

## **REPORT TO COUNCIL – 24 MAY 2006**

### **UNITARY DEVELOPMENT PLAN - REVIEW: RESPONSES TO OBJECTIONS RECEIVED ABOUT THE PROPOSED MODIFICATIONS AND THE COUNCIL'S STATEMENT OF DECISIONS, AND THE ADOPTION OF THE PLAN**

#### **REPORT OF EXECUTIVE DIRECTOR OF REGENERATION**

### **OLDHAM UNITARY DEVELOPMENT PLAN**

#### **1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to set out the recommended responses of the Council to objections received on the proposed Modifications to the Oldham Unitary Development Plan (UDP) and the Council's Statement of Decisions. It seeks approval for these responses and the adoption of the UDP.

#### **2.0 EXECUTIVE SUMMARY**

- 2.1 The Council is at the final stages in the preparation of the replacement UDP. Consultation on the Proposed Modifications has now finished. A small number of objections were received, but they are not considered to have a material impact on the policies and proposals set out in the draft replacement UDP for the reasons set out in Appendix A. It is therefore unnecessary to hold a further Public Inquiry into these objections. As a result, the replacement UDP can be adopted by the Council as part of the Borough's statutory development plan and so form the basis for determining planning applications.
- 2.2 The process for adoption is set out in the Development Plan Regulations 1999, and involves two periods of advertisement; a Notice of Intention To Adopt, and then, after 28 days, a Notice of Adoption. Although the UDP formally becomes part of the Borough's statutory Development Plan as of the date the Notice of Adoption is published, there is then a six-week period during which legal challenges could be launched against the UDP.

### **3.0 RECOMMENDATIONS**

3.1 It is recommended that Members:

- (i) approve the recommended responses to objections made to the Council's schedule of Proposed Modifications and Statement of Decisions as detailed in Appendix A to this report; and
- (ii) approve the further technical changes as detailed in Appendix B; and
- (iii) approve the publication of the Notice of Intention to Adopt; and
- (iv) approve the publication of the Notice of Adoption, at which point the Oldham UDP becomes a part of the statutory Development Plan for the Borough.

### **4.0 BACKGROUND**

4.1 Following a Public Inquiry, held between January and October 2005, the Council published the Inspector's Report in January 2006. After consideration at its meeting on 8<sup>th</sup> February 2006, the Council published its Proposed Modifications to the UDP and its Statement of Decisions, thereby starting a 6 week public consultation period. This consultation ended on 10<sup>th</sup> April 2006 and resulted in a further 17 objections.

4.2 The Council must now consider its response to these objections and whether or not the replacement Oldham UDP can be adopted. The recommended response to these objections is set out in Appendix A of this report. A further Public Inquiry into these objections is considered to be unnecessary.

4.3 Further, a number of additional technical changes to the UDP have been identified. Appendix B of this report sets out these further technical changes which it is considered have no material impact on the policies and proposals contained in the Plan.

- 4.4 It is therefore considered that the Plan is ready for adoption, incorporating the proposed modifications and technical changes as published in February 2006 and the attached further technical changes.

### **Adopting the UDP**

- 4.9 Should Members recommend that the UDP be adopted as described in this report, a Notice of Intention To Adopt will be published in the appropriate media. After 28 days, unless the Secretary of State issues a direction to “call-in” or modify the Plan a Notice of Adoption will be published. Although the Plan is adopted as of the publication of the Adoption Notice, there is then a period of 6-weeks for the submission of a legal challenge to elements of the Plan.
- 4.10 From the point of adoption it is intended to publish the UDP Written Statement and Proposals Map as soon as practicably possible. Copies will be made available at all libraries, the One-Stop-Shop in the Civic Centre, the Business Centre and the Planning reception on Level 12 of the Civic Centre. Copies will also be sent to all Members and statutory consultees. The UDP will be made available in electronic format via the Council’s web site. Individuals and organisations that have participated in the UDP Review will be notified in writing that the Plan has been adopted.

### **5.0 CURRENT POSITION**

- 5.1 The Council has reached the final stage in the preparation of the replacement UDP. The Council is now in a position to adopt the Plan which will, along with the Regional Spatial Strategy for the North West, form the development plan for the Borough and as such will be used as the basis for determining planning applications in the Borough.

### **6.0 OPTIONS/ALTERNATIVES**

- 6.1 There are no practical alternatives. The Council is legally obliged to have an up-to-date adopted UDP as part of the Borough’s statutory Development Plan.

## **7.0 PREFERRED OPTION**

7.1 Adopt the UDP as set out in the Development Plan Regulations 1999.

## **8.0 CONSULTATION**

8.1 The UDP Review has been subject to extensive public consultation at key stages, including at First and Revised Deposits, Pre-Inquiry Changes and Proposed Modifications, that has involved the Members, Chief Officers, general public, statutory consultees, interest and community groups, land owners, developers and consultants.

## **9.0 FINANCIAL IMPLICATIONS /TREASURER'S COMMENTS**

9.1 "None apart from printing the written statement and proposals map which will be met from within the existing revenue budget (PB)."

## **10.0 CORPORATE HUMAN RESOURCES COMMENTS**

10.1 NONE.

## **11.0 LEGAL SERVICES' COMMENTS**

11.1 Legal Services have been involved in the production of the report and agree it's contents (MB)

## **12.0 TREASURER'S COMMENTS**

12.1 See 9.1 above.

## **13.0 IT IMPLICATIONS**

13.1 NONE.

## **14.0 PROPERTY IMPLICATIONS**

14.1 NONE.

## **15.0 ENVIRONMENTAL AND HEALTH AND SAFETY IMPLICATIONS**

15.1 The Replacement UDP has been the subject of sustainability appraisal throughout the process. Therefore, the plan should fully reflect environmental, community and economic considerations insofar as planning legislation permits.

## **16.0 COMMUNITY COHESION IMPLICATIONS (INCLUDING CRIME AND DISORDER IMPLICATIONS IN ACCORDANCE WITH SECTION 17 OF THE ACT)**

16.1 The Replacement UDP's spatial strategy can indirectly influence community cohesion, for example through the location of development and criteria which govern the nature and type of development. The Replacement UDP has had regard to national advice and Oldham's Community Cohesion Strategy.

## **17 FORWARD PLAN REFERENCE**

**KEY DECISION:- YES.**

**If YES:-**

*State the month and reference number of the item which gives notice of the intention to make this decision. If item was not included in forward plan include reference to general exception/special urgency procedures (paragraph 16 and/or 17 of Part 4 of the Constitution) and include dates of consultation with appropriate Overview and Scrutiny Chair(s). ( See guidance note attached also).  
(Essential Guide is located in the Intranet – reference section)*



## 18 SUPPORTING PAPERS

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***In the case of an EXEMPT report, this section can be deleted.***

*The following is a list of the background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by that Act.*

*File Ref –First Deposit Draft Replacement UDP, October 2001*

*Revised Deposit Draft Replacement UDP, October 2003*

*Pre-Inquiry Changes to the Replacement UDP, November 2004*

*Further Pre-Inquiry Changes to the Replacement UDP, January 2005*

*Inspector's Report into the Public Local Inquiry, December 2005*

*Proposed Modifications to the Revised Deposit Draft Replacement UDP and the*

*Council's Statement of Decisions, February 2006*

*Individual objections or representations made at the various public consultation stages.*

*Any Person wishing to inspect copies of the above background papers should contact:-*

*Len Harris, Strategic Planning & Information, telephone 0161 911 4163*





## APPENDIX A

### OLDHAM RUDP

#### SUMMARY & RESPONSE – OBJECTIONS TO PROPOSED MODIFICATIONS AND THE COUNCIL’S STATEMENT OF DECISIONS

##### 1. OBJECTIONS TO PROPOSED MODIFICATIONS

<i>Objection Reference</i>	<i>Objector</i>	<i>Mod No.</i>	<i>Policy</i>	<i>Site</i>	<i>Summary of objection</i>	<i>Council's Response</i>	<i>Recommendation</i>
0665/4/017/O	Environment Agency	5/2	B1.1	Land at Foxdenton Lane, Chadderton	The land at Foxdenton is within the Agency's Flood Zones 2 and 3. Flooding and its impact on the natural and built environment are material planning considerations. PPG25 and draft PPS25 both state that there is a requirement that a strategic flood risk assessment should be undertaken in order to provide information in order to apply the sequential test approach.	<p>The flood risk identified in this area is a recent addition on the Environment Agency’s official Flood Zones map for Oldham.</p> <p>The Inspector concluded that the supply of employment land in the general area was “potentially tightly constrained” and that there was a need for some additional expansion in this prime location.</p> <p>Any proposal would be subject to policy NR2.2 “Flooding and Flood Protection” which would require an appropriate flood risk assessment to be carried out and the criteria of the policy to be satisfied.</p> <p>Flood risk areas will be included on the proposals map as accepted by the Council in response to an objection to Policy</p>	No further modification, but add reference to the site and need to consider policy NR2.2 in the final paragraph of the justification to policy B1.1 (as a technical change).

<b>Objection Reference</b>	<b>Objector</b>	<b>Mod No.</b>	<b>Policy</b>	<b>Site</b>	<b>Summary of objection</b>	<b>Council's Response</b>	<b>Recommendation</b>
						NR2.2 by the Environment Agency.	
1960/4/001/O	Mr M Stewart	5/2	B1.1	Land at Foxdenton Lane, Chadderton	Objects to the allocation of land at Foxdenton for employment use. Considers this to be another encroachment in to a residential area which is already plagued by HGV's ignoring the 7.5 ton weight limit. Also concerned that the use of Foxdenton Lane by HGV's is inconsistent with the location and use of Foxdenton Hall on a blind bend. Additional employment development would destroy the atmosphere the heritage of the hall creates. Also concerned that employment based development would have a negative impact on local wildlife.	<p>Access issues were considered at the Inquiry. The Inspector found that there were no access issues to prevent the allocation of this site, which is accessible via Broadgate. The issue of HGV use of Foxdenton Lane in contravention of a Traffic Order is a matter for the police – it is not a planning matter. However, details of this objection have been forwarded to the Area Manager.</p> <p>The UDP includes Policy OE2.3 “Habitat Protection” and Policy OE2.4 “Species Protection” which would apply to any planning application for a proposal that could impact on local wildlife.</p> <p>With regard to Foxdenton Hall, policy C1.9 Development Affecting the Setting of a Listed Building would be applied if necessary.</p> <p>Finally, Policy NR1.1 “Protection of Amenity” would apply to any proposal.</p>	No further modification.
1962/4/001/O	L. Thompson	5/2	B1.1	Land at Foxdenton Lane, Chadderton	Existing business development has caused a considerable increase in traffic along Foxdenton Lane, particularly	Access issues were considered by the Inquiry. The Inspector found that there were no access issues to prevent the allocation of this site, which is accessible	No further modification.

<i>Objection Reference</i>	<i>Objector</i>	<i>Mod No.</i>	<i>Policy</i>	<i>Site</i>	<i>Summary of objection</i>	<i>Council's Response</i>	<i>Recommendation</i>
					HGV traffic. 7.5 ton limit ignored. Steps should be taken to seriously address the existing problems without further extensions to the business development.	via Broadgate. The issue of HGV use of Foxdenton Lane in contravention of a Traffic Order is a matter for the police – it is not a planning matter. However, details of this objection have been forwarded to the Area Manager.	
1959/4/001/O	Cowlishaw Action Group	11/8	OE1.10	N/a	Objects to the deletion of the words “Green Belt” from the policy since this is simply the opening clause of the policy and is inconsistent with the approach to Land Reserved for Future Development. Also objects to the replacement of the title “Local Green Gaps” with “Other Protected Open Land”. The LGG designation avoids the confusion around the OPOL designation in the 1996 Adopted UDP.	<p>The Council has accepted the Inspector’s view that the reference to Green Belt in this policy could be confusing to readers of the Plan and raise questions concerning why areas allocated under the policy are not in the Green Belt. To reword the policy and refer to local distinctiveness would not only remove this confusion, but also allow areas to be protected for the reasons the Council considers appropriate, as detailed in the reasoned justification to the policy.</p> <p>It is not inconsistent to still refer to Green Belt policy in Policy OE1.9 “Land Reserved for Future Development”. Land allocated under this policy is designated for possible future development needs. However proposals for development or partial development of such sites could come forward during the plan period and would need to be judged against</p>	No further modification.

<b>Objection Reference</b>	<b>Objector</b>	<b>Mod No.</b>	<b>Policy</b>	<b>Site</b>	<b>Summary of objection</b>	<b>Council's Response</b>	<b>Recommendation</b>
						<p>appropriate criteria. Bearing in mind the Council's preference to see such areas undeveloped during the plan period, Green Belt policies are considered the most appropriate reference for such criteria.</p> <p>The renaming of the policy, although not considered to be a fundamental issue, is considered to be appropriate for the reasons given in the Inspector's Report. To refer to areas as "gaps", when they may not be such could be confusing. Referring to such areas as "Other Protected Open Land" is considered more appropriate in terms of the locational characteristics of the land.</p>	
0665/4/018/O	Environment Agency	6/10	H1.1.3	Greenfield Bowling Club, Oakview Road	Land at Greenfield Bowling Club is within the Agency's Flood Zones 2 and 3. Flooding and its impact on the natural and built environment are material planning considerations. PPG25 and draft PPS25 both state that there is a requirement that a strategic flood risk assessment should be undertaken in order	The Inspector fully considered this site in his Report including the issue of flood risk. He concluded that flood risk could be dealt with at any planning application stage. Any proposal would be subject to Policy NR2.2 "Flooding and Flood Protection" which would require an appropriate flood risk assessment to be carried out and the criteria of the policy to be satisfied. This is stated in the wording to the site details for this allocation as set	No further modification.

<b>Objection Reference</b>	<b>Objector</b>	<b>Mod No.</b>	<b>Policy</b>	<b>Site</b>	<b>Summary of objection</b>	<b>Council's Response</b>	<b>Recommendation</b>
					to provide information in order to apply the sequential test approach.	out in Modification 6/22.  Flood risk areas will be included on the Proposals Map as accepted by the Council in response to an objection to Policy NR2.2 by the Environment Agency.	
0731/4/001/O	David Butterworth & Co.	6/10	H1.1.3	Greenfield Bowling Club, Oakview Road	Although supportive of the principle of the allocation wishes to delete the site capacity and density or ensure that it is understood that they are indicative only and should not be seen as a constraint on design.	It is necessary to provide capacity information in order to allow an assessment of housing land supply to be made against the RUDP housing requirement set out in policy H1. The density figures are also indicated in order to support the capacity figures. The footnotes to policies H1.1 and H1.2 make it clear that such figures are indicative only and the actual developments may be above or below these figures.	No further modification.
0731/4/002/O	David Butterworth & Co.	6/22	H1.1.3	Greenfield Bowling Club, Oakview Road	Although supportive of the principle of the allocation wishes to delete the site capacity and density or ensure that it is understood that they are indicative only and should not be seen as a constraint on design.	It is necessary to provide capacity information in order to allow an assessment of housing land supply to be made against the RUDP housing requirement set out in policy H1. The density figures are also indicated in order to support the capacity figures. The footnotes to policies H1.1 and H1.2 make it clear that such figures are indicative only and the actual developments may be	No further modification.

<b>Objection Reference</b>	<b>Objector</b>	<b>Mod No.</b>	<b>Policy</b>	<b>Site</b>	<b>Summary of objection</b>	<b>Council's Response</b>	<b>Recommendation</b>
						above or below these figures.	
0115/4/004/O	Mr L Perrins	11/11	OE1.1 0	Land off Radcliffe St, Springhead	Although adjacent to LGG13, the site is urban in character being part of the development centred on Springhead Congregational Church, School Street and 15-23 Radcliffe Street. The site is accessible and is in a sustainable location. It is of a size and shape that is appropriate for housing and would not detract from the attractiveness of the countryside.	This objection raises no new issues. The Inspector considered the suitability of the site for housing at the Inquiry but he considered that the site is more appropriately designated as Other Protected Open Land.	No further modification.
1961/4/001/O	Buckstone Transport Services Ltd	6/10	H1.1.2 6	Land at Spencer Street, Oldham	The site would be better used for industrial purposes to continue this employment location hand in hand with the refurbishment of residential properties. The need for employment is crucial to the mix of uses in the area.	This site has been proposed through the modifications process, having first been identified as a housing allocation through the Council's pre-Inquiry Changes (PIC40, November 2004). The proper consultation procedures were carried out at this stage and no comments were received in relation to this site. The Inspector has considered the Council's pre-Inquiry Changes and recommended that this site, along with others, be allocated for phase 1 housing	No further modification.

<i>Objection Reference</i>	<i>Objector</i>	<i>Mod No.</i>	<i>Policy</i>	<i>Site</i>	<i>Summary of objection</i>	<i>Council's Response</i>	<i>Recommendation</i>
						<p>development. In paragraph 6.53 of his report he states “In general I consider that these changes are justified and I recommend that the Plan be modified in accordance with them.”</p> <p>The rationale for the allocation of the subject site was in order to support the Housing Market Renewal Pathfinder – the site being identified for housing development in the Werneth/Freehold Masterplan. It is accepted that this will result in the loss of some employment uses – and indeed the Council have bought a central portion of the site from the objector in order to further the aims of the Masterplan – especially as the aim of the HMR programme is to increase the number of houses within the pathfinder area in order to provide a better choice within the housing market and to meet needs. Further, employment uses will continue to exist in the locality towards Hollinwood and on Manchester Road.</p> <p>It is therefore considered that the site is appropriately allocated.</p>	
0715/4/001/O	Victoria	6.107	H1.2.1	Lower Lime	The Inspector’s conclusions	The objector has not raised any new	No further modification.

<b>Objection Reference</b>	<b>Objector</b>	<b>Mod No.</b>	<b>Policy</b>	<b>Site</b>	<b>Summary of objection</b>	<b>Council's Response</b>	<b>Recommendation</b>
	Clark-Leece		6	Road, Oldham	are not accepted. Do not agree that the need for homes outweigh the benefit of retaining the site as open space. Conclusions of the local needs assessment have not contributed to the decision. The decision pre-empts the outcome of the local needs assessment. At the time of the Inquiry the Inspector had insufficient evidence to support the [objector's] claim that the site is well used for recreation. Questionnaire survey results (attached to the objection) now demonstrate this.	issues with this objection. With regard to the claimed recreational use of the land, the Inspector, through his reasoning, clearly gave weight to the objector's contention in respect of the use of the land. However he balanced that use with the overall need to demonstrate a housing land supply to meet the Council's housing requirement. Therefore, whilst the questionnaires submitted as part of this objection indicates a degree of use, it is felt that they are not raising a new issue.  Regarding the claim that the local needs assessment has not contributed to the decision, the Inspector was aware that the local needs assessment and audit has not yet been completed. Nevertheless the Inspector, in a finely balanced judgement, recommends that the site be re-allocated for Phase 2 housing. It is therefore considered that the Inspector has considered the issue of the local needs assessment and the absence of this information when making his decision.	
1964/4/001/O	A. Simpson	11/5	OE1	Land below Ladcastle	The objector considers that this modification involves a	The inclusion of this site in the Green Belt is not considered to be a strategic re-	No further modification.



<b><i>Objection Reference</i></b>	<b><i>Objector</i></b>	<b><i>Mod No.</i></b>	<b><i>Policy</i></b>	<b><i>Site</i></b>	<b><i>Summary of objection</i></b>	<b><i>Council's Response</i></b>	<b><i>Recommendation</i></b>
				Farm, Uppermill	strategic re-examination of the Green Belt which is not required until 2011. The Council's own evidence is that the site does not even meet most of the criteria for local Green Gap. Proposes that part of the site is developed for housing and part turned in to a picnic area for residents and visitors.	examination of the Green Belt. Whilst the Council considers that the site does not meet the criteria for allocation of Other Protected Open Land (formerly Local Green Gap) the purposes of including land in the Green Belt are separate to this. Areas are included in the Green Belt reflect those reasons set out in paragraph 1.5 of PPG2 'Green Belts'.	
0215/4/001/O	Martin Hill	11/8	OE1.1	N/a	The change in name from Local Green gaps to Other Protected Open Land indicates that these Gaps are not necessarily going to be maintained in their natural format, otherwise why the change?	The recommendation made by the Inspector was on the basis of his view that the phrase "Local Green Gap" is a misnomer. This is not suggestive of a change in the intent of the policy itself.	No further modification.

**SUMMARY & RESPONSE – OBJECTIONS TO PROPOSED MODIFICATIONS AND THE COUNCIL’S STATEMENT OF DECISIONS**

**2. OBJECTIONS TO THE COUNCIL’S STATEMENT OF DECISIONS**

<i>Objection Reference</i>	<i>Objector</i>	<i>Rec Ref.</i>	<i>Policy</i>	<i>Site</i>	<i>Summary of objection</i>	<i>Council's Response</i>	<i>Recommendation</i>
1958/4/001/O	C. Wildgoose	11.19	OE1	Former Co-Op and Springfield Farm, Friezland Lane	The recommendation to delete Springfield Farm from the Green Belt is supported for the reasons given by the Inspector. This is a new issue, has not been fully assessed and should be given further consideration before adoption.	The objector is correct that the proposed deletion of Springfield farm from the Green Belt was raised by the Inspector. The Council considers that the Green Belt in this area is clearly defined according to the guidance contained in PPG2 – Green Belts as it follows a clear boundary in the form of the adjacent road frontage. To change the boundary as suggested would, in the Council’s opinion, result in a less well defined Green Belt boundary.	No modification.
0020/4/003/O	Robert Scott & Sons Ltd	11.19	OE1	Former Co-Op and Springfield Farm, Friezland Lane	The recommendation to delete Springfield Farm from the Green Belt is supported for the reasons given by the Inspector. Changes to Green Belt designations have been made in accord with the Inspector's recommendations – there is no reason why this site should be treated any differently. The release of the land from green	The objector is correct that the proposed deletion of Springfield Farm from the Green Belt was raised by the Inspector. The Council considers that the Green Belt in this area is clearly defined according to the guidance contained in PPG2 – Green Belts as it follows a clear boundary in the form of the adjacent road frontage. To change the boundary as suggested would, in the Council’s opinion, result in a less well defined Green Belt boundary. No	No modification.

<b><i>Objection Reference</i></b>	<b><i>Objector</i></b>	<b><i>Rec Ref.</i></b>	<b><i>Policy</i></b>	<b><i>Site</i></b>	<b><i>Summary of objection</i></b>	<b><i>Council's Response</i></b>	<b><i>Recommendation</i></b>
					belt could create a mixed-use development which may assist the car parking needs of the adjacent mill. The former Co-op and farm are in effect a brownfield site.	<p>evidence has been submitted to substantiate the need for a mixed use-development as described by the objector.</p> <p>No new issues have been raised regarding the removal of the former Co-op from the Green Belt.</p> <p>That the site may be brownfield is not a material issue as there are several such brownfield sites appropriately located within the Green Belt.</p>	
0093/4/001/O	Mr J Jaslka	11.81	OE1	Land off Ripponden Road, Moorside	The Council has accepted the Inspector's recommendation to add and delete land from the green belt. Some of these sites are small and similar to the subject site. It is unreasonable to take a different view. The allocation of the site for housing would tidy up the boundaries of the area. The objector states that he has not had the opportunity to address the access constraints and does not accept that only three to four dwellings are acceptable. The site is close to a HMR area.	<p>The Council considers that in general the removal and subsequent allocation of land for other purposes would be better considered in any future strategic review, where all such sites can be considered.</p> <p>The Council has accepted changes to Green Belt boundaries, however, where that the land fulfils the purposes of land in Green Belt (in the case of additions) or where changing boundaries would make the boundaries more defensible (in the case of deletions).</p> <p>It is considered that such as approach is entirely consistent with defining a</p>	No modification.

<b>Objection Reference</b>	<b>Objector</b>	<b>Rec Ref.</b>	<b>Policy</b>	<b>Site</b>	<b>Summary of objection</b>	<b>Council's Response</b>	<b>Recommendation</b>
					The site would add to the range and type of housing in the area.	defensible Green Belt boundary.  With regard to the issue of access, this is a secondary issue – the Council's position is that the removal of this site from the Green Belt and allocation for housing development is unacceptable as a matter of principle (as outlined above).	
0022/4/001/O	Peter Sykes	11.81	OE1	Land off Ripponden Road, Moorside	The land should be building land for residential development.	The Council considers that in general the removal and subsequent allocation of land for other purposes would be better considered in any future strategic review, where all such sites can be considered.  The Council has accepted changes to Green Belt boundaries, however, where that the land fulfils the purposes of land in Green Belt (in the case of additions) or where changing boundaries would make the boundaries more defensible (in the case of deletions).  It is considered that such an approach is entirely consistent with defining a defensible Green Belt boundary.	No modification.
0166/4/006/O	P&D Northern Steels	5.12	B2.1	PEZ 22, Shawside	The justification for not accepting the Inspector's	It is accepted that an error was made in the Council's Statement of Decisions as	Extend the PEZ boundary as a

<i>Objection Reference</i>	<i>Objector</i>	<i>Rec Ref.</i>	<i>Policy</i>	<i>Site</i>	<i>Summary of objection</i>	<i>Council's Response</i>	<i>Recommendation</i>
					<p>recommendation was that a S106 agreement pertaining to the recreational use of land applied to the site. However the S106 relates to adjacent land and not the objection site. In view of this the Inspector's recommendation should be accepted.</p>	<p>described by the objector.</p> <p>However, it has since become apparent that the boundary of the PEZ as drawn on the Proposals Map is not consistent with operations "on the ground". Indeed, it appears that the boundary of the site occupied by the objector extends beyond the boundary of the PEZ as currently drawn. Investigations reveal that this has been the case for a considerable period of time. As such it is intended to produce a technical change to the boundary of the PEZ to reflect that land currently used as such. It should be noted that it is <b>not</b> intended to extend the PEZ boundary beyond that occupied by the current commercial concern and into the surrounding Local Green Gap.</p>	<p>technical change (see Appendix B and attached plan)</p>

## APPENDIX B

### OLDHAM RUDP

#### FURTHER TECHNICAL CHANGES

Chapter	Policy	Site	Change to	Change	Reason	Comment
Whole plan	N/a	N/A	Policies, reasoned justification and general text throughout the Plan.	Correct typographical errors and ensure a consistent approach to grammar and phraseology.	Proof reading of the plan has identified a number of minor textural changes resulting from errors, the need to adopt a consistent approach to grammar and phraseology.	Material changes to the Plan will not result from this process of proof reading.
Proposals Map	N/a	N/A	Boundaries and designations	Correct drafting errors	Proof reading of the proposals map may identify the need to correct boundaries and designations.	Material changes to the Plan will not result from this process of proof reading
PEZ22/Proposals Map	B2.1	PEZ22 Shawside	PEZ boundary	Extend the PEZ boundary to be consistent with the boundary of the P&D Northern Steels site as shown on the attached plan.	This change has been made as it has become clear that the PEZ boundary as shown on the Proposals Map is not consistent with the boundary of the uses on the ground.	See Appendix A and the Council's response to objection reference 0166/4/006/O
Proposals Map	NR2.2	N/A	2002 Indicative	Replace the 2002 Indicative Flood	To provide the most up-	The Environment

Chapter	Policy	Site	Change to	Change	Reason	Comment
			Flood Risk Areas	Risk Areas (see the Revised Deposit UDP) with the 2005 Environment Agency Flood Zone Maps	to-date plan.	Agency have renamed Indicative Flood Risk Areas with “Flood Zone Maps” and now update this information on a quarterly basis. In order to provide the most up-to-date plan at the date of adoption it is intended to utilise the latest available Maps.
Business, Industry and the Local Economy	B1.1	B1.1.29 Land off Foxdenton Lane	Final paragraph of the reasoned justification to B1.1	Amend the final sentence of the final paragraph to read (additional wording highlighted in <b>bold</b> ) “Proposals for site B1.1.28 in Diggle <b>and B1.1.29 in Chadderton</b> will be considered against Policy NR2.2 Flooding and Flood Protection as a small part of <b>each</b> site lies within a flood risk area.”	To provide consistent cross referencing within the Business and Office Allocations.	Site B1.1.29 is a new allocation introduced by the UDP Inspector in response to an objection from the landowner. At the Modifications stage the Council received an objection from the Environment Agency as a small part of the site falls within a flood risk area (see 0665/4/017/O above).







Map.pdf