

SUSTAINABILITY APPRAISAL OF THE  
OLDHAM UNITARY DEVELOPMENT PLAN

APPRAISAL OF PRE-INQUIRY CHANGES

NOVEMBER 2004

The Council would like to thank those people who have assisted at all stages in the sustainability appraisal of the draft replacement Unitary Development Plan.

## **OLDHAM UNITARY DEVELOPMENT PLAN REVIEW**

### **SUSTAINABILITY APPRAISAL OF PROPOSED PRE-INQUIRY CHANGES, NOVEMBER 2004.**

#### **BACKGROUND**

1. The review of Oldham's Unitary Development Plan began in 2000 with a public consultation on issues relating to land in the Borough. From an early stage, the process of reviewing the plan has taken place alongside the sustainability appraisal of the evolving strategy and policies. Building sustainability appraisal into the plan preparation process, which until the Planning and Compulsory Purchase Act 2004 was not a mandatory requirement, reflects the Council's commitment to sustainable development as expressed in the Community Strategy.
2. The Council's Environmental Policy Section has led and facilitated the sustainability appraisal process, with cross-party Member involvement through a sounding board group. However, the work has been carried out with significant "outside" help. Indeed, a key feature of the Oldham approach has been to involve external stakeholders, such as the Environment Agency, Oldham's Environment Forum (now part of the Environment and Transport Partnership), and the Government Office for the North West. This broad support and input enabled the Council to develop a sustainability appraisal toolkit to assist the process, based on the North West sustainability strategy, Action for Sustainability.
3. Action for Sustainability identifies four sustainability objectives:
  - Live - social progress and a better quality of life;
  - Protect - effective environmental protection;
  - Save - to conserve the Region's natural resources; and
  - Grow - economic growth and sustainable regional development.

#### **THE NEED FOR SUSTAINABILITY APPRAISAL**

4. A fundamental rule of sustainability appraisal is that it should be an iterative process, with the results constantly feeding back into policy development, which is then further checked in terms of its impacts on sustainability objectives. Thus appraisal has been carried out at the first deposit draft stage of plan preparation, and at the revised deposit stage when changes were made in response to first deposit objections.
5. The next stage in the plan review process is a public local inquiry into outstanding objections to the draft plan. This will start early in 2005. There is a final opportunity before the inquiry starts to respond to new or outstanding objections before the inquiry, by making pre-inquiry changes to the plan. Several pre-inquiry changes to the draft replacement UDP have been proposed, for three reasons:

- a. to reduce the number of objections needing to be considered at the inquiry;
- b. to respond to a new Government planning policy statement published since the revised deposit stage of the plan review; and
- c. to respond to a change in circumstances, particularly to the publication of the Housing Market Renewal prospectus that again post dated the revised deposit stage of the plan.

## THE PROPOSED PRE-INQUIRY CHANGES FOR APPRAISAL

6. The significant proposed pre-inquiry changes may be described briefly as follows.

### Section 3 The Design of New Development

- Policy D1.2 was rewritten in response to objections from the Government Office for the North West and private developers.

### Section 5 Business, Industry and the Local Economy

- Policies B2.1 and B2.2 were extended to allow some housing development on employment land in exceptional circumstances linked to meeting Housing Market Renewal objectives.
- Policy B1.5 for large office developments attracting a significant number of trips was amended to meet an objection from the Government Office for the North West.

### Section 6 Housing

- The approach to housing policy was altered to change the assumptions about clearance levels and clearance replacement, some allocations were brought forward from phase 2 to phase 1, two new phase 1 allocations were added, the treatment of vacancy was changed, and assumptions about windfall rates have been altered. This is to bring the plan as up to date as possible in the light of the Housing Market Renewal initiative.

### Section 7 Retail and Leisure Development

- The definition of “edge of town centre” in terms of retail planning policy was clarified in response to an objection.
- The cumulative impact of small “local needs” shops on town and district centres was made a consideration, in response to a perceived problem of growing numbers of such shops in Primary Employment Zones.

### Section 9 Community and Education Facilities

- The threshold for the consideration of the need for additional school places linked to new housing developments set out in policy CF1.5 has been lowered from 50 to 30 dwellings, in response to objections. Also the definition of community facilities has been widened to cover social clubs.

Section 10 Open Space, Sport and Recreation Facilities

- The recreational open space typology in policy R1 has seen the addition of a further type of urban fringe open space, in response to an objection, and the policy has been slightly amended to align it more closely with revised PPG17.
- References to other local strategies have been introduced into the Recreation chapter in response to an objection from Sport England.

Section 11 Open Environment

- A reference has been added to policy OE2 about the Peak District National Park to overcome an objection from the Park Authority.

Section 12 Conservation of the Historic Environment

- Wording about views in or out of a conservation area have been reinstated in policy C1.1 in response to objections.

Section 13 Natural Resources and Environmental Quality

- The renewable energy policies NR3.1 and NR3.2 have been amended in response to objections.

7. These changes needed to be appraised to check both their potential impacts on sustainability objectives, and to check that they were not harming the internal consistency of the draft plan. However, given the relatively low number of changes and the fact that most, apart from the rewriting of policy D1.2, were adjustments to existing policies, it was not considered appropriate or necessary to assemble the entire working group to carry out the appraisal.
8. Therefore the Council’s Environment Coordinator Simon Robinson, and the Chairman of Oldham’s Environment and Transport Partnership of the Local Strategic Partnership, Bill Edwards, met to go through the proposed changes before they were reported to the Cabinet and the Council for approval. The Principal Planning Officer from the Strategic Planning Team, Sarah Barker, attended to present the changes to them.

RESULTS OF THE SUSTAINABILITY APPRAISAL

<b>Design of New Development Section Policy D1.2 Designing for energy efficiency</b>			
<b>General comments</b>	<b>Positive impacts</b>	<b>Negative impacts</b>	<b>Outcomes</b>
Why has the list translated from para. 3.27 of the reasoned justification to the policy “lost” reference to avoiding exposed positions and encouraging roof pitches that can take solar panels.	<p>Could help reduce poverty through less money having to be spent on fuel.</p> <p>Could improve health if the policy reduces fuel poverty.</p>	Concern that the requirements of the policy could push up the price of new housing, affecting people’s ability to access good quality housing that they can afford.	No further change necessary.

<p>Response: the “exposed positions” point is covered in clause c of the revised policy, and a certain roof pitch is not necessarily a prerequisite for solar technology to be applied effectively, therefore it was considered to be too prescriptive.</p>	<p>Should reduce energy consumption and consequent greenhouse gas emissions.</p>		
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**Business, Industry and the Local Economy Section Policy B1.5 Business, office and industrial development on unallocated land**

General comments	Positive Impacts	Negative Impacts	Outcomes
<p>The basic principle of putting activities that attract large numbers of trips in accessible locations is supported. However, there is concern that the revised policy could work against the re-use of mills in less accessible locations for new, office-based activities. Would therefore wish to see an exceptions clause around the use of mills in less accessible locations, provided that good public transport services and/or a travel plan could be made a requirement.</p> <p>Response: protecting the Borough’s historical assets is already a plan objective. The exceptions clause in the revised deposit draft policy is what drew the objection from the Government Office. Reverting to this wording would not remove the objection. The scope of the plan to protect mills is</p>	<p>In ensuring that offices attracting significant trips locate in centres or at transport interchanges, the impact should be positive on access to jobs, choice and use of sustainable transport modes, reducing emissions of greenhouse gases and reducing energy consumption.</p>	<p>There could be negative effects on ensuring the preservation and re-use of the built heritage where such buildings fail to meet the locational criterion. Previously the policy may have allowed this as an exception. The importance of protecting the mill heritage needs emphasising somewhere in the plan.</p>	<p>No further change to B1.5, but check through the plan to assess whether the protection of the mill heritage should be emphasised more elsewhere.</p>

limited, as planning permission is not needed to demolish those mills which are not listed or in a conservation area. Policy B1.5 is only about office uses of a scale that may attract trips from a very wide catchment. An alternative way to address the concern if there are specific mills in mind may be to raise it in connection with those allocations.			
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**Policies B2.1 Primary Employment Zones and B2.2 Protection of existing employment sites outside PEZs.**

General Comments	Positive Impacts	Negative Impacts	Outcomes
First impressions were a concern about any potential net loss of employment land. However, explanation of the criteria through which land release would be controlled, and the compensatory measures required, helped to allay it to some extent.	Could improve access to jobs through mixed use development. Facilitates the improvement of the housing stock. Could have positive impacts on reducing poverty if the sites are not in full productive use and the compensatory measures improve the usability of other land, or people's access to jobs.	Will the resulting houses be too expensive because of the need to cover the costs of the compensatory measures? There could be a net loss of employment land but the compensation arrangements should ensure that the impact on the economy and therefore poverty and access to jobs would not be adverse.	As a result of concern about the potential depletion of the Borough's stock of employment land, clauses 2 (a) and (b) in B2.1 were swapped, and in the reasoned justification it was indicated that the first choice would be for the replacement of the land. The discussion also highlighted the need for an employment land study to support the monitoring of this policy.

**Housing Section – policies H1 Housing land requirement and supply, H1.1 and H1.2 Housing land release phases 1 and 2.**

General comments	Positive impacts	Negative impacts	Outcomes
Discussion of changes to the Housing Section sparked a wider debate first about how and where social housing that gets cleared through HMR may	Provided the changes go hand in hand with defending employment land and retaining a stock of it (see	The new and extended housing allocations, all of which affect employment sites, could impact	A non-UDP outcome: the need for more direct involvement by Environment and Transport

<p>be replaced, and the need to ensure that this is picked up in the master planning processes. A need was identified for the Environment and Transport Partnership to also take a design leadership role to raise aspirations for the type of housing people want to live in.</p>	<p>above) then there should be positive impacts on access to jobs and services, and increasing the proportion of the population in good quality, affordable and resource efficient housing.</p>	<p>negatively on reducing poverty.</p>	<p>Partnership in the HMR master planning process was identified – Env Coordinator to action.</p>
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**Retail and Leisure Development Section Policy S1.2 Development Beyond the Central Shopping Core**

General comments	Positive impacts	Negative impacts	Outcomes
<p>None</p>	<p>Through ensuring that sites closer to the shopping core would be more sequentially favourable than those more distant from it, there should be positive impacts on access to jobs, goods and services, health (by encouraging people to park or arrive by bus and then get out and walk around the centre), and improving social connections (through countering the tendency for activities to disperse).</p>	<p>None</p>	<p>No further change necessary.</p>

**Policy S2.3 New shops serving local needs**

General comments	Positive impacts	Negative impacts	Outcomes
<p>Find the wording of new clause f. of the policy difficult to follow.</p>	<p>Through concentrating retail activity into centres where it is more accessible to more people, there should be positive impacts</p>	<p>Overall the positive impacts were considered to outweigh the possible negative impact of stifling small scale</p>	<p>Wording of the changes to S2.3 amended to clarify it</p>



	on access to jobs, goods and services, health (by encouraging people to park or arrive by bus and then get out and walk around the centre), and improving social connections (through countering dispersal tendencies).	enterprise.	
<b>Community and Education Facilities Section – definition, and policy CF1.5 Developer Contributions to New Teaching Spaces</b>			
General comments	Positive Impacts	Negative impacts	Outcomes
Welcome the inclusion of social clubs within the definition, in recognition of the role they may play in providing meeting spaces.	The reduced threshold in CF1.5 should facilitate children being able to attend a school close to where they live thus improving access to local services and reducing the need to travel. Protecting social clubs may help to increase social connections.	Will another requirement placed on developers push up the price of new homes and thereby reduce access to affordable housing? The clause about the viability of schemes should help to ensure against this.	No further change necessary.
<b>Open Space, Sport and Recreation Facilities Section - Policies R1 Open space, sport and recreation facilities, R1.3 Protection of playing fields, R2.2 General criteria relating to new or improved open space, outdoor and indoor sport and recreation facilities, and Appendix E.</b>			
General comments	Positive impacts	Negative impacts	Outcomes
Two questions were posed. What is the difference between a playing pitch and playing field? Statutory Instrument 1996/1817 defines a playing field as the whole of a site which encompasses at least one playing pitch. Land owned by a local authority which	Addition of accessible urban fringe type to R1 should help to improve access to amenities.	None.	No further changes necessary.

<p>falls within this definition includes for example parkland, open space used for informal recreation, or land leased to sports clubs, as well as playing fields used by schools, colleges and other educational institutions.</p> <p>How is the urban fringe defined in relation to the addition of K to R1? Anywhere within the Oldham Green Belt where there is countryside managed for public access that is not already recognised in the typology as a country park under type A.</p> <p>Some concern at the references added to parts of the reasoned justification about non-specific approved strategies. This could cover a wide range of strategies – will it be practical to implement?</p> <p>Response: the reference was added in at the request of Sport England. The strategies referred to would be those with a direct bearing on matters of sport, recreation and open space.</p>			
<b>Open Environment Section Policy OE2</b>			
General comments	Positive impacts	Negative impacts	Outcomes
Concern at lack of a formal national designation for Oldham's part of the South Pennines outside the Peak Park. Can we extend the Peak Park or designate the South Pennines as an	None identified.	None identified.	No further change needed to plan. SB to report back to Environment and Transport Partnership regarding the questions.

Area of Outstanding Natural Beauty? This is not a UDP matter.			
<b>Conservation of the Historic Environment Section Policy C1.1 Development within or affecting the setting of conservation areas</b>			
General comments	Positive impacts	Negative impacts	Outcomes
None	Making the change in response to objectors may help to encourage communities to engage in local decision making.	None	No further change needed to plan.
<b>Natural Resources and Environmental Quality Section – Policies NR3.1 Renewable energy developments and NR3.2 Wind developments.</b>			
General Comments	Positive Impacts	Negative impacts	Outcomes
Should reflect the fact that these policies are about renewable energy in the title to the section (which currently reads Energy Policies).  The wording of the final paragraph of both policies had been changed to refer to "...unavoidable ....impacts" rather than damage (to reflect PPS22). The group requested that this be changed back, since impacts may be positive as well as negative and therefore the word "damage" is clearer.	Making changes in response to objectors may again help to encourage communities to engage in local decision making.  In setting out a clearer framework for renewables applications, the changes could: Reduce greenhouse gas emissions, improve health through reduced emissions whilst safeguarding amenity; and increase the proportion of energy generated from sustainable and renewable resources.	None.	Insert "renewable" into the title of this subsection. In the last para. of NR3.1 and NR3.2, revert to word "damage".

## CONCLUSIONS

Undertaking a sustainability appraisal is a difficult task, which involves identifying all the different ways in which a policy may impact on sustainability objectives, and then weighing different impacts to determine the overall effect

of the policy and whether it needs to be revised. But this is only a small part of the process. Further very significant benefits to policy formulation arise from the sustainability appraisal process:

- policies get checked from the angle of each of the four sustainability objectives of live, protect, grow and save, ensuring that each policy has been through a thorough and methodical assessment;
- in this context, sustainability appraisal brings non-planning viewpoints to the consideration of policies, which can help to fundamentally challenge the scope and objectives of the policies being assessed;
- it helps to identify how or where policies may be improved or clarified;
- it helps to identify links to other areas of work where action may be needed to ensure positive outcomes from the implementation of the policy; and
- it can help to flag up other areas where work is needed in order to work towards our sustainability objectives.

In this case, there are some key findings. Those that pointed to the need for modification of the proposed pre-inquiry changes have been implemented. Other findings and observations are as follows.

1. A recurring theme in several policies related to potentially raising the cost of new housing, for example through ambitious design requirements or attaching too many requirements to them for financial contributions from developers. In the cases of the three policy areas in which this arose, two of the policies do have some built in flexibility that would allow other objectives (such as affordable housing) to take priority. However, it is an area which needs careful consideration. Developers need to be made aware of all the potential costs of a development so that they may be reflected in the price paid for the land. To help to address this, the local planning authority intends to prepare a supplementary planning document to sit alongside this replacement UDP, detailing all the policy areas to which a requirement for planning obligations may be attached. More information will be available about this when the Council's first Local Development Scheme is published in Spring 2005.
2. The appraisal confirmed the need for a study of employment land in the Borough to deepen understanding of the relationship between jobs and land and of the land and locational needs of modern businesses and industries. The possibility of such a study will be pursued with the Economic Partnership of the Local Strategic Partnership through the Community Strategy.
3. The need for more direct involvement by the Environment and Transport Partnership in Housing Market Renewal master planning was flagged up. The Environment Coordinator is to action this.
4. The lack of a national designation for part of the South Pennines was raised. In response to this, the process for achieving such designation will be reported to the Environment and Transport Partnership.