

**YULE CATTO & CO PLC**

**FORMER WILLIAM BLYTHE WORKS  
HAPTON, BURNLEY**

**DRAFT DEVELOPMENT BRIEF**

**JULY 2011**

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## **1. Introduction**

- 1.1 This Development Brief relates to the former William Blythe chemical works site located within the village of Hapton. The site has been vacant for approximately three years after manufacturing operations ceased and production was relocated to the company's site at Church. The site has been cleared of former buildings and structures and is vacant. In addition, the first phase of the site's remediation and preparation for development is underway, comprising the capping and restoration of a former landfill on site. Having reached these key milestones, the site now represents an important previously-developed land resource for the Borough, with significant regeneration potential.
  
- 1.2 The Brief is written on behalf of the site owner, Yule Catto & Co Plc, the parent company of William Blythe. It has been prepared in liaison with the Local Authority, Hapton Parish Council and relevant stakeholders over the last three years and sets out how the site can be best developed. It is intended that the Development Brief will be formally endorsed by the Council, in turn enabling the site to be marketed with a view to seeking its comprehensive development over the next five years.

## **2. Purpose of the Brief**

2.1 The Development Brief has been prepared to help market and dispose of the site in order to bring forward its redevelopment. Its overall aim is to establish a set of agreed and achievable principles to guide the redevelopment of the site which will ensure the opportunity is delivered and in a manner which maximises the benefits of redevelopment for the community of Hapton and the Borough. The Brief has a number of associated and related subobjectives, including to:

- Provide a clear expression of the Council's priorities and expectations for the site's development;
- Quantify the site's development potential;
- Provide developers and investors with confidence and certainty about the opportunity and what the site can deliver;
- Remove risk for any potential purchaser of the site, particularly in the context of challenging economic circumstances;
- Provide a single comprehensive solution for the site to ensure its constituent parts are treated as a whole, as required to maximise the benefits from the opportunity presented by the site;
- Build on the clearance and remediation work undertaken to date, enabling the long term redevelopment of the site to be taken to the next stage;
- Provide a framework for the determination of future planning applications on the site.

2.2 The Council and site owners and keen to unlock the development opportunity that the site presents and have been working together over a number of years to achieve this within the context of economic recovery and changes to local planning policy.

2.3 This context has and will continue to hamper efforts to bring the site forward within the provision of additional certainty for developers as required to underpin and decision to invest. The Brief has been prepared to respond to these challenges.

### 3. Policy Context

- 3.1 This section of the Brief considers the policy context to the development of the site and the key policy issues relevant to any future planning applications on the site.

#### Site Designations

- 3.2 The site lies part within and part outside of the urban boundary of Hapton. The former chemical works site itself lies within the urban boundary and is classed as previously developed whiteland, being unallocated.

#### LOCAL PLAN EXTRACT – TO FOLLOW

Figure 3.1: Burnley Local Plan extract

#### Employment Protection Policy (Policy EW7)

- 3.3 Notwithstanding the fact that the site is not allocated through the Burnley Local Plan, as a site formally in employment use, it is afforded protection from development for non-employment uses through Policy EW7 of the Local Plan. In the circumstances, non-employment uses will only be permitted where it can be demonstrated that:
- a) The continued use of the site for the current employment use would cause unacceptable harm to the character and amenity of the surrounding area; or
  - b) The site is no longer suited in land use terms for continued employment use by reason of poor vehicular access, incompatibility with surrounding land uses or poor access to public transport routes.

#### Green Belt Policy

- 3.4 The part of the site which falls outside of the urban boundary lies within the designated Green Belt located between Hapton and Padiham. This includes the former landfill site and the area to the north of the former chemical works.
- 3.5 National Policy on development with Green Belts is set out in PPG2. This advises that the fundamental aim of the Green Belt policy is to prevent “*urban sprawl by keeping land permanently open*”.
- 3.6 Paragraph 1.5 sets out 5 purposes of including land within the green belt as follows:

- 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 encroachment;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 3.7 There is a general presumption against inappropriate development within the Green Belt. In this regard, PPG2 states that the carrying out of engineering operations and making of material changes of use in the land are considered to be inappropriate development unless they maintain openness and do not conflict with the purposes of including land within the Green Belt.
- 3.8 PPG2 sets out that any re-development of land should, so far as possible contribute to the achievement of the objectives for the use of land within the Green Belt. It goes onto set out that the visual amenities of the Green Belt should not be injured by development proposals.
- 3.9 PPG2 states that inappropriate development is, by definition, harmful to the Green Belt. Very Special Circumstances must be demonstrated where inappropriate development is proposed within the Green Belt. Such circumstances not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- 3.10 The key messages within PPG2 are reiterated in Policy E26 (Development in the Green Belt) of the Burnley Local Plan which is concerned with protecting the Green Belt and states that 'other development' will be inappropriate unless it maintains openness and does not conflict with the purposes of including land in the Green Belt;

### **General Development Control Policy**

- 3.11 Any future planning applications on the site will also be required to satisfy a range of detailed technical policies set out in the Burnley Local Plan, including the following:

**Policy E2 (County Biological and Geological Heritage Sites and Local Nature Reserves)** which identifies the central and eastern areas of the landfill site as a

'Biological Heritage Site'. Here development will not be permitted where it would sever, or significantly detract from the function of the biodiversity resource;

**Policy E3 (Wildlife Links & Corridors)** which designates the northern and eastern area of the site as a 'Wildlife Corridor' where development will not be permitted where it would sever, or significantly detract from its natural function;

**Policy TM6 (Walking and Horse Riding in the Countryside)** which identifies that the Leeds-Liverpool Canal towpath as a 'Greenway'. In summary, this policy states that the network of public footpaths / bridleways in rural areas will be enhanced through the maintenance and improvement of surfaces, signage, footbridges, gates and stiles;

**Policy E4 (Protection of other features of Ecological Value)** which sets out that features of ecological value and potential (i.e. ponds, hedgerows, dry stone walls and watercourses and their associated corridors) will be safeguarded wherever possible by requiring their retention in new development. The policy states that proposals should seek to create new wildlife habitats where these can be included as part of a site layout and landscaping schemes;

**Policy E5 (Species Protection)** which states that the presence of a protected species will be a material consideration in determining any planning application;

**Policy E6 (Trees, hedgerows and woodland)** which sets out that existing trees, woodlands and hedgerows will be protected from development unless there is no significant loss to the environment, amenity, historic, archaeological and nature conservation interests;

**Policy E8 (Development and Flood Risk)** which sets out that development will not be permitted if:

- it would increase the risk of flooding:
  - by reducing the capacity of, or increasing flows within a flood plain; or
  - through discharge of additional surface water; or
  - by harming flood defences.
- it would be at risk itself from flooding;
- adequate provision is not made for access to watercourses for maintenance; and

- the proposal does not include adequate flood protection measures

**Policy GP3 (Design and Quality)** which requires new development to make a positive contribution to that distinctive character and be of good design and quality

**Policy GP6 (Landscaping and Incidental Open Space)** which requires new development proposals to include incidental open spaces and a high standard of landscaping to an appropriate scale.

**Policy GP7 (New Development and the Control of Pollution)** which states that new development will be examined, in consultation with the pollution control authorities, to assess the potential for noise, light, air, water, groundwater and soil pollution.

**Policy GP8 (Energy Conservation and Efficiency)** which requires new buildings, conversions and change of use of buildings to should reduce energy consumption and include energy efficiency measures.

**Policy H3 (Quality and Design in New Housing Development)** which sets out that the Council will ensure quality design in all new housing development by permitting proposals which meet the following:

- Is suitable in terms of overall design, including layout, materials, size, scale and siting when compared with both neighbouring properties and the wider locality;
- the site layout responds imaginatively to the landscape and creates a sense of place;
- the development provides a range of house types and designs to promote mixed communities and contribute to an attractive and varied environment;
- the amenity of neighbouring properties is protected and the development minimises overlooking, and provides a reasonable degree of privacy and outlook;
- the development provides adequate private garden space and landscaping ;
- pedestrian access is safe and convenient, incorporating traffic calming measures and the designation of Home Zones with reduced speed limits; and
- the provision of parking in accordance with Council standards.



## **4. Site and Surroundings**

### **Hapton**

- 4.1 The former William Blythe works site is located within the settlement of Hapton, approximately 5 km to the west of Burnley Town Centre. Hapton is located on the northern edge of the urban area of the Borough.
- 4.2 As a settlement, Hapton benefits from a high level of accessibility compared with many other parts of the Borough. Most notably it contains a railway station providing an hourly service to Preston, is located close to junction 8 of the M65 providing access the wider region. It is also located close to key employment areas including Burnley Bridge Business Park located on the former Hepworth's site located 0.5 km to the east of Hapton. The Burnley Bridge Business Park is currently under development, providing approximately 60,000 sq m of distribution, manufacturing and office floor space.
- 4.3 Hapton has the character of a rural town surrounded by accessible open countryside. The Leeds-Liverpool Canal, which runs east to west through Hapton is a key asset and adds to the area's character in this regard, though this is not an asset that existing and recent development has taken advantage of.
- 4.4 Hapton contains a mix of residential and employment uses and a range of local services and facilities. The majority of existing dwellings are in the form of terraced properties reflecting the industrial past of the area, though unlike other housing stock in the Borough, does not suffer from low demand and housing market failure has not occurred. As with the Borough wide housing profile, Hapton is generally lacking in a wider family housing offer.

### **Former William Blythe works site**

- 4.5 The William Blythe works site extends to approximately 15.5 ha and is located part within and part outside of the defined urban area.
- 4.6 The site consists of three distinct parts as illustrated through Figure 4.1 below. Approximately 5.8 ha of the site comprises the former chemical works occupying the south western part of the site and providing a frontage to Manchester Road. The chemical works site is located wholly within the defined urban boundary of the Borough.
- 4.7 Approximately 5.4 ha of the site comprises a former landfill area, located to the east of the chemical works. Approximately 4 ha of the landfill lies within the defined

Green Belt located between Hapton and Padiham, with the remainder (approximately 1.4 ha) falling within the defined urban boundary. The balance of the site extends to approximately 4ha and comprises unused, degraded land to the north of the former chemical works, also located within the defined Green Belt.

- 4.8 The site is broadly flat with the exception of the landfill area which occupies an elevated position in the landscape, rising on all sides to a central bowl encircled by trees and self-seeded vegetation.

#### PLAN SHOWING KEY FEATURES/COMPONANTS – TO FOLLOW

Figure 4.1: Former William Blythe works

- 4.9 The site is currently served by a single access off Manchester Road which runs north to south through Hapton. It is bounded by residential uses and the Leeds-Liverpool Canal to the south and open countryside to the north. The canal towpath provides a pedestrian link to the Hepworth's employment site to the east of Hapton. The M65 runs parallel to the canal on the opposite side to the William Blythe site.

#### IMAGE OF SITE ACCESS – TO FOLLOW

Figure 4.2: Site Access off Manchester Road

- 4.10 Internally the site is cleared of all buildings, with the exception of 2 no. two storey buildings located to the south west of site, adjacent to the site entrance and formally used as offices by William Blythe Ltd. Shaw Brook also runs beneath the chemical works site and emerges from its culvert within the northern part of the site.

### Site History

- 4.11 The application site was operated by William Blythe Ltd, part of the Yule Catto Group, for over 150 years prior to decommissioning in 2008. The company has now consolidated operations at its plant at Church and the Hapton site is now defunct.
- 4.12 During its operational life, the Hapton works consisted of two operational parts; a main manufacturing plant and an associated landfill area used for depositing waste resulting from the manufacturing process.

## **Landfill Restoration**

- 4.13 In 2002 the Environment Agency issued a Closure Notice for the existing landfill at the site. This requires the landfill to be fully restored and made safe enabling the existing Waste Management Licence to be surrendered.
- 4.14 A scheme for the restoration of the landfill has been agreed with the Environment Agency and the requisite planning permission for the works has been granted by Lancashire County Council. The approved scheme involves re-profiling, capping and landscaping the existing landfill site. These works are due to commence during the summer and will be completed within 12 months.
- 4.15 Once the landfill is capped and all landscaping and tree planting has been undertaken, the landfill site will move to completion and neighbouring development can commence. Following completion the landfill will require long-term monitoring. This will include monitoring of groundwater, ground gas and surface water (including the canal and Shaw Brook). The landscaping contractor commissioned will be required to maintain the trees and shrubs planted on site for a period of 2 years from completion.
- 4.16 Post restoration, the licence holder will be responsible for the monitoring and for inspections of slope stability and surface integrity. It is important to note that the restoration of the landfill will completely isolate this area from the remainder of the site, by complete enclosure of the hazardous waste materials. The resultant site can then be redeveloped and the landfill area will have been made safe for public access.
- 4.17 There is a requirement on the current licence holder (William Blythe Ltd.) to manage the site to ensure it continues to operate within its licence conditions until such time as the Environment Agency licence can be surrendered. Whilst in the short term, William Blythe will retain the licence, Yule Catto are considering passing the landfill site to the Land Restoration Trust, which would take on liability for the landfill licence.
- 4.18 It should be emphasised that in advance of the licence being surrendered, the adjacent land is capable of being developed and used without risk to human health, following completion of the restoration process.

## **Long Term Development opportunity**

- 4.19 The landfill restoration represents a major step towards preparing the site for redevelopment. Having worked alongside the Environment Agency for a number of

years, Yule Catto are now preparing to invest up to £1 million in making the landfill site safe. This represents a significant outlay and major milestone in providing the market with a fully restored and developable site.

- 4.20 Given the Green Belt designation which applies to much of the site, it is acknowledged that the developable area of the site is limited, largely to the former chemical works area. Notwithstanding this, the opportunity is significant and the site is capable of making an important contribution to meeting the Borough's development needs.

## 5. Development Potential

- 5.1 This section of the Brief provides an overview of the development opportunity that the site presents and the basis on which the site will be marketed to potential developers and investors.
- 5.2 The preferred development approach has emerged following a comprehensive assessment of the site and an appraisal of its constraints and opportunities, including its accessibility, location, size, viability for different uses and technical limitations. In addition, the preferred development approach has been informed by regular discussions with the local authority and the Hapton Parish Council regarding their preferences and expectations for the emerging development proposals.
- 5.3 The development approach establishes the basis on which the site will be delivered and represents what is considered to be an appropriate and genuinely achievable development. The approach reflects the desire of all stakeholders to ensure this key site can be brought forward and in a manner which secures maximum benefits for the local community and which aligns with the Borough's strategic priorities.
- 5.4 The following paragraphs therefore establish:
- The future use of the site;
  - The amount of development the site will accommodate;
  - The broad development format and design principles.

### Type of Use

- ***A high quality mixed residential development provided within an attractive setting, with associated green infrastructure accessible to the Hapton community***

### Justification

Housing supply rebalancing and economic restructuring are strategic priorities for the Borough and increasing the supply of new, high quality family housing is critical to this. Such provision will ensure that Burnley's housing market can satisfy the demands of its current and future households and that the recent pattern of population decline can be stemmed.

- 5.5 The housing market within Hapton and physical qualities of the site enable it to support a wide range of high quality housing. In particular, in view of its physical setting, its canal frontage and good transport connections, Hapton provides an attractive, suitable and viable location for high quality housing.
- 5.6 Consideration has been given to the site's redevelopment for employment uses, reflecting its historic use and in line with the Policy EW7 of the Burnley Local Plan. However, the site is affected by a number of constraints which affect its suitability for such uses. Most notably, the site cannot be easily accessed by large vehicles, as would be necessary if developed for B2/B8 uses, due to the limitations of the surrounding highway network, whilst the market for office uses (B1a) within this part of the Borough is not strong enough to support an office led development. Such a development would also be contrary to the provisions of PPS4 which requires office development to be directed to town centre locations where possible.
- 5.7 Additionally, the development of Burnley Bridge Business Park, a strategic economic priority for the Borough, will benefit from the presence of new high quality housing which the subject site will deliver, making Burnley Bridge more attractive to potential occupiers. The proposed development can therefore complement the Burnley Bridge proposals in helping to attract economic investment to the Borough,
- 5.8 Alongside high quality housing, the development offers the potential to provide high quality open space and both formal and informal outdoor recreation facilities within the parts of the site lying within the Green Belt. This includes the restored landfill area and the area to the north of the former chemical works site.
- 5.9 Considered on balance and weighing up the opportunity presented by the site against the Borough's development needs, the site's development for high quality residential uses is considered to represent the optimum solution in unlocking the site's inherent development potential.

### **Amount of development**

- ***Approximately 280 (or equivalent) residential units***
- ***9.1 – 9.7 ha of restored and useable amenity space accessible to the wider community of Hapton***

## ***Justification***

### **Green Belt release**

5.10 Tables 5.1 below provides an existing land use schedule for the site. Tables 5.2 to 5.3 provide a land use schedule for the developed site based on two scenarios with differing levels of development within the Green Belt.

Table 5.1: Existing site make up

A	Total site area	<b>15.5 ha</b>
B	Existing site area located within the defined urban area	<b>5.8 ha</b>
C	Existing site area located within the Green Belt	<b>9.7 ha</b>

Table 5.2: Proposed Land use schedule Development Scenario 1

A	Total site area	<b>15.5 ha</b>
B	Amount of land within urban area to be developed	<b>4.4 ha</b>
C	Amount of Green Belt land to be developed	<b>1.4 ha</b>
<b>D</b>	<b>Total amount of developed land</b>	<b>5.8 ha</b>
E	Green Belt land to be retained	<b>8.3 ha</b>
F	Existing land within urban area to be incorporated into Green Belt	<b>1.4 ha</b>
<b>G</b>	<b>Total amount of Green Belt land</b>	<b>9.7ha</b>

### ***Development Scenario 1***

5.11 The site's development will be limited to land currently within the urban area as far as possible in accordance with established policy. The site features and constraints

plan provided at Appendix B identifies the extent of the site which falls within the urban area. As set out in Table 5.1 above, this extends to 5.8 ha. Appendix B also identifies the extent of the landfill area within which no development can take place. This demonstrates that part of the landfill area (c 1.4 ha) extends into the urban area, effectively removing an area of land which is otherwise suitable for development in policy terms.

- 5.12 The amount of land within the urban area which is 'lost' as a result of the landfill restoration extends to approximately 1.4 ha. It is intended that this area, along with the remainder of the landfill area, will be restored and landscaped for use as open space. The naturalisation of this area will result in its integration with the surrounding Green Belt, representing an overall environmental and Green Belt gain.
- 5.13 However, given the development's importance and its potential in supporting the Borough's longstanding priority of rebalancing Burnley's housing markets, it is vital that the site is able to accommodate a critical mass of development. This will ensure that the site can deliver a genuine mix of housing types, including family housing which the Borough critically needs, and that the development is viable, in the context of challenging housing market conditions and potentially high site remediation costs.
- 5.14 In order to provide this critical mass, it is proposed that approximately 1.4 ha of existing Green Belt land, located to the north of the former chemical works site, will be brought forward for development as part of the comprehensive development of the site. This will compensate for the loss of the same area of existing urban land, to open space/Green Belt and will retain the developable area at 5.8 ha as set out in Table 5.2. Through Development Scenario 1, there would therefore be no overall reduction in the amount of Green Belt land. Conversely, the proposal to restore and regenerate the Green Belt land and improve its accessibility represents a significant Green Belt and environmental benefit.

### ***Development Scenario 2***

- 5.15 In addition there is some uncertainty regarding the extent to which the whole of remainder of the former chemical works land is developable. For example, a culverted watercourse (Shaw Brook) runs beneath the site over which it may not be possible to develop with an easement potentially being required. Furthermore, given the former use of the site, contamination hotspots may be present in which no development can take place. The nature and overall effect of such constraints



on the amount of developable land will only become clear at the more detailed design stage.

- 5.16 Given the need to maximise the developable land to ensure the development remains viable and is able to deliver a critical mass and mix of dwellings, it is proposed that on top of the 1.4 ha of Green Belt land to be developed as part of a land swap, an additional Green Belt release may be permitted to compensate for any additional, and as yet unknown, loss of land within the urban area arising from the site's constraints.
- 5.17 The main objective of allowing for such a reserve release is to ensure the developable area is kept as close to 5.8 ha (i.e. the extend of the existing urban area) as possible to ensure the development is viable and can realise its regeneration potential. The reserve release will therefore be restricted to no more than 10% of the size of the existing urban area (i.e. 0.58 ha). The proposed Land Use Schedule incorporating an additional compensatory release of Green Belt land is reflected in table 5.3 below.
- 5.18 In accommodating any Green Belt release and in approaching the development of the site in general, it will be important that any design is sympathetic to the site's location adjacent to the Green Belt. This will require the scheme to accommodate the creation of a strong, permanent and well-defined Green Belt boundary marking a clear transition between the urban area and surrounding Green Belt.

Table 5.3: Proposed land use schedule Development Scenario 2

A	Total site area	<b>15.5 ha</b>
B	Amount of land within urban area to be developed	<b>4.4 ha</b>
C	Amount of Green Belt land to be developed	<b>1.4 ha</b>
D	Amount of additional Green Belt land reserved for development if required and justified	<b>0.58 ha</b>
<b>E</b>	<b>Total amount of developed land</b>	<b>6.38 ha</b>
F	Green Belt land to be retained	<b>7.73 ha</b>

G	Existing land within urban area to be incorporated into Green Belt	1.4 ha
H	<b>Total amount of Green Belt land</b>	<b>9.1 ha</b>

- 5.19 As a general rule, the reserve land will only be utilised if required to maintain the overall developable land at 5.8 ha or if other exceptional circumstances exist to warrant its release.
- 5.20 The Green Belt release in both scenarios is not of a strategic scale or nature and overall, there will be no impact on the openness of the Green Belt, subject to a sensitive design approach being taken within the expansion area.
- 5.21 It should be emphasised that the existing urban area which is undevelopable due to the landfill restoration process can be formally integrated into the Green Belt through the forthcoming Site Allocation Development Plan Document should the Council consider it to be expedient to do so in order to safeguard this land's use for Green Belt compatible purposes only.

#### **Number of dwellings**

- 5.22 Based on the developable area of land not exceeding 5.8 ha and applying a density factor of approximately 50 dwellings per hectare, the site is capable of accommodating up to 280 dwellings.
- 5.23 Whilst the final number of dwellings is yet to be determined and will be subject to further testing, it is important that the Brief is sufficiently flexibly and responsive to the needs of the market. This flexibility ensures that the Brief is fit for purpose and is able to provide the vehicle required to ensure the site is delivered. As such, an approximate figure only is established through the Brief. This figure could be exceeded if a suitable design solution were put forward and subject to satisfying the provisions of PPG2 and the need to ensure continued protection of the openness of the Green Belt. Conversely, the final figure may be lower should a lower density scheme be deemed more suited to this site.
- 5.24 For the purposes of the Brief, the figure of 280 is considered to represent the site's optimum capacity, which achieves a balance between maximising the site's development potential, without compromising the need to ensure the site delivers a range of housing types and provides for the open space and other infrastructure needs of the development. Notwithstanding this, future applications will need to

demonstrate that the proposed density of development is appropriate to the site and that the site can accommodate the level of development proposed.

## **Site Layout and Development Concept**

- 5.25 The Development Framework provides at Appendix C provides an indication of the location of the Green Belt land which will be released for development, including the reserved area. It should be noted that this is intended as indicative only. Upon more detailed review of the site's constraints and opportunities, it may emerge that a more linear belt of land extending across the length of the former chemical works area, or indeed another approach, may represent a more appropriate form of Green Belt release.
- 5.26 The Development Framework provides an initial illustration of the broad design principles which will inform the future development of the site, including the proposed 'land swap.' The key concept principles which will inform the detailed design of the development include:
- High quality housing within a pleasant, green setting;
  - Effective use of the canalside setting and provision of a strong and high quality frontage to the canal;
  - Providing areas of open space and a restored country park within the Green Belt for use of residents of the development and the wider Hapton community;
  - Providing a network of green corridors through the site linking the canal tow path with the new country park area;
  - Providing housing focused around a network of internal squares and open spaces which will act as a focal point for residents;
  - Sympathetic development on the edge of the Green Belt;
  - Creation of a permeable development, including green links through the site and integration with the community of Hapton;
  - Enhanced biodiversity and high quality landscaping;

## **6. Technical Considerations**

- 6.1 This section of the Brief provides a high level review of the technical issues which the site presents and which any development proposals will need to respond to. It has been carried out to test the general deliverability of the site from a technical point of view and to consider how any constraints may be overcome. Additional assessment work will be necessary as part of any future planning applications to further consider and resolve the issues raised below.

### **Traffic and Transport**

- 6.2 The site is well located in relation to existing sustainable transport corridors and there are good public transport connections within walking distance of the site. This includes Hapton railway station located within 400m of the site.
- 6.3 However, direct pedestrian access to these public transport services and the Hapton village is limited by the absence of a footway on the canal road bridge which connects the site to the main village. In view of this, and in order to enhance the site's accessibility and its connectivity to public transport services, it may be necessary to add a pedestrian refuge to the bridge by narrowing the carriageway and introducing traffic signals.
- 6.4 It is anticipated that access to the developed site would be taken off Manchester Road as at present. However, the existing site access has some visibility and safety issues due to its close proximity to the bridge. It may therefore be necessary to relocate the site access north approximately 120 m along the site's frontage with Manchester Road. Depending on the final size of the development, a secondary site access may be required for emergency vehicles.
- 6.5 In terms of highway impact, it is not expected that the development of the site to provide approximately 280 dwellings would have a significant impact on the highway network which would continue to operate within capacity. Additionally, it should be noted that a residential development would represent a significant improvement on the most recent use of the site, namely as a chemical works, in terms of vehicular activity, particularly given the limitations of the local network in accommodating large vehicles associated with a manufacturing use.
- 6.6 A full Transport Assessment and Travel Plan will be required to support any future planning applications on the site.

## Site Remediation

- 6.7 A site investigation carried out when the former works were operational, confirmed that granular made ground is present across the area varying between 1.5 m and 5.0m in thickness. The laboratory analysis has indicated that concentrations of metals (including, lead, cadmium, mercury), arsenic and polycyclic aromatic hydrocarbons (PAH) are elevated and remedial measures, in the form of a cover system, will be required. In addition an area of hydrocarbon contamination (as free product) was detected at one location, however other areas used for specific processes (e.g. sulphur pits) were not accessible at the time of the RSK investigation and other hot-spots may be present.
- 6.8 Now that the existing buildings have been demolished, further investigation of the site will be carried out. This will include delineation of the identified hydrocarbon hotspot, assessment of the potentially contaminative process areas and spread of additional locations.
- 6.9 The investigation work already completed will be reassessed with the new assessment criteria so that any concerns for a residential end-use can be identified. At this stage the identified hydrocarbon hotspots could present a human health risk for residential use and this will require remediation.
- 6.10 For the residential development all gardens and areas of landscaping will require an inert cover system. Given the presence of made ground precautions to prevent gas ingress into proposed buildings will also be required.
- 6.11 Whilst investigations to date have not identified any worked coal seams at the site, a thick seam (approximately 2m) is present relatively close to the surface (approximately 20m to 22m bgl). A mine shaft is present on site and further investigation is required to both locate the mineshaft, and also provide confirmation of the absence of workings in the shallow seam. In respect of the mineshaft, a no-building zone will be required.
- 6.12 In summary, it is clear that, due to the site's history, the site will need to be remediated as part of the any residential development. Whilst the site is affected by contamination, this is not considered to be an insurmountable constraint and will not affect the overall deliverability of the site. However, as set out above, it is possible that the site's contamination will reduce the extent of developable land within the former chemical works area. To compensate such loss, and to ensure the overall developable area extends to 5.5ha (the minimum critical mass required), additional Green Belt release may be required.

## **Flood Risk**

- 6.13 A flood risk screening appraisal of the site has previously been undertaken. This confirms that:
- Hapton (including the subject site) is entirely located within Flood Zone 1 and fluvial flood risk is therefore low;
  - In terms of historical sewer flooding, according to the United Utilities records, the closest incident to the site occurred in Cobden Street approximately 1.8km to the south west of the site.
  - In terms of groundwater or surface water flooding hotspots, there are no locations found in Hapton.
- 6.14 It concludes that there is a low risk of flooding from the site, and it is considered that a residential use is appropriate and the overall drainage regime can be improved if careful consideration is given to the use of sustainable drainage solutions on site.
- 6.15 A full Flood Risk Assessment will be required as part of any future planning application for the development of the site.
- 6.16 The above paragraphs provide a high level review of the site's technical characteristics and enable the key constraints to be identified. The level of assessment undertaken in identifying these constraints is commensurate with the current stage of the planning process and the level of design detail which has been provided to date in the development of the Brief. Further detailed appraisal work will need to be undertaken within these and other disciplines to inform the more detailed design of the development.

## **7. Consultation**

- 7.1 This section of the Brief provides an overview of the consultation undertaken in producing the Brief and how the input of key consultees has informed the Brief. It also considers the future consultation requirements in advancing firm development proposals for the site.

### **Burnley Council**

- 7.2 Several meetings have been held with Burnley Council over the last three years to discuss the most appropriate route to securing a firm planning position for the site. Through this process, Planning Officers have expressed their in principle support for the site's redevelopment for housing in the context of the need to deliver a viable scheme for the future development of the site, given the costs in bringing the site forward.
- 7.3 The Council has been consulted on the Development Brief as it has evolved and have inputted to this. Through this consultation, the Council has expressed support for the development approach set out in the Brief including the proposed utilisation of some Green Belt land for development, the general proposed quantum of development and the key design principles.
- 7.4 Additionally, Yule Catto has engaged in the LDF process, through representations to both the Strategic Housing Land Availability Assessment (SHLAA) and the Core Strategy. To date, the Council has not published the findings of its SHLAA, whilst the Core Strategy has not advanced beyond the very early stages of production. Notwithstanding this, the Council are keen that this should not delay the release of high quality and sustainable sites such as the former William Blythe works and are therefore supportive of the Brief.

### **Hapton Parish Council**

- 7.5 Two meetings have been held with the Parish Council (October 2010 and May 2011) to discuss the emerging proposals and to enable the local community to provide their input to the Brief.
- 7.6 The Parish Council has expressed their support for the proposed redevelopment of the site and recognise the significant development and regeneration potential the site presents. Through this consultation, the importance of ensuring the development provides local benefits has been particularly highlighted to Yule Catto, which is reflected in the content of the Brief and particular the emphasis

given to the need to ensure the development opens up access to restored areas of Green Belt for public and wider community use for amenity and recreational purposes.

### **Land Restoration Trust**

- 7.7 Preliminary discussions have been held with the Land Restoration Trust about future ownership and control of the amenity space within the wider site. It is vital that this area is managed and maintained in the future if the objective of it remaining an accessible community asset for years come is to be realised. The Land Restoration Trust would be well placed to take on this role. Additional discussions will be required as the detailed development proposals are advanced.

### **Future Consultation**

- 7.8 The level and type of consultation undertaken to date is commensurate with the current stage of the planning process. However it will be critical that the above key stakeholders continue to be involved in and influence the proposed development as it is advanced through the planning process. In addition, there will be a requirement to extend consultation to a wider number of groups, before planning applications are submitted. This will include engagement with:

- The Local Planning Authority and County Council;
- Hapton Parish Council;
- The local community;
- English Heritage;
- British Waterways;
- The Environment Agency.

- 7.9 Consultation with the above will ensure that a scheme is put forward which adequately responds to the site's constraints, which is deliverable, which reflects the aspirations of the local community and which supports the Council's strategic development objectives.



## 8. Planning Obligations

8.1 The requirement for potential planning obligations will need to be explored further as part of any forthcoming application. However, having regard to the development proposals and the circumstances of the site, it is possible to identify potential areas of contribution as follows:

- **Highway works:** as set out above, the development may need to fund works to the existing bridge along Manchester Road to enable its use by pedestrians. The requirement for additional works will need to be considered as part of any firm development proposals;
- **Open space:** as set out above, the restoration of the landfill site to enable its use as open space forms a fundamental part of the development approach. Similarly, it is proposed that the Green Belt area to the north of the chemical works site which cannot be developed will be restored and provided as a country park for the use of the Hapton community. This may be part funded by the development. These measures will more than meet the open space requirements of the development and will provide significant wider community benefits. In the circumstances, it is not anticipated that a financial contribution towards providing off public open space will be required. However, the need for specific play provision should be explored as part of any future development proposals.
- **Education and community facilities:** the proposed open space provision could accommodate a range of facilities for the benefit of the community. Any such provision should offset the requirement for a financial contribution towards community facilities should one be considered necessary. There may be a requirement to make a financial contribution to fund additional school places should residual school capacity be insufficient to meet the needs arising from the development. This will need to be explored as part of any future development proposals.
- **Affordable Housing:** the site provides an opportunity to deliver much needed high value, high quality housing for the Borough. Whilst an element of affordable housing provision should be considered, it is not anticipated that any more than 10% of the total development would be affordable. Any higher figure may undermine the development's ability to deliver the type of housing that the Borough critically needs and so is not a priority for the development;

- **Sustainability:** Policy GP8 of the Burnley Local Plan requires all new development to include energy efficiency measures where possible. This may include installation of on site renewable energy facilities or a design approach which minimises energy useage. The future developer/s of the site will assess opportunities to enhance the sustainability of the development as it comes forward, which will include consideration of the measures set out in Policy GP8. Where viable opportunities exist, the developer/s will work with the Council to ensure the development takes advantage of these as far as possible and that the appropriate mechanisms for securing such opportunities, such as S106 agreements, are utilised.

## **9. Implementation**

### **Next steps**

- 9.1 Following formal endorsement of the Brief by the Council, the site will be marketed for sale on behalf of Yule Catto, principally to national and local house builders.
- 9.2 This will be followed by more advanced discussions with the Council prior to preparation of a developer-led planning application for the site's comprehensive development in line with the terms of the Brief. This will include discussions over the more detailed design approach and the scope of a planning application.

### **Planning Application Requirements**

- 9.3 The scope of any planning application will need to be agreed with the Local Authority. As a minimum this will include:
- Plans and drawings;
  - Planning Statement;
  - Transport Statement;
  - Ground Investigation and Remediation Strategy;
  - Flood Risk Assessment;
  - Design and Access Statement;
  - Ecological Survey;
  - Statement of Community Involvement.
- 9.4 Other submission requirements will be agreed through discussions with Council. In addition, it will be necessary to obtain an Environmental Impact Assessment Screening Opinion from the Local Planning Authority to determine where an Environmental Statement is required.

### **Community Consultation**

- 9.5 As set out in Section 8, the developer will be fully expected to undertake an appropriate community consultation exercise prior to the submission of an application. The scope of this exercise will need to be agreed with the Local

Planning Authority but is likely to include an exhibition at an appropriate local venue.

### **Timetable**

- 9.6 The timetable for bringing the site forward is dictated by the success of the forthcoming marketing exercise. However it is expected that an application would be submitted in early 2012 with development commencing in 2012/13.





