

**OLDHAM METROPOLITAN BOROUGH
COUNCIL**

LOCAL DEVELOPMENT FRAMEWORK

**DRAFT OPEN SPACE, SPORT AND
RECREATION PROVISION
SUPPLEMENTARY PLANNING DOCUMENT**

CONSULTATION STATEMENT

March 2008

OLDHAM METROPOLITAN BOROUGH LOCAL DEVELOPMENT FRAMEWORK

Supplementary Planning Document

The Government has reformed the system of development planning in England. Development Plans are used to control and guide the development and use of land. As part of the reformed system, Oldham Metropolitan Borough Council must prepare a “Local Development Framework”.

The Local Development Framework will be a folder of different documents, including Development Plan Documents, which set out the Council’s approach to future development in the Borough.

This document is part of a Supplementary Planning Document (SPD). SPDs are documents that expand on policy outlined in a Development Plan Document or provide more detail on it to help in its implementation. They are not formally part of the statutory Development Plan but are material considerations in determining planning applications.

Supplementary Planning Documents have three supporting documents:

- a Sustainability Appraisal,
- a Habitats Regulations Assessment, and
- an Equalities Impact Assessment.

Members of the public may comment on the Supplementary Planning Document and any of the three supporting documents. A document outlining who has been consulted in the preparation of the Supplementary Planning Document, and issues they raised, is also available alongside these documents. This is called a Consultation Statement.

Members of the public may comment on this document during the six-week public consultation period as indicated on the public notice and comments form.

Comments made on the document cannot be treated as confidential.

If you would like further help in interpreting this document please contact the Strategic Planning and Information section on the following telephone numbers: 0161 770 1673 / 4151.

You can also email the team on spi@oldham.gov.uk.

All documents connected with the Local Development Framework are available on the Council’s web site at www.oldham.gov.uk.

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If you would like to receive this information in another format, such as large print, Braille, audio or alternative languages, please call us on 0161 770 4151 or 4163 or 4139.

1. Introduction

- 1.1 The Council is required to prepare its Supplementary Planning Documents (SPDs) in accordance with procedures set out in the Town and Country Planning (Local Development) (England) Regulations 2004. Regulation 17 requires that a Consultation Statement be prepared at the draft consultation stage on all SPDs.
- 1.2 This Consultation Statement is being made available during the formal period of consultation alongside the draft SPD, the Sustainability Appraisal Report, Equalities Impact Assessment and Habitat Regulations Assessment.

2. Consultation on the draft SPD

- 2.1 The draft Open Space, Sport and Recreation Provision SPD was drawn up by officers in the Council's Regeneration Directorate (Strategic Planning and Information Team, Area Teams and Environmental Regeneration) and Environmental Services Directorate (Parks and Open Spaces and Development Control). The aim of the draft SPD is to provide guidance on the implementation of UDP policies R1.1 and R2.1 which seek to protect open space, sport and recreation facilities from inappropriate development and which ensure the provision of new and/or improvements of existing open space, sport or recreation facilities through new residential developments. The draft SPD will provide guidance on:
- The mechanisms for seeking a replacement facility and/or financial contribution where an open space, sport and recreation facility is lost as a result of development; and
 - The mechanisms for seeking open space, sport and recreation provision as part of a residential development.
- 2.2 As required by the Planning and Compulsory Purchase Act 2004, the Council carried out a Sustainability Appraisal alongside the preparation of the draft SPD. This process incorporated the requirements of the European Commission Directive 2001/42/EEC, which requires a Strategic Environmental Assessment of SPDs. The first stage of this process was the production of a Scoping Report. This involved an initial evidence gathering exercise and the identification of Plan and Sustainability Objectives. The Scoping Report is included as Appendix 1 to the Sustainability Appraisal, which is available for consultation alongside this draft SPD.
- 2.3 As part of the Scoping Report process the Council consulted Natural England (formerly the Countryside Agency and English Nature), English Heritage, Environment Agency, Government Office for the North West, North West Regional Assembly, North West Regional Development Agency, Oldham Partnership, Sport England, Greater Manchester Ecology Unit, National Playing Fields Association, Regional Sports Board, Greater Manchester Passenger Transport Executive, Groundwork Oldham and

Rochdale, Oldham Play Partnership, Mersey Basin Campaign,
Government Office for Yorkshire and Humberside and Yorkshire Forward.

2.4 Appendix 1 of this document summarises the comments received and the Council's responses.

2.5 The Council also carried out an Equalities Impact Assessment on the draft SPD in order to assess the potential impact of the SPD on the various equalities categories in the Borough. This was carried out by officers in the Strategic Planning and Information section on 11 February 2008. The resulting document is available for consultation alongside this draft SPD.

2.6 The Council also carried out a Habitats Regulations Assessment as required under Article 6(3) and 6(4) of the Habitats Directive as implemented by the draft Habitats Regulations 2006. This involved an ongoing period of consultation with the Greater Manchester Ecology Unit and Natural England. A copy of this Assessment is available for consultation alongside this draft SPD.

3. Formal Public Consultation

3.1 The draft SPD is subject to a period of formal consultation from 25 March 2008 to 5pm 6 May 2008.

3.2 Appendix 2 contains a list of specific Consultation Bodies and Government Departments that will be invited by letter or email to comment on the draft SPD and its supporting documents.

3.3 Appendix 3 contains a list of other Consultees that will be invited to comment on the draft SPD and its accompanying documents.

3.4 A public notice was published in the Oldham Evening Chronicle on 25 March 2008 and a press release with details of the SPD was issued.

3.5 The draft SPD and its supporting documents are available on the Council's website: www.oldham.gov.uk

3.6 The draft SPD and its supporting documents and comments forms are available at public libraries, the Civic Centre One-Stop Shop and Level 12 Planning Reception and Oldham Business Centre.

3.7 All Oldham MBC Councillors and the Oldham Partnership have been sent an electronic copy of the draft SPD and its supporting documents.

3.8 A letter or email has been sent to those individuals and organisations on the LDF mailing list, and those that have expressed a particular interest in the draft SPD, explaining that the document is available for consultation.

3.9 Paper copies of the draft SPD can be purchased for £10 (inclusive of postage and packing). To order a copy, please send a cheque made payable to Oldham MBC to:

Strategic Planning & Information
Regeneration Directorate
PO Box 452
Oldham Business Centre
Cromwell Street
Oldham OL1 1WR

Telephone: 0161 770 1673

Email: spi@oldham.gov.uk

Appendix 1

Consultation on the Scoping Report – Comments received and Council’s Response

Respondent	Reference No.	Issue	Council’s Response
English Heritage	004/OS /001/SA	It is not clear from the Scoping Report exactly what the SPD will cover – whether it relates solely to the provision of new space and facilities or whether it will also look at the protection and enhancement of existing open space etc. It is useful to include a brief outline of the anticipated content of the SPD at the beginning of the Scoping Report.	It is acknowledged that more detail could have been incorporated about the anticipated content of the SPD. Paragraph 1.1 of the Scoping Report does however state that the SPD will expand upon policies R1.1 and R2.1 of the adopted Oldham Metropolitan Borough Unitary Development Plan, which relate to the protection and provision of open space, sport and recreation facilities. The purpose of the SPD, as set out in the Council’s Local Development Scheme is: <ul style="list-style-type: none">• The mechanisms for seeking a replacement facility and/or financial contribution where an open space, sport or recreation facility is lost as a result of development;• The mechanisms for seeking open space, sport and recreation provision as part of a residential development.

	004/OS /002/SA	It is suggested that the Green Infrastructure concept may be useful in developing the SPD.	The Green Infrastructure Guide is a draft document at the moment. When finalised, the implications for the SPD will be considered and incorporated if appropriate.
	004/OS /003/SA	Reference should be made in the <i>Relevant Policies, Plans and Programmes</i> section to the European Landscape Convention, which aims to encourage public authorities to adopt policies and measures at local, regional, national and international level for protecting, managing and planning landscapes throughout Europe.	Reference to the European Landscape Convention has been added to the Relevant Policies, Plans and Programmes section of Scoping Report.

	004/OS /004/SA	<p>Regarding section on PPS1 in the <i>Relevant Policies, Plans and Programmes</i> section reference should be made to:</p> <ul style="list-style-type: none"> • Protecting and enhancing the historic environment, quality and character of the countryside (para 5); • Ensuring high quality design (para 5); • A high level of protection to the most valued townscapes and landscapes (para 17); • Enhance as well as protect the historic environment, landscape and townspace character (para 27); • Promotion of design appropriate for its context (para 34/5); and • Reinforcement of local distinctiveness (para 38). 	<p>The SPD aims to facilitate and promote a co-ordinated approach to the provision of open space, sport and recreation within the Borough to meet the needs of the local community (i.e. by focusing section 106 contributions towards those areas where there are deficiencies in provision). Through which it will help to protect and enhance existing open space and facilitate the creation of new, contributing to the development of sustainable communities.</p> <p>It is felt that those elements of PPS1, currently identified in the Table 1 of the Scoping Report are the most relevant to the SPD. There are policies within the UDP that seek to protect the historic environment and landscape character. There is also a range of policies relating to design, which will be supplemented by the forthcoming Urban Design Guide SPD.</p>
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	004/OS /005/SA	<p>The following documents should also be considered:</p> <ul style="list-style-type: none"> • PPG15: Planning for the Historic Environment; • PPG16: Archaeology and Planning; • The Historic Environment: a Force for our Future (DCMS, 2001); • Streets for All (English Heritage); and • Conservation Area Appraisals. 	<p>These documents were assessed as part of preparing the Scoping Report however due to the subject of the SPD they were not considered to be appropriate.</p> <p>Again there are policies within the UDP, which seek to protect historic environment and archaeological features.</p>
	004/OS /006/SA	<p>Local Needs Assessment and Audit will provide a strong baseline position however if not already done so it should be supplemented by information on the historic interest and significance of the spaces and their context, which should be reflected in Table 2.</p>	<p>The number / extent of conservation areas has been added to the Scoping Report within Table 2.</p>
	004/OS /007/SA	<p>Within the <i>Key Sustainability Issues</i> section there are likely to specific issues and problems relating to the historic environment, such as the need to protect and enhance open spaces of historic value or which contribute to the setting of historic assets.</p>	<p>On of the Key Sustainability Issues now reads: “Need to protect and enhance existing areas of landscape, biodiversity, historic and heritage value.”</p>

	004/OS/008/SA	<p>Additional sustainability objectives suggested:</p> <ul style="list-style-type: none"> • To preserve, protect and enhance sites, features and areas of archaeological, historical and cultural heritage importance; and • Protect, enhance and manage the character and appearance of the landscape and townscape, maintaining and strengthening local distinctiveness and sense of place. 	<p>The Sustainability Appraisal objectives have been reworded to reflect those used in the Core Strategy Scoping Report. It is not felt appropriate therefore to included other objectives. The objective “to provide quality and accessible open space, sport and recreation facilities” would encompass sites of historic or heritage value.</p> <p>The Council are currently preparing an Urban Design Guide SPD which addresses the need to maintain and strengthen local distinctiveness and character. Any proposal would need to accord with the principles set out within this guidance.</p>
	004/OS/009/SA	<p>English Heritage advises that Oldham’s conservation and archaeological staff of Oldham and Greater Manchester are involved in the preparation of the SPD and its assessment.</p>	<p>The relevant organisations and individuals will be consulted as appropriate during the preparation of the SPD.</p>
	004/OS/010/SA	<p>The SPD objectives should be supplemented by an objective covering the need to protect and enhance open spaces of historic interest and importance, addressing the multi-functional value of open spaces.</p>	<p>The Plan Objectives have been taken from those objectives identified in Chapter 9 of the UDP, it is therefore not felt to be appropriate to amend the wording.</p>

Natural England	002/OS/001/SA	Amendments are being made to the Habitats Regulations to reflect recent clarification of the status of land-use plans as “plans or projects” under Article 6(3) and 4 of the Habitats Directive. Natural England are awaiting specific guidance on how this will need to be applied in the case of Local Development Frameworks.	A Habitat Regulations Assessment has been undertaken of the draft SPD, prepared on behalf of the Council by the Greater Manchester Ecology Unit. Any further guidance will be taken into account when published.
	002/OS/002/SA	Under the <i>Relevant Policies, Plans and Programmes</i> (UK Section) reference should be made to the Natural Environment and Rural Communities (NERC) Act.	Reference to the NERC Act has been added in the UK section of the <i>Relevant Policies, Plans and Programmes</i> :
	002/OS/003/SA	The following documents should also be considered: <ul style="list-style-type: none"> • Greater Manchester Geodiversity Action Plan; • Environmental Quality in Spatial Planning (Countryside Agency et al); • Accessible Natural Green Space Standards in Towns and Cities (English Nature/Natural England); • The Countryside In and Around Towns (Countryside Agency et al); and • Rising to the Challenge: A Climate Change Action Plan for England’s Northwest (NWDA, 2006). 	Reference to the Greater Manchester Geodiversity Action Plan will be considered when the document is available and added if appropriate. Reference to these documents have been added to the <i>Relevant Policies, Plans and Programmes</i> section of Scoping Report.

	002/OS/ 004/SA	Various sources provided for further Baseline Information.	The list of suggested baseline information has been acknowledged and will be included in the Scoping Report where appropriate.
	002/OS/ 005/SA	The broad sustainability objectives “Effective Protection of the Environment” could be reworded to broaden its goal to read “Effective Protection and Enhancement of the Environment”.	The broad sustainability objectives used within the Scoping Report are taken from the main aims set out in “Securing the Future, Delivering UK Sustainable Development Strategy” and it is not felt to be appropriate to amend this objective.
	002/OS/ 006/SA	Wish to see reference in the Sustainability Issues and Problems section to the consideration of all landscape and biodiversity features, rather than just those elements deemed to be of existing value.	It is acknowledged that it is important to consider all biodiversity and landscape features as part of the LDF. The importance placed on non designated features will be judged on their individual merits taking into account competing interests.

	002/OS/ 007/SA	When assessing objective 7 due consideration should be taken account of the biodiversity interest of brownfield sites.	<p>The comment is noted, however it is not felt appropriate to amend the wording of objective 7 as the Plan Objectives outlined in the Scoping Report have been taken directly from those listed in Chapter 9 of the UDP.</p> <p>Any development of a site would need to be in accordance with the policies set out in the UDP, including those that address biodiversity.</p>
	002/OS/ 008/SA	An objective ought to be included to conserve and enhance the landscape and biodiversity interests that open space, sport and recreational facilities provide.	<p>The comment is noted, however it is not felt appropriate to add another objective as the Plan Objectives outlined in the Scoping Report have been taken directly from those listed in Chapter 9 of the UDP.</p> <p>Any development of a site would need to be in accordance with the policies set out in the UDP, including those that address biodiversity.</p>

North West Regional Assembly	001/OS/ 001/SA	Outlined the current situation regarding the Regional Spatial Strategy, stating that the Adopted RSS now forms an integral part of the development plan and should be given due consideration in the production of the SPD.	The Sustainability Appraisal considers the implications of both adopted RSS and draft RSS. The SPD provides further guidance on the implementation of UDP policies, therefore it is not felt to be appropriate to repeat regional planning guidance within the SPD.
	001/OS/ 002/SA	<p>The following documents should also be considered:</p> <ul style="list-style-type: none"> • NWRA Sustainability Appraisal Toolkit; • North West Best Practice Design Guide; and • The Draft Green Infrastructure Guide for the North West. 	<p>The NWRA Sustainability Appraisal Toolkit forms the basis for how we undertake Sustainability Appraisal.</p> <p>Reference to the North West Best Practice Design Guide has been added to the Relevant Policies, Plans and Programmes section of Scoping Report.</p> <p>The Green Infrastructure Guide is a draft document at the moment. When finalised, the implications for the SPD will be considered and incorporated if appropriate.</p>
Greater Manchester Passenger Transport Executive	119/OS/ 001/SA	The report several times mentions access (i.e. pg 17) and participation (i.e. pg 43). The role of public transport both in accessing facilities, and accessing a	The role of Public Transport in accessing open space, sport and recreation facilities is recognised within the

		healthy lifestyle – such as access to the countryside for outdoor recreation – should be explicitly acknowledged.	UDP (see introduction to Chapter 9 and objective h). The SPD recognised the importance of protecting and maximising opportunities for a network of open spaces and recreational routes across the Borough that contribute to sustainable transport. It cannot however directly deliver Public Transport.
Greater Manchester Ecology Unit	114/OS/001/SA	Under the <i>Relevant Policies, Plans and Programmes</i> (UK Section) reference should be made to the Natural Environment and Rural Communities (NERC) Act.	Reference to the NERC Act has been added in the UK section of the <i>Relevant Policies, Plans and Programmes</i> :
	114/OS/002/SA	Welcome the inclusion of the “need to protect and enhance existing areas of landscape and biodiversity value” as a key issues, however the creation of new areas of biodiversity value should also be identified.	It is acknowledged that it is important to consider all biodiversity and landscape features as part of the LDF. The importance placed on non designated features will be judged on their individual merits taking into account competing interests.

	114/OS/003/SA	Quality of open space should also be monitored.	The Local Needs Assessment and Audit provides recommendation for local standards of provision. This includes standards of quality, quantity and accessibility. The recommendations will be considered through the Local Development Framework process. Future standards will therefore provide an opportunity and baseline indicator to monitor quality against. In the meantime the number of Green Flag Parks provides an indication of the quality of open space within the borough.
Yorkshire Forward	043/OS/001/SA	No comments	No change required.
Environment Agency	003/OS/001/SA	Under the <i>Relevant Policies, Plans and Programmes</i> (International Section) reference should be made to the EU Water Framework Directive.	Reference has been made to the EU Water Directive in the International section of the Relevant Policies, Plans and Programmes:

	003/OS/ 002/SA	Under the <i>Relevant Policies, Plans and Programmes</i> reference should be made to Planning Policy Statement 25, as the SPD should have regard to the dual use of open land as flood storage and recreation.	Reference to the Planning Policy Statement 25 has been added in the UK section of the Relevant Policies, Plans and Programmes section of the Scoping Report.
	003/OS/ 003/SA	Environment Agency hold a database that may be of assistance during the sustainability process.	The suggested baseline information has been acknowledged and will be included in the Scoping Report where appropriate.
	003/OS/ 004/SA	Water quality and numbers of properties in flood risk should be included within Table 2 as an indicators.	The suggested baseline information has been acknowledged and has been included in the Scoping Report.

Appendix 2

Specific Consultation Bodies and Government Departments to be consulted on the draft SPD

The following bodies are specific consultation bodies and will be consulted by the Council in accordance with its Adopted Statement of Community Involvement:

- The Regional Planning Body (North West Regional Assembly)
- The Environment Agency
- The Historic Buildings and Monuments Commission for England (English Heritage)
- Natural England
- The Highways Agency
- Local Planning Authorities, County Councils or Parish Councils, any part of whose area is in or adjoins the Borough
- A Regional Development Agency whose area is in or adjoins the Borough
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003
- Any person who owns or controls electronic communications apparatus situated in any part of the area of the Borough
- The Strategic Health Authority
- A person to whom a licence has been granted under the Section 6(1)(b) or (c) of the Electricity Act 1989
- A person to whom a licence has been granted under Section 7(2) of the Gas Act 1986
- A sewage undertaker
- A water undertaker

Government Departments

The **Government Office for the North West** will be consulted by the Council and will be the first point of contact for consultation with the following Government Departments:

- Department for Communities and Local Government (DCLG)
- Department for Culture, Media and Sport (DCMS)
- Department for Education and Skills (DfES)
- Department for Environment, Food and Rural Affairs (Defra)
- Department of Trade and Industry (DTI)
- Department for Transport (DfT)
- Home Office

In addition, the Council will also consult the following Government Departments, where appropriate:

- Department of Health (through Regional Public Health Group)
- Ministry of Defence

- Department of Work and Pensions
- Department of Constitutional Affairs
- Office of Government Commerce (Property Advisers to the Civil Estate)

Appendix 3

General and Other Consultees

The following bodies are general consultation bodies and will be consulted by the Council, where appropriate, in accordance with its Adopted Statement of Community Involvement:

- Voluntary bodies some or all of whose activities benefit any part of the Borough
- Bodies which represent the interests of different racial, ethnic or national groups in the Borough
- Bodies which represent the interests of different religious groups in the Borough
- Bodies which represent the interests of disabled persons in the Borough
- Bodies which represent the interests of persons carrying out business in the Borough

Other Consultees

The Council will also consult the following agencies and organisations, where appropriate:

- Age Concern
- Airport Operators
- British Chemical Distributors and Traders Association
- British Geological Survey
- British Waterways, canal owners and navigation authorities
- Centre for Ecology and Hydrology
- Chambers of Commerce, local Confederation of British Industry and local branches of Institute of Directors
- Church Commissioners
- Civil Aviation Authority
- Coal Authority
- Commission for Architecture and the Built Environment
- Commission for New Towns and English Partnerships
- Commission for Racial Equality
- Crown Estate Office
- Diocesan Board of Finance
- Disabled Persons Transport Advisory Committee (now part of the Inclusive Environment Group)
- Electricity, Gas and Telecommunications Undertakers, and the National Grid Company
- Environmental groups at national, regional and local level, including:
 - (i) Campaign to Protect Rural England (Lancashire branch only)
 - (ii) Friends of the Earth
 - (iii) Royal Society for the Protection of Birds
 - (iv) Wildlife Trusts
- Equal Opportunities Commission
- Fire and Rescue Services

- Forestry Commission
- Freight Transport Association
- Gypsy Council
- Health and Safety Executive
- Help the Aged
- Housing Corporation
- Learning and Skills Councils
- Local Agenda 21 including:
 - (i) Civic Societies
 - (ii) Community Groups
 - (iii) Local Transport Authorities
 - (iv) Local Transport Operators
 - (v) Local Race Equality Councils and other local equality groups
- National Playing Fields Association
- National Trust
- Network Rail
- Passenger Transport Authorities
- Passenger Transport Executives
- Police Architectural Liaison Officers / Crime Prevention Design Advisors
- Port Operators
- Rail Companies and the Rail Freight Group
- Regional Housing Boards
- Regional Sports Boards
- Road Haulage Association
- Royal Mail Group plc
- Sport England
- The Home Builders Federation
- Traveller Law Reform Coalition
- Water Companies
- Women's National Commission

LDF Mailing List

The Council will also notify those individuals and organisations on the LDF mailing list that consultation is underway on the draft SPD and accompanying documents.