

# **Oldham Local Development Framework**

## **Draft Vibrant Centres Supplementary Planning Document Consultation Statement**

**February 2012**

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Please call 0161 770 4163 for information**

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# 1 Introduction

## Supplementary Planning Document

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.

The Joint Core Strategy and Development Management Policies Development Plan Document (DPD) (the 'Joint DPD') was adopted as council policy in November 2011. It sets out the borough's planning and development strategy to 2026. The Vibrant Centres SPD will provide further guidance on the local planning policies contained within the Local Development Framework (LDF). It will assist council officers and applicants in implementing this local planning policy.

- a Habitats Regulations Assessment Screening Opinion,
- a Determination Statement, and
- an Equalities Impact Assessment.

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

Members of the public may comment on this Consultation Statement during the public consultation period as indicated on the statement of availability 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 LDF Team on the following telephone numbers: 0161 770 4163 / 4151.

You can also email the team on [spi@oldham.gov.uk](mailto:spi@oldham.gov.uk).

All documents connected with the LDF are available on the Council's web site at [www.oldham.gov.uk](http://www.oldham.gov.uk).

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## 2 Consultation on draft Supplementary Planning Document

### 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 as amended. 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, Equalities Impact Assessment and Habitats Regulations Assessment Screening Opinion.

### 2. Consultation on the draft SPD

2.1 The draft SPD was prepared by a project team of Economy, Place, and Skills Directorate members involving Planning Policy, Development Management, Area Regeneration and Economy teams. It also involved meetings with colleagues from Oldham Council's Licensing and Waste teams and Oldham Primary Care Trust. The draft SPD will provide further guidance on the policies contained within the LDF. It will assist council officers and applicants in implementing local planning policy.

2.2 The objectives of the draft SPD are to:

- Provide clear and consistent guidance for new developments and for changes of use involving hot food takeaways.
- Provide clear and consistent guidance for new developments and changes of use linked to the night-time economy.
- Assist in the determination of planning applications for hot food takeaway and night-time economy proposals.
- Minimise the concentration or clustering of hot food takeaways.
- Minimise the impact on the local environment or the amenity of neighbouring residents and business uses.
- Ensure all development contributes positively to the visual appearance of the area during opening and non-opening hours.
- Minimise impacts on traffic generation or highway safety as a result of these developments.
- Contribute to community safety.
- Provide guidance and advice on the design of shop fronts and business premises.

2.2 The Planning and Compulsory Purchase Act 2004 and the Regulations 16 and 17 required that SPDs were supported by a Sustainability Appraisal (SA). The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 however removed the requirement to prepare a Sustainability Appraisal for SPDs.

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2.3 The explanatory Memorandum to the 2009 Regulations advises that Local Planning Authorities are required “to screen their SPDs to ensure that legal requirements for SA are met where there are impacts that have not been covered in the appraisal of the parent Development Plan Document (DPD) or where an assessment is required by the SEA Directive.”

2.4 The SPD will support the implementation of local planning policies contained within the Joint DPD and provide more detail and guidance on these local planning policies. The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the Strategic Environmental Assessment.

2.5 The Council produced a Determination Statement to screen the draft SPD to meet legal requirements.

2.6 As part of the Determination Statement process the Council consulted Natural England, English Heritage and the Environment Agency as required by the Environmental Assessment of Plans and Programmes Regulations 2004 Part 2 Regulation 9 (2).

2.4 Natural England, English Heritage and the Environment Agency were consulted on the 23rd January 2012. No comments were received as a result of this consultation.

2.5 The Council has undertaken an Equalities Impact Assessment on the draft SPD to assess its potential impact on the different communities in the borough. This was undertaken by officers in the LDF Team in January 2012. It is available for consultation alongside this draft SPD.

2.6 The Council has undertaken a Habitats Regulations Assessment Screening Opinion as required under Article 6(3) of the Habitats Directive. The Screening Opinion comprises Stage 1 of the Habitats Regulation Assessment process and contributes to the fulfilment of the Council’s statutory duty as regards Article 6(3).

2.7 The Screening Opinion was carried out by the Greater Manchester Ecology Unit and is available for consultation alongside this draft SPD.

2.8 The Screening Opinion concluded that, providing mitigating plans, policies and strategies are adopted and implemented appropriately through the development management process, development managed by the Vibrant Centres SPD can proceed without harm being caused to the special interest of the Rochdale Canal Special Area of Conservation.

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### 3 Formal Public Consultation

3.1 The draft SPD is subject to a period of formal consultation from 23 February 2012 to 23 March 2012.

3.2 Appendix 1 and 2 contains a list of organisations invited to comment on the draft SPD and its supporting documents.

3.3 A public notice was published in the Oldham Evening Chronicle and Oldham Advertiser.

3.4 A press release about the SPD was prepared.

3.5 The draft SPD and its supporting documents are available on the Council's website: [www.oldham.gov.uk](http://www.oldham.gov.uk)

3.6 The draft SPD and its supporting documents and comments forms are available at public libraries and the Civic Centre Access Oldham.

3.7 All Oldham Councillors 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 explaining that the draft SPD and its supporting documents are available for consultation.

3.9 The draft SPD is available to view and download online at <http://oldham-consult.limehouse.co.uk/portal/oc/planning/spi/>. Comments may also be submitted online at this web address.

3.10 The draft SPD is also available to view and download on the Oldham Council website at [www.oldham.gov.uk](http://www.oldham.gov.uk).

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## 4 Appendix 1

### **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 the Statement of Community Involvement:

- 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
  
- Primary Care Trust
- 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
- Coal Authority

### **Government Departments**

The following Government Departments will be consulted:

- 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
  
- Department of Health (through Regional Public Health Group)
- Ministry of Defence
- Department of Work and Pensions
- Ministry of Justice
- Office of Government Commerce (Property Advisers to the Civil Estate)

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## 5 Appendix 2

### General and Other Consultees

The following bodies are general consultation bodies and will be consulted by the Council, where appropriate, in accordance with the 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 UK
- 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
- Design Council Cabi
- 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



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- 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
  - Equality and Human Rights Commission
  - Fields in Trust
  - Fire and Rescue Services
  - Forestry Commission
  - Freight Transport Association
  - Gypsy Council
  - Health and Safety Executive
  - Home Builders Federation
  - Homes and Communities Agency
  - 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 Trust
  - 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

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- Regional Sports Boards
  - Road Haulage Association
  - Royal Mail Group plc
  - Sport England
  - Transport for Greater Manchester
  - Transport for Greater Manchester Committee
  - 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.