

Oldham Replacement Unitary Development Plan

**Policy Changes
Proposed Through
Inquiry Appearances
or
Written Responses To Representations**

OLDHAM DRAFT REPLACEMENT UNITARY DEVELOPMENT PLAN – PUBLIC INQUIRY 2005

POLICY CHANGES PROPOSED THROUGH INQUIRY APPEARANCES OR WRITTEN RESPONSES TO REPRESENTATIONS

Please note that, to distinguish it from changes made at revised deposit or pre-inquiry changes stage, new wording added to policies at this stage is shown in italics, whilst any wording deleted is shown struck through **and** shaded grey.

INTRODUCTION AND WHOLE PLAN – No changes.

| Policy | Change to | Change | Reason | Comment/proof ref |
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PLANNING STRATEGY – No changes.

| Policy | Change to | Change | Reason | Comment/proof ref |
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SECTION 3 DESIGN – No changes.

| Policy | Change to | Change | Reason | Comment/proof ref |
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SECTION 4 TRANSPORT – No changes

| Policy | Change to | Change | Reason | Comments/proof ref |
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SECTION 5 BUSINESS, INDUSTRY AND THE LOCAL ECONOMY

| Policy | Change to | Change | Reason | Comment/proof ref |
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| B1.3 | Para 5.16 of reasoned justification | <p>5.14 <u>5.16</u> There are many uses of land including some employment generating uses that can be located adjacent to housing areas without having a detrimental impact upon residential amenity. Examples of this include <u>smaller</u> offices, creative industries and craft workshops. In appropriate locations mixed-use development can help to achieve PPG 3 objectives, stimulate economic investment, and create local jobs that reduce the need to travel. The wider range of uses referred to in this policy will only be allowed in line with other UDP policies, particularly those that relate to retail development (policies S1.7 and S2.3). <u>The mixed-use allocation also takes account of the distinctive characteristics of the sites and the regeneration opportunities they offer. The economics of mixed use development can be complex and can change over time. The Council, therefore, recognises that there may be a need to apply the residential percentage figures in the policy with a degree of flexibility at the time development proposals are considered. The need for this flexibility, within the region of the percentage figure, will be assessed in the light of the economics of the development and the economic regenerative benefits of the overall mixed use scheme. Proposals for site M1 in Greenfield will be considered against policy NR2.2 Flooding and Flood Protection, as part of the site lies within a flood risk area. A major developed site in the Green Belt has been allocated in Greenfield, Saddleworth which also permits a mix of uses (see policy OE1.8 in the Open Environment</u></p> | To meet the concerns of objectors relating to the economic complexity of developing mixed use sites | OMBC/W/M1 |

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| | | <u>section).</u> | | |
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SECTION 6 HOUSING – No changes

| Policy | Change to | Change | Reason | Comments/proof ref |
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SECTION 7 RETAIL AND LEISURE DEVELOPMENT

| Policy | Change to | Change | Reason | Comment/proof ref |
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| S1.7 DEVELOPMENT S OUTSIDE THE TOWN CENTRE AND AT THE EDGE OF OR OUTSIDE THE DISTRICT CENTRES | Bullet point `c` of policy S1.7 | Insert an additional criterion under bullet point `c`. The Council’s suggested wording for the additional criterion is: <i>“the impact on the spatial planning strategy for the area and strategy for a particular centre or network or hierarchy of centres”</i> . | To ensure the policy is fully compliant with recently published Government guidance on town centres, PPS6. | Prompted by, but not directly responding to, objections 0021/1/003/O, 0010/1/001/O, 0021/1/005/O and 1827/2/006/O. Proof ref OMBC/W/S1.7 |

SECTION 9 COMMUNITY AND EDUCATION FACILITIES – No changes

| Policy | Change to | Change | Reason | Comment/proof ref |
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SECTION 10 OPEN SPACE, SPORT AND RECREATION – No changes

| Policy | Change to | Change | Reason | Comment/proof ref |
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SECTION 11 OPEN ENVIRONMENT – No changes

| Policy | Change to | Change | Reason | Comment/proof ref |
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SECTION 12 CONSERVATION OF THE HISTORIC ENVIRONMENT – No changes

| Policy | Change to | Change | Reason | Comment/proof ref |
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SECTION 13 NATURAL RESOURCES

| Policy | Change to | Change | Reason | Comment/proof ref |
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| NR3 ENERGY DEVELOPMENTS | Part 1 policy title and policy wording. | PART 1 POLICY <i>RENEWABLE</i> ENERGY DEVELOPMENTS THE COUNCIL WILL SUPPORT DEVELOPMENT PROPOSALS WHICH IMPROVE ENERGY EFFICIENCY AND CONSERVATION AND FOR ALL FORMS OF <i>RENEWABLE</i> ENERGY GENERATION WHICH CONTRIBUTE TO REDUCING GREENHOUSE GAS EMISSIONS, SUBJECT TO CONSIDERATION OF THEIR POTENTIAL ENVIRONMENTAL AND HEALTH IMPACTS. | For clarification | Prompted by, but not directly responding to, objections 0243/2/023/O and 1938/2/005/O. Response reference OMBC/W/NR3. |
| NR3.3 Renewable Energy in Major New Developments | Policy and reasoned justification | <u>Renewable Energy in Major New Developments</u> <u>NR3.3 For all major new developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000m² gross floorspace, the Council will require 10% of total predicted energy requirements to be provided, on site, from renewable energy sources. Where it is claimed</u> | To respond to GO NW objection and clarify the application of the policy. | Response reference OMBC/W/NR3.3 Response to objection 0021/2/094/O GO NW. |

that such a requirement would be non-viable in relation to a particular proposal, the claim should be supported by a development appraisal substantiating the claim of non-viability with regard to the type of development proposed, its location and design.

13.94 Passive solar design, that is designing a building to take maximum advantage of sunlight, and energy efficiency measures can significantly reduce the overall energy consumption of a building. ~~Where developers can satisfactorily demonstrate that a percentage of the development's energy requirements have been reduced through passive solar design, that percentage will be deducted from the 10% target required by this policy.~~ *However, passive solar design and Energy efficiency measures will not be counted towards the 10% requirement in the same way, because they are already requirements through Policies D1.1 and D1.2 in the Design Section of the Plan.* ~~Nevertheless, there is a clear benefit to applicants in maximising the energy efficiency and effective passive solar design of buildings, as this will reduce the overall energy requirement and consequently the contribution needed from renewable energy resources to meet the target requirement.~~

~~Applications for developments where it is claimed that such a requirement would be non-viable should be supported by a development appraisal which substantiates why this is the case.~~ *A successful claim of non-viability in relation to the requirement for 10% of total predicted energy requirements to be provided on site from renewable energy sources would result in the Council negotiating a lower percentage requirement, having regard to the details of the claim itself, the type of development proposed, its location and design. In the context of this policy, viability is defined in terms of:*

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| | | <p>(i) <i>the overall economic viability of the proposed development (not that of individual renewable energy technologies); or</i></p> <p>(ii) <i>the existence of any insurmountable technical problems.</i></p> | | |
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APPENDICES

APPENDIX B

| Policy | Change to | Change | Reason | Comment/proof ref |
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| 1 Frenches Wharf/Wellington Road, Greenfield, Saddleworth (Amended by technical change from H1.1.18) | Wording of the site details | <u>This major redevelopment opportunity offers the potential to develop a range of uses that will provide both employment and new residential accommodation. Key to the development of this site is the opportunity for developing tourism related uses centred on the River Tame and Huddersfield Narrow Canal. This is a prerequisite for allowing the development of any non-tourism related uses. However, regard should be had to Policy NR2.2 – Flooding and Flood Protection. The mix of uses permitted on the site are business and industry (B1 and/or B2), tourism, residential (C3), and retail uses only in accordance with relevant policies in the Retail and Leisure Development section. The proportion of residential should not exceed 40% of the net total developable area, subject to paragraph 5.16 of the reasoned justification. In estimating the capacity of the site for housing, the Council recognises that development proposals may exceed the indicative capacity. The Council will negotiate for the provision of an element of affordable housing, as part of the residential element. The Council will consider the need for on-site recreation facilities as part of the comprehensive redevelopment of this site.</u> | For clarification | OMBC/W/M1 Frenches Wharf / Wellington Road |
| Appendix B | H1.2.4 Medlock | Amend the site details to read, <i>“This site will provide a</i> | To provide a more | OMBC/W/H1.2.4/Medlock |

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| | Road | <i>long term opportunity for development in an area which has generally few housing opportunities. The development of the site will support the Council's objectives aimed at providing a spread of new housing opportunities across the Borough."</i> | positive description of the rationale for allocating the site. | Road |
| H1.2.10 – Knowls Lane | Wording of the site details. | <u>This large greenfield site can only be developed in conjunction with the proposed extension to Lees new Road (see Policy T1.1). The Council will require on-site recreation provision and will negotiate for the provision of an element of affordable housing.</u> <i>The Council will also require any future development to make provision for a pedestrian route within the site and/or along the site frontage to Knowls Lane to improve access to the school for residents and their children.</i> | To meet the concerns of an objector relating to the impact of any new residential development on access to St Agnes school at Knowls Lane | OMBC/W/H1.2.10/KNOWLS LANE |