

**OLDHAM METROPOLITAN BOROUGH COUNCIL
AND
ROCHDALE METROPOLITAN BOROUGH COUNCIL**

LOCAL DEVELOPMENT FRAMEWORK

HABITATS REGULATIONS ASSESSMENT

FOR THE

**URBAN DESIGN GUIDE SUPPLEMENTARY PLANNING
DOCUMENT(S)**

Adopted on 1st October 2007

by

Oldham Metropolitan Borough Council



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વિનંતી કરવાથી, કાઉન્સિલ દ્વારા આ દસ્તાવેજ વિવિધ રૂપમાં ઉપલબ્ધ કરવામાં આવશે. દા.ત., મોટા છાપેલાં અક્ષરોમાં, સીડી કે ઓડિયો ટેઇપ પર અને વિવિધ સમાજની ભાષાઓનો સમાવેશ થાય છે. કૃપા કરી, વધારે માહિતી માટે, 0161 770 4151, 4163 અથવા 4139 નંબર પર ફોન કરો.

કાર્ડિફ, এই દલિલટિકે અનુરોધ સાપેક્ષે એવંચિત્ ઉપયુક્ત હય-અન્યાન્ય ભાવે પાઠ્યાર વ્યવસ્થા કરવે, ચાર અત્યુક્ત હલ વડ અક્ષરે, ઈલેક્ટ્રોનિકભાવે એવંચિત્ કમિયુનિટીર વિભિન્ન ભાષાય । દયા કરે આરંબ વિસ્તારિત તથેર અન્ય ટેલિફોન કરન 0161 770 4151, 4163 અથવા 4139 એઈ નમ્બરગુલોતે ।

اگر مانگ ہوئی اور مناسب ہو تو کونسل اس دستاویز کو موٹی لکھائی، ٹیپ یا سی ڈی وغیرہ اور کمیونٹی کی زبانوں میں بھی فراہم کرنے کا انتظام کرے گی۔ مزید معلومات کیلئے 0161 770 4151 یا 0161 770 4163 یا 0161 770 4139 پر فون کریں۔

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Introduction

- i. The Urban Design Guide SPD(s) has been prepared, in partnership with Oldham Metropolitan Borough Council (MBC), Rochdale Metropolitan Borough Council (MBC), and the Oldham and Rochdale Housing Market Renewal Pathfinder, by Tibbalds Planning and Urban Design Ltd,
- ii. The Urban Design Guide SPD(s) comprises a series of documents:
 - The Urban Design Guide;
 - The Residential Design Guide; and
 - The Public Realm Design Guide.
- iii. The guidance has been prepared through joint-working by the four partners identified above. Oldham MBC has adopted the series of documents as one Supplementary Planning Document. Rochdale MBC has adopted the document as a series of the separate SPDs.
- iv. Oldham MBC and Rochdale MBC are required under Articles 6(3) and (4) of the Habitats Directive to assess the potential effects of their policies on European Sites which lie within and outside the borough's. The purpose of Habitats Regulations Assessment (HRA) is to ensure that the protection of the integrity of European sites is a part of the planning process.
- v. There are two European Sites which fall within the borough's:
 - Rochdale Canal Special Area of Conservation (SAC) - which falls partly within both Oldham Borough and Rochdale Borough; and
 - South Pennine Moors SAC and Special Protection Area (SPA) - which falls partly within both Oldham Borough and Rochdale Borough.
- vi. For information Appendix 1 and 2 contain a map showing the location of the European sites in Oldham Borough and Rochdale Borough respectively.
- vii. To meet this requirement Oldham MBC and Rochdale MBC requested the Greater Manchester Ecology Unit to carry out a HRA on the draft Urban Design Guide SPD(s). In accordance with the draft guidance from the Department for Communities and Local Government¹ this process involves 3 stages:
 - AA task 1 - Identifying likely significant effects;
 - AA task 2 - Appropriate assessment and ascertaining the effect on site

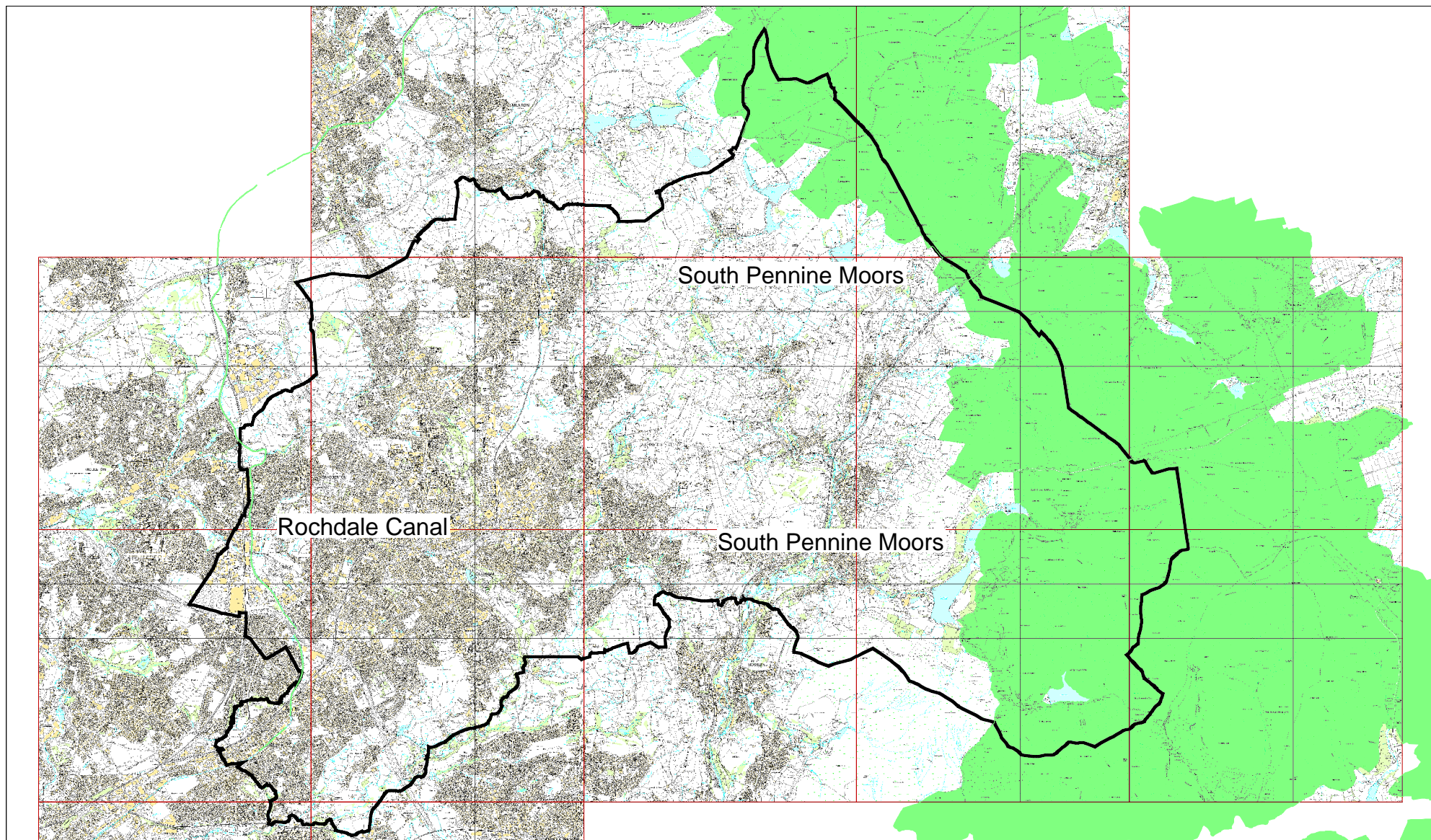
¹ Planning for Protection of European Sites: Appropriate Assessment - Guidance for Regional Spatial Strategies and Local development Documents (Department for Communities and Local Government, August 2006)

integrity; and

- AA task 3 - Mitigating measures and alternative solutions.

- viii. Task 1, also referred to as 'screening', determines whether the subsequent steps (tasks 2 and 3) of appropriate assessment are required. In this instance the Greater Manchester Ecology Unit has concluded that the guidance would only have a positive effect on the special interest of the SACs and therefore carrying out a full appropriate assessment of the guidance is considered unnecessary.
- ix. The results of task 1 are included as appendices 3 and 4. Appendix 3 assessed the likely impact of the guidance on the Rochdale Canal. Appendix 4 assesses the likely impact of the guidance on South Pennines Moor.
- x. The Greater Manchester Ecology Unit has confirmed that the proposed changes to the SPD, following consultation on the draft, do not result in the need for a further screening.

European Designated Sites in Oldham Borough



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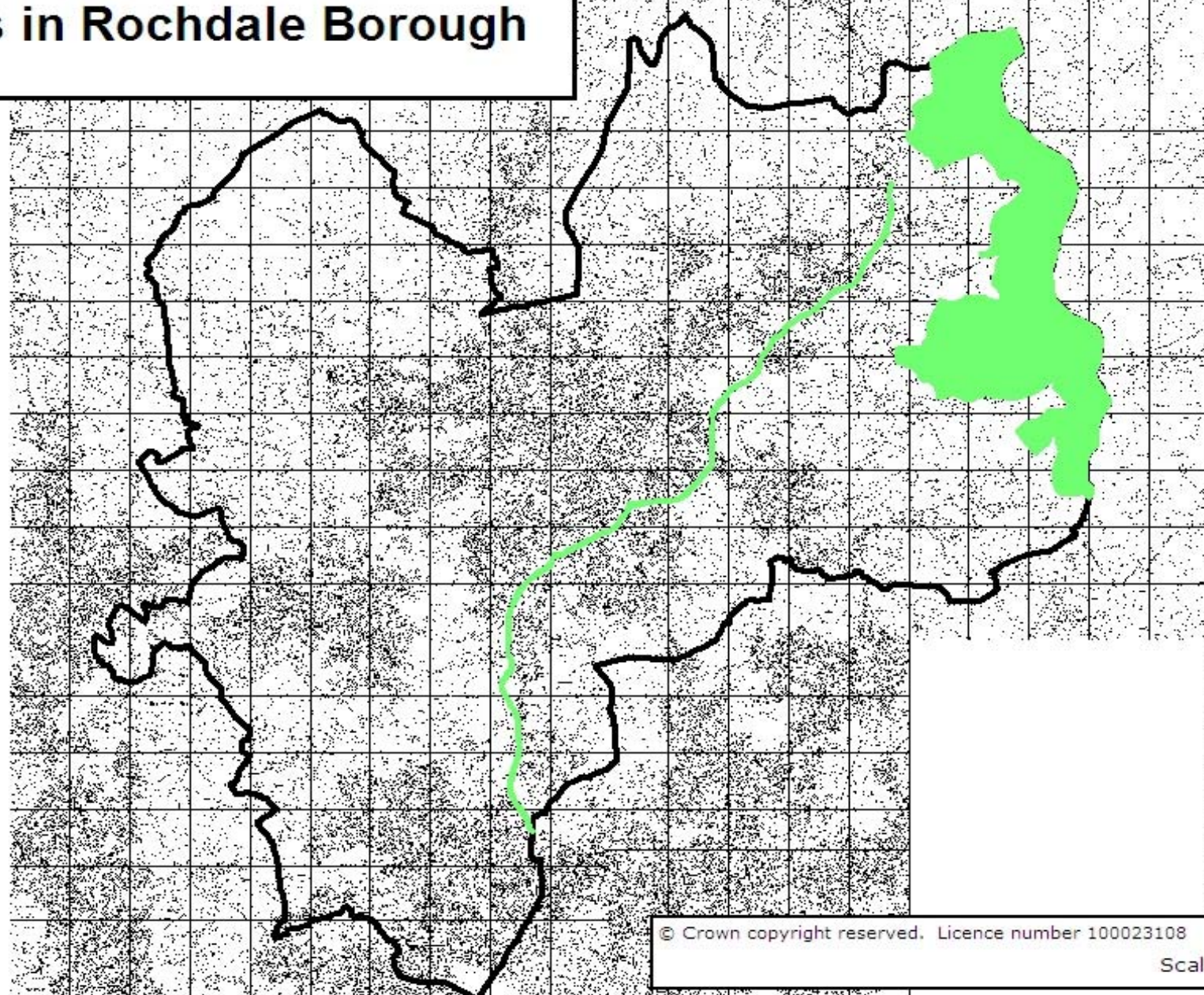
Regeneration Directorate
Oldham MBC
Oldham Business Centre
Cromwell Street
Oldham
OL1 1WR



Drawn by:	
Division	
Drawing No:	
Date: 21:02:07	Scale: 1:100000



European Designated Sites in Rochdale Borough



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Scale 1:100,000

Appendix 3 - AA task 1 - Identifying Significant Effects

Screening opinion on the need for appropriate assessment to be carried out on the impact of the Oldham and Rochdale Urban Design Guide supplementary planning document on the South Pennine Moors Special Area of Conservation (SAC)

1 Brief description of the plan

The document aims to assist all those involved in the development process in Oldham and Rochdale to design and implement high quality design of places, buildings and landscapes.

The Urban Design Guide includes a number of detailed Design Guides, which set out good practice design principles for all types of development and expand on policies relating to design as set out in the Development Plans of the two Boroughs concerned.

The document is not site specific but covers potential development across the whole of both of the districts. Developments affected by the document could therefore occur within, or immediately adjacent to, the South Pennine Moors SAC, although it is recognised that most of the area of the SAC cannot be described as urban, and that overriding policies protecting the special interest of the SAC will have the effect of significantly restricting any built development within the SAC.

2 Description of South Pennine Moors SAC

This site forms part of the Southern Pennines lying between Ilkley in the north and the Peak District National Park boundary in the south. The majority of the site is within West Yorkshire but it also covers areas of Lancashire, Greater Manchester and North Yorkshire. The largest moorland blocks are Ilkley Moor, the Haworth Moors, Rishworth Moor and Moss Moor. The underlying rock is Millstone Grit which outcrops at Boulsworth Hill and on the northern boundary of Ilkley Moor. The moorlands are on a rolling dissected plateau between 300m and 450m AOD with a high point of 517m at Boulsworth Hill. The greater part of the gritstone is overlain by blanket peat with the coarse gravelly mineral soils occurring only on the lower slopes. The site is the largest area of unenclosed moorland within West Yorkshire and contains the most diverse and extensive examples of upland plant communities in the county. Extensive areas of blanket bog occur on the upland plateaux and are punctuated by species rich acidic flushes and mires. There are also wet and dry heaths and acid grasslands. Three habitat types which occur on the site are rare enough within Europe to be listed on Annex 1 of the EC habitats and Species Directive (92/43) EEC. These communities are typical of and represent the full range of upland vegetation classes found in the South Pennines. This mosaic of habitats supports a moorland breeding bird assemblage which, because of the range of species and number of breeding birds it contains, is of regional and national importance. The large numbers of breeding merlin *Falco columbarius*, golden plover *Pluvialis apricaria* and twite *Carduelis flavirostris* are of international importance.

3 Primary reason for designation of the SAC

3.1 The site supports the following important habitats

European Dry Heaths

The site is representative of upland dry heath at the southern end of the Pennine range, the habitat's most south-easterly upland location in the UK. Dry heath covers extensive areas, occupies the lower slopes of the moors on mineral soils or where peat is thin, and occurs in transitions to acid grassland, wet heath and **7130 blanket bogs**. The upland heath of the South Pennines is strongly dominated by heather *Calluna vulgaris*. Its main NVC types are H9 *Calluna vulgaris* – *Deschampsia flexuosa* heath and H12 *Calluna vulgaris* – *Vaccinium myrtillus* heath. More rarely H8 *Calluna vulgaris* – *Ulex gallii* heath and H10 *Calluna vulgaris* – *Erica cinerea* heath are found. On the higher, more exposed ground H18 *Vaccinium myrtillus* – *Deschampsia*

flexuosa heath becomes more prominent. In the cloughs, or valleys, which extend into the heather moorlands, a greater mix of dwarf shrubs can be found together with more lichens and mosses. The moors support a rich invertebrate fauna, especially moths, and important bird assemblages.

Blanket Bogs

This site represents **blanket bog** in the south Pennines, the most south-easterly occurrence of the habitat in Europe. The bog vegetation communities are botanically poor. Hare's-tail cottongrass *Eriophorum vaginatum* is often overwhelmingly dominant and the usual bog-building *Sphagnum* mosses are scarce. Where the blanket peats are slightly drier, heather *Calluna vulgaris*, crowberry *Empetrum nigrum* and bilberry *Vaccinium myrtillus* become more prominent. The uncommon cloudberry *Rubus chamaemorus* is locally abundant in bog vegetation. Bog pools provide diversity and are often characterised by common cottongrass *E. angustifolium*. Substantial areas of the bog surface are eroding, and there are extensive areas of bare peat. In some areas erosion may be a natural process reflecting the great age (9000 years) of the south Pennine peats.

Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles

Around the fringes of the upland heath and bog of the south Pennines are blocks of **old sessile oak woods**, usually on slopes. These tend to be dryer than those further north and west, such that the bryophyte communities are less developed (although this lowered diversity may in some instances have been exaggerated by the effects of 19th century air pollution). Other components of the ground flora such as grasses, dwarf shrubs and ferns are common. Small areas of alder woodland along stream-sides add to the overall richness of the woods.

4 Operations that may damage the special interest of the SAC include

- | | |
|------|--|
| 4.1 | Cultivation |
| 4.2 | Grazing |
| 4.3 | Mowing or cutting |
| 4.4 | Application of manure, fertilisers or lime |
| 4.5 | Application of pesticides |
| 4.6 | Burning |
| 4.7 | Drainage |
| 4.8 | Extraction of minerals including peat, topsoil and subsoil |
| 4.9 | Construction or removal of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks or the laying or removal of pipelines and cables |
| 4.10 | Erection of permanent structures |
| 4.11 | Use of vehicles likely to damage the vegetation |
| 4.12 | Pollution |

5 Impact of the Oldham and Rochdale SPD on the special features of the South Pennine Moors SAC

Potentially Damaging Operation	Impact of SPD	Mitigation
Cultivation	None	None required
Grazing	None	None required
Mowing or cutting	None	None required
Application of manure, fertilisers or lime	None	None required
Application of pesticides	None	None required
Burning	None	None required
Drainage	Should built development be allowed in the SAC drainage may be required	The document(s) incorporate policies for the proper protection of valuable ecological components of the natural environment, notably: In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity' In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24) In the Residential Design Guide there is clear guidance on the need to 'maintain and enhance ecological value and biodiversity' (p.31) The Good Practice for Design and Planning stresses the need for ecological constraints to be considered early in the planning stages of new developments (p.12-13)
Extraction of minerals	None	
Construction or removal of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks or the laying or removal of pipelines and cables	Should additional built development be allowed in the SAC there will be a direct impact from land-take (habitat and species loss) and indirect impact from habitat fragmentation and increased public pressure.	The document(s) incorporate policies for the proper protection of valuable ecological components of the natural environment, notably: In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity' In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24) In the Residential Design Guide there is clear guidance on the need

		to maintain and enhance ecological value and biodiversity' (p.31) The Good Practice for Design and Planning stresses the need for ecological constraints to be considered early in the planning stages of new developments (p.12-13)
Erection of permanent structures	Should additional built development be allowed in the SAC there will be a direct impact from land-take (habitat and species loss) and indirect impact from habitat fragmentation and increased public pressure.	The document(s) incorporate policies for the proper protection of valuable ecological components of the natural environment, notably: In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity' In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24) In the Residential Design Guide there is clear guidance on the need to 'maintain and enhance ecological value and biodiversity' (p.31) The Good Practice for Design and Planning stresses the need for ecological constraints to be considered early in the planning stages of new developments (p.12-13)
Use of vehicles likely to damage the vegetation	None	None required
Pollution	Built development may cause pollution of the SAC through air water and ground sources.	The document(s) incorporate policies for the proper protection of valuable ecological components of the natural environment, notably: In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity' In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24) In the Residential Design Guide there is clear guidance on the need to 'maintain and enhance ecological value and biodiversity' (p.31) The Good Practice for Design and Planning stresses the need for ecological constraints to be considered early in the planning stages of new developments (p.12-13)

6 Conclusions and recommendations

It is not possible to assess the actual effects of any particular development on the South Pennine Moors SAC from overarching planning guidance such as the Oldham and Rochdale Urban Design Guide

However the overall impact of this SPD on the South Pennine Moors SAC can be assessed as **neutral** or **positive**, because:

- the document has been prepared for use in predominantly urban areas and much of the SAC cannot be described as urban
- overriding policies protecting the special value of the SAC will significantly restrict built development within the SAC
- the overall aim of the document is to encourage high quality design in built developments in Oldham and Rochdale. Good design includes protecting and enhancing valuable ecological components of the environment, a point explicitly made across all the component documents that make up the SPD.

My conclusion is that there will be **no significant damaging effects** arising from application of the principles outlined in this document on the special interest of the South Pennine Moors SAC. Any effects on the SAC arising from the application of the principles of good practice described in the document should in fact be positive. In fact, if the principles set out in the documents are followed built development within the SAC should be avoided.

It can be concluded carrying out a full appropriate assessment of the impact of the Oldham and Rochdale Urban Design Guide on the South Pennine Moors SAC is considered unnecessary.

Appendix 4 - AA task 1 - Identifying Significant Effects

Screening opinion on the need for an appropriate assessment to be carried out on the impact of the Oldham and Rochdale Urban Design Guide Supplementary Planning Document on the Rochdale Canal Special Area of Conservation (SAC)

1 Brief description of the plan

The document aims to assist all those involved in the development process in Oldham and Rochdale to design and implement high quality design of places, buildings and landscapes.

The Urban Design Guide includes a number of detailed Design Guides, which set out good practice design principles for all types of development and expand on policies relating to design as set out in the Development Plans of the two Boroughs concerned.

The document is not site specific but covers potential development across the whole of both of the districts. Developments affected by the document could therefore occur immediately adjacent to the SAC, particularly because much of the length of the canal lies within urban areas.

2 Description of the Rochdale Canal SAC

This partially restored section of the Rochdale Canal extends approximately 20 km from Littleborough to Failsworth, passing through urban and industrialised parts of Rochdale and Oldham and the intervening areas of agricultural land (mostly pasture). Water supplied to the Rochdale Canal in part arises from the Pennines. This water is acidic and relatively low in nutrients, while water from other sources is mostly high in nutrients. The aquatic flora of the canal is thus indicative of a mesotrophic water quality (i.e. is moderately nutrient-rich) although there is evidence of some local enrichment.

3 Primary reason for designation of the Rochdale Canal Special Area of Conservation

The Rochdale Canal supports a significant population of **floating water-plantain** *Luronium natans* in a botanically diverse waterplant community which also holds a wide range of pondweeds *Potamogeton* spp. The canal has predominantly mesotrophic water. This population of *Luronium* is representative of the formerly more widespread canal populations of north-west England.

3.1 Floating water-plantain; description and ecological characteristics

Floating water-plantain *Luronium natans* occurs in a range of freshwater situations, including nutrient-poor lakes in the uplands (mainly referable to 3130 Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea*) and slowly-flowing lowland rivers, pools, ditches and canals that are moderately nutrient-rich.

Luronium natans occurs as two forms: in shallow water with floating oval leaves, and in deep water with submerged rosettes of narrow leaves. The plant thrives best in open situations with a moderate degree of disturbance, where the growth of emergent vegetation is held in check. Populations fluctuate greatly in size, often increasing when water levels drop to expose the bottom of the water body. Populations fluctuate from year to year, and at many sites records of *L. natans* have been infrequent, suggesting that only small populations occur, in some cases possibly as transitory colonists of the habitat. Populations tend to be more stable at natural sites than artificial ones, but approximately half of recent (post-1980) records are from canals and similar artificial habitats. Its habitat in rivers has been greatly reduced by channel-straightening, dredging and pollution, especially in lowland situations.

4 Operations that may damage the special interest of the SAC include operations and activities that affect the growth of *Luronium natans*

- 4.1 Dredging
- 4.2 Draining
- 4.3 Pollution
- 4.4 Shading
- 4.5 Increased boat traffic
- 4.6 Use of herbicides in or adjacent to the canal

5 Impact of the Urban Design SPD on the special interest of the Rochdale Canal SAC

Potentially Damaging Operation	Impact of SPD	Mitigation
Dredging of the canal	None	None required
Draining of the canal	None	None required
Pollution of the canal	There is potential for pollution of the canal arising from development of sites close to the canal, both during construction and operational phases of development	The document(s) incorporate principles for the proper protection of valuable ecological components of the natural environment, notably: In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity' In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24) In the Residential Design Guide there is clear guidance on the need to maintain and enhance ecological value and biodiversity' (p.31) The Good Practice for Design and Planning stresses the need for ecological constraints to be considered early in the planning stages of new developments (p.12-13)
Shading of the canal	There is potential for parts of the canal to be shaded by new built developments close to the canal, particularly during operational phases of development	The document(s) incorporate policies for the proper protection of valuable ecological components of the natural environment, notably: In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity' In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24) In the Residential Design Guide there is clear guidance on the need to maintain and enhance ecological value and biodiversity' (p.31) The Good Practice for Design and Planning stresses the need for ecological constraints to be considered early in the planning stages of new developments (p.12-13)
Increase in boat traffic	There is the potential for an increase in boat traffic resulting directly and indirectly from an increase in built development close to the canal.	The document(s) incorporate policies for the proper protection of valuable ecological components of the natural environment, notably: In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity' In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24) In the Residential Design Guide there is clear guidance on the need 'to maintain and enhance ecological value and biodiversity' (p.31) The Good Practice for Design and Planning stresses the need for ecological constraints

		to be considered early in the planning stages of new developments (p.12-13)
Use of herbicides	There is the potential for herbicides to be used as part of the construction and operational phases of any built developments close to the canal	<p>The document(s) incorporate policies for the proper protection of valuable ecological components of the natural environment, notably:</p> <p>In the overarching Urban Design Guide, principle 7e clearly states that 'development must support biodiversity'</p> <p>In the Public Realm Design Guide there is clear guidance about the need to 'maintain and enhance ecological value' (p.24)</p> <p>In the Residential Design Guide there is clear guidance on the need to 'maintain and enhance ecological value and biodiversity' (p.31)</p> <p>The Good Practice for Design and Planning stresses the need for ecological constraints to be considered early in the planning stages of new developments (p.12-13)</p>

6 Conclusions and recommendations

It is not possible to assess the actual effects of any particular development on the Rochdale Canal from overarching planning guidance such as the Oldham and Rochdale Urban Design Guide

However the overall impact of this SPD on the Rochdale Canal SAC can be assessed as **neutral** or **positive**, since the overall aim of the document is to encourage high quality design in built developments in Oldham and Rochdale. Good design includes protecting and enhancing valuable ecological components of the environment, a point explicitly made across all the component documents that make up the SPD.

My conclusion is that there will be **no significant damaging effects** arising from application of the principles outlined in this document on the special interest of the Rochdale Canal SAC. Any effects on the SAC arising from the application of the principles of good practice described in the document should in fact be positive.

It can be concluded that carrying out a full appropriate assessment of the impact of the Oldham and Rochdale Urban Design Guide on the Rochdale Canal SAC is considered unnecessary.