works and the Cutacre opencast colliery site.

The Horwich Loco Works

48. Policy M1 provides for the redevelopment of the Loco Works for a sustainable mixed use community primarily for employment and housing. Policy M2 sets out guiding principles to ensure its sustainability, relating to such matters as traffic generation, public transport services and the protection of the Red Moss SSSI. It is previously-developed land close to Horwich town centre, and hence well-located, and its redevelopment should make a useful contribution to the Borough's housing and employment needs during the next 15 years. Discussions will continue with a view to finding suitable alternative provision for existing activities. Phasing, from 2013, should assist in its integration into the wider community and contribute towards the vitality and viability of the town centre. None of the former railway sheds is a Listed Building, but much of the land is a designated Conservation Area and so CS policies for the protection of heritage assets will apply.

49. The prospective developer and the Council own about 50% of the site including those parts of it which allow for a good start to be made on the overall scheme, primarily through the provision of employment opportunities and housing. Negotiations with the 3 other owners of much of the rest of the land should result in a speedy, successful outcome, with no resort to compulsory acquisition. Proposed access arrangements are satisfactory, and there is no need for more land to be brought into the scheme, contrary to the spatial strategy, to provide additional or alternative access or for any other purpose. The evidence demonstrates that the scheme is viable, deliverable, flexible and can be monitored. The parties share a commitment to it as convincingly demonstrated in the IDP with the developer financially committed to both on and off-site works. The proposal is effective, justified and complies with national policy, particularly for the redevelopment of well-located previously-developed land. There is no doubt that all concerned will continue to work closely together to ensure a sustainable development scheme, with about 1,600 new homes and up to 4,000 or so new jobs.

Cutacre

50. Policy M3 provides for the identification in the Allocations DPD of a site at Cutacre for manufacturing and distribution. It is described as a "broad location" for a strategic site. The Council proposed a 144 ha site at the Preferred Options

stage which would have resulted in the loss of 92 ha of Green Belt, but this is now reduced in the CS to a site of up to about 80 ha with up to about 40 ha of land removed from the Green Belt. As PPG 2 makes clear, this type of development is inappropriate in a Green Belt and is therefore, by definition, harmful to it. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness, and the openness of this part of the Green Belt would be harmed by both the Council's and UK Coal's proposals. The former, as mentioned, is for an overall extent of up to about 80 ha whilst the latter is for a net developable area of up to about 80 ha.

51. Prior to the excavation of the coal, allowed by the Secretary of State on appeal, the Green Belt part of the opencast operation was an attractive part of the countryside and much valued by local people, whether footpath walkers or not. The restoration plan, required by a condition of the planning permission, is to return that part of the site to its former state as open countryside with public recreation and leisure facilities, and the amount of development envisaged in both proposals would prejudice the main intentions of the restoration plan. Either would encroach into the countryside, harming its rural character and bringing the main built up area closer to dwellings at Over Hulton. These considerations constitute further harm to the Green Belt.
52. The proposals for Cutacre have the potential to result in more congestion, inconvenience and danger upon nearby roads, including the M61, which traverse the Green Belt. This disturbance, unwelcome in itself, would alter the prevailingly quiet nature of the Green Belt and constitute further harm to it. The proposals at the Loco Works could compound the problems. The CS does, however, anticipate them and prepares for their alleviation. Its strategy is to promote development in places in, and close to, the existing urban area where public transport services exist and/or have the greatest potential for improvement. Its Policy M2 envisages measures such as travel plans, better bus and train services, good facilities for cycling and walking and off-site improvements and the Council and its partners are committed to the same approach for Cutacre. Detailed discussions with the HA, GMPTE and other bus operators will continue, and these bodies raise no objection to the amount or type of development proposed along the M61 Corridor. Anxiety about present and future traffic generation and congestion should not thwart the proposals.
53. There are other considerations. Bolton needs 145-165 ha of employment land, but only 40-55 ha can be identified in the town centre and renewal areas. Not only is that insufficient to provide for future jobs but the employment sites within the urban area are generally small, awkwardly shaped, seldom have good access, are often poorly located and invariably subject to other constraints including existing buildings and closeness to dwellings. One, near Thynne Street, almost entirely comprises a fishing lake. Some may provide useful opportunities for local firms to expand or relocate, but they are highly unlikely to be attractive to the more footloose companies with requirements for space and good access to motorways. They may see a choice not between Cutacre and, say, a small inner area site but between Bolton and another town or city with a business park or similar on its outskirts. Bolton needs the type of development proposed at Cutacre to provide a variety of much needed jobs for local people and to promote the Council's objective of a prosperous Borough.

54. The broad location is a good one. It is 3-4 miles from Walkden railway station, although the present service is infrequent and the bus service far from ideal. Nevertheless, its size and closeness to the main built up areas of Bolton, Salford and Wigan and to neighbourhoods where many people are seeking employment, gives it the potential to provide a wide variety of jobs for the future. In line with an important CS objective, the development would serve to promote economic prosperity and narrow the gap between the most and the least well off. The Illustrative Masterplan prepared on behalf of UK Coal includes 235 ha of public open space in the form of a country park and the landscape will incorporate new and enhanced habitats for protected and notable species. Salford Council's Draft Core Strategy proposes the bringing of about 40 ha of land to the west of Little Hulton into the Green Belt, and this would go a good way towards compensating for the loss of Green Belt in Bolton.
55. The land is under the control of one owner, UK Coal, which is willing and able to promote a scheme generally in accordance with the Council's proposal. There will therefore be no delays resulting from land assembly or compulsory acquisition. The IDP demonstrates the commitment of private finance to it. Mining operations are due to finish in late 2011 with the completion of the restoration scheme at the end of 2012. There is no reason to doubt that, following the adoption of the Allocations DPD, development could start in 2013 or shortly thereafter, bringing the 2,500 or so much needed jobs to Bolton and to neighbouring Boroughs.
56. As UK Coal shows on its Constraints Map, the area is affected by severe constraints, including high pressure gas mains, the Thirlmere aqueduct and electricity pylons. This will decrease the amount of land which could be developed within the extent of the 80 ha to which Policy M3 refers, as well as having a substantial effect upon the layout and pattern of roads and buildings. Owing to the amount and type of employment land which Bolton needs, the 80 ha should be construed as being the net development area, not the overall extent of the site. This will result in the loss of more Green Belt than the Council now envisages, but the constraints and need justify it and it makes for a more effective scheme.
57. The development should be at a suitable density. It would be ironic if land were to be taken from the Green Belt only to result in types of warehousing and distribution centres which generated few jobs and of a low-skill nature. It is clear that the Council, developers and other relevant parties will work together to ensure a wide range of jobs, including those based upon high skills and knowledge. The Skills Board will have a part to play.
58. There is much local opposition to both the Council's and UK Coal's proposals, and it is not unusual for local people most affected by the loss of Green Belt and part of the countryside to resist development. But the decision must be made in a Borough-wide context. Such is the urgent need for a wide range and good number of jobs in the Borough that the harm to the Green Belt by reason of inappropriateness and the other harm identified is clearly outweighed by other considerations. This amounts to the exceptional circumstances to which PPG 2 paragraph 2.7 refers and justifies a change to the Green Belt boundary.
59. Cutacre should proceed as a suitable broad location for economic development with its exact extent being defined in the Allocations DPD. Its arrangement of

roads, buildings and other features should be matters of discussion between the Council, developers and all relevant parties.

Other locations

60. Only relatively small sites remain for development at Middlebrook, Parklands and Lostock. They are suitable mainly for firms requiring less restricted sites than could be provided in the town centre. There is no conflict here with policies designed to attract development to the town centre.

Conclusion

61. These proposals for the M61 Corridor are justified and effective, especially in terms of deliverability. They are consistent with national policy, particularly with regard to the regeneration and development of well-located previously-developed land at the Loco Works and the facilitation of a broad range of economic development at Cutacre. The Council has considered opportunities for development within the urban area contained by the Green Belt and exceptional circumstances exist which justify an alteration to the Green Belt boundary.

Issue 7 – Whether the Core Strategy proposals for Westhoughton are effective, justified and consistent with national policy; and other matters

62. No major change is proposed for Westhoughton, and so the Green Belt and POL around the town will be retained. Any development on this open land would contravene national and local policies for its protection and would undermine the sound spatial strategy. This approach accords with the views of local residents who consider that development in the town has outstripped the infrastructure upon which it relies.

63. Better rail services at Lostock and other stations, including the frequency of trains, would be better considered in the Local Transport Plan.

64. The CS is effective, justified and in accordance with national policy, and hence sound, with regard to all its other policies and contents examined.

Legal Requirements

65. My examination of the compliance of the CS with the legal requirements is summarised in the table below. I conclude that it meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS November 2009 which sets out an expected adoption date of March 2011. The Core Strategy's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in February 2007 and consultation has been compliant with the requirements therein, including the consultation on the post-submission Suggested Changes which culminated in the Consolidated Suggested Changes October 2010.
Sustainability Appraisal (SA)	SA has been carried out, independently verified and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (October 2009) sets out why an AA is not necessary.
National Policy	The Core Strategy complies with national policy except where indicated and changes are endorsed.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The Core Strategy complies with the Act and the Regulations.

Overall Conclusion and Recommendation

66. I conclude that, with the sole change concerning soundness suggested by the Council which is set out in Appendix A at pages 5, 6, 7 and 8 under the heading Contingencies, Bolton Metropolitan Borough Council's Core Strategy DPD satisfies the requirements of S20(5) of the 2004 Act and meets the criteria for soundness in PPS12. And for the avoidance of doubt, I endorse all the Council's suggested minor changes set out in Appendix A with the exception of those which delete references to the RSS.

Richard E Hollox

Inspector

This Report is accompanied by Appendix A (separate document) Bolton's Core Strategy Consolidated Suggested Changes October 2010 which comprises all the Council's Suggested Changes.