

**Oldham**

**Supplementary**

**Planning**

**Document**

**Vibrant Centres**

**Consultation Statement**

**Adopted July 2012**



**Oldham**  
Council

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### **Availability of Document**

**If you would like to receive this information in another format, such as largeprint, Braille, audio or alternative languages, please call us on 0161 770 4163.**

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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 Oldham's local planning policies. It will assist council officers and applicants in implementing this local planning policy.

The SPD has the following supporting documents:

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

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.

Comments made on the document cannot be treated as confidential.

If you would like further help in interpreting this document please contact the Planning 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 local plan 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 Supplementary Planning Document

### 1. Introduction

- 1.1 The SPD was produced and consulted on in line with the 2004 Local Development Regulations. <sup>(1)</sup> However, the 2004 Regulations were repealed and replaced by the 2012 Local Planning Regulations<sup>(2)</sup> with effect from the 6th April 2012. Therefore the SPD has been adopted under the 2012 Regulations. By virtue of Regulation 38 of the 2012 Regulations, the consultation undertaken under the 2004 Regulations are deemed to have been undertaken under the 2012 Regulations.
- 1.2 The council is required to prepare its Supplementary Planning Documents (SPDs) in accordance with procedures set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The Regulations require that before an SPD is adopted a Consultation Statement be prepared setting out who was consulted, a summary of the main issues raised in those consultations and how the issues have been addressed in the SPD.
- 1.3 The SPD has also been prepared and consulted upon in accordance with the council's adopted Statement of Community Involvement (SCI).

### 2. Consultation on the SPD

- 2.1 The 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 SPD will provide further guidance on the policies contained within the local plan. It will assist council officers and applicants in implementing local planning policy.
- 2.2 The objectives of the SPD are to:
  - Provide clear and consistent guidance for promoting and maintaining the vitality and viability of Oldham Town Centre and the borough's other Centres of Chadderton, Failsworth, Hill Stores, Lees, Royton, Shaw and Uppermill.
  - Provide clear and consistent guidance for new proposals and changes of use for food and drink uses including hot food takeaways.
  - Manage the concentration and clustering of hot food takeaways.
  - Manage 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.
  - Manage 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.

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1 The Town and Country Planning (Local Development) (England) Regulations 2004, as amended

2 The Town and Country Planning (Local Planning) (England) Regulations 2012

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- 2.3** The Planning and Compulsory Purchase Act 2004 and the Regulations 16 and 17 of the 2004 regulations, as amended, 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.
- 2.4** 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.”*
- 2.5** 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.
- 2.6** The council produced a Determination Statement to screen the SPD to meet legal requirements. This determined that a Strategic Environmental Assessment (SEA) was not required.
- 2.7** 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).
- 2.8** Natural England, English Heritage and the Environment Agency were consulted on the 23<sup>rd</sup> January 2012. No comments were received as a result of this consultation.
- 2.9** The council has undertaken an Equalities Impact Assessment on the SPD to assess its potential impact on the different communities in the borough. This was undertaken by officers in the Planning Team in January 2012. It is available to view alongside this SPD.
- 2.10** 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).
- 2.11** The Screening Opinion was carried out by the Greater Manchester Ecology Unit and is available to view alongside this SPD.
- 2.12** 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 SPD was 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 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 SPD and its supporting documents were available on the Council's website at: [www.oldham.gov.uk](http://www.oldham.gov.uk)
- 3.6** The SPD and its supporting documents and comments forms were available at public libraries and the Civic Centre Access Oldham.
- 3.7** All Oldham Councillors were sent an electronic copy of the SPD and its supporting documents.
- 3.8** A letter or email was sent to those individuals and organisations on the mailing list explaining that the SPD and its supporting documents were available for consultation.
- 3.9** The SPD was available to view and download online at <http://oldham-consult.limehouse.co.uk/portal/oc/planning/spi/>. Comments were also invited to be submitted online at this web address.

## 4 Adoption Stage

- 4.1** During the public consultation 95 comments were received from 16 respondents. These comments have been considered by the council. The SPD and the supporting documents have been amended as appropriate. The comments received did not raise any significant material points of concern. The main consultation points can be seen in Table 1.

**Table 1 Summary of main points and the council's response**

Summary of Main Points	Summary of Council's Response
The thresholds set out in matters 2 and 3. Some comments claimed that the thresholds were too high, whilst a number claimed they were not high enough. Comments were received supporting the introduction of the thresholds.	These two matters should be considered in conjunction with each other, not individually. The thresholds have been based on credible and robust evidence.
The need for tighter control on new and existing signage within the borough and specific comments regarding design principles.	The existing regulations managing advertisements, as set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and 2011, are sufficient to manage development through specifying the types of advertisement which do and do not require consent.  Part 2 of the SPD will improve the quality of shop and business frontage design across the borough.
The centres included in the borough's retail hierarchy.	The borough's retail hierarchy is set out in the Joint DPD. The Joint DPD is in line with the national guidance and has undergone a public examination and been found sound by the Planning Inspector. It was adopted in November 2011.
The need for the inclusion of Part 2 of the SPD.	The guidance in part 2 of the SPD will improve the quality of shop and business frontage design across the borough. High quality design brings about economic, social and environmental benefits and reinforces civic pride.
The need to promote the regeneration of the borough's markets.	The Local Plan puts in place a positive planning framework for investment, development and regeneration to support Oldham Town Centre and the boroughs other Centres. This includes the boroughs markets.

<b>Summary of Main Points</b>	<b>Summary of Council's Response</b>
The need to include guidance on information required to support planning applications.	The council's Validation Checklist is up to date.
The requirement for greater clarity on the issue of need.	The SPD does provide guidance on 'need' particularly Matters 1 to 4.
Issues regarding Matter 4 and the contribution of the SPD towards improving health and well being.	<p>The Joint DPD states that the council will support improvements in the health and well-being of Oldham's residents by working with the NHS.</p> <p>The National Planning Policy Framework flags up the need for Local Planning Authorities to work in conjunction with local health care providers. The SPD has been produced in collaboration with Oldham NHS.</p>
The opportunity to positively support restaurants and family orientated uses in the Town Centre.	The Town Centre has a wide variety of restaurants and other eating establishments. Our strategic planning policies and the SPD will help create a diverse and vibrant Oldham Town Centre.
The need for matter 9 to consider safety and security issues.	Safety and security issues are addressed in Matter 9 of the SPD (formally matter 10 in the draft SPD).
Clarification on the definitions used within the SPD.	The definitions used in the SPD have been amended to provide greater clarity.
Comments on the Character Profiles of the Centres.	The purpose of the character profiles is to provide some brief context as to the character and styles of the boroughs Centres. They are not a full character appraisal of the boroughs Centres.

- 4.2** Appendix 3 contains a full summary of all the comments received in relation to the SPD and supporting documents, together with the council's response.
- 4.3** The SPD was adopted on the 23 July 2012.
- 4.4** An adoption notice was published in the Oldham Evening Chronicle and Oldham Advertiser.
- 4.5** A press release about the adoption of the SPD was prepared.
- 4.6** A letter or email was sent to those individuals and organisations on the mailing list and any person who had asked to be notified of the adoption of the SPD.
- 4.7** The SPD and its supporting documents were available on the council's website: [www.oldham.gov.uk](http://www.oldham.gov.uk)

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- 4.8** The SPD and its supporting documents were available at public libraries and the Civic Centre Access Oldham.
  - 4.9** All Oldham Councillors were sent an electronic copy of the SPD and its supporting documents.

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## 5 Appendix 1: Specific Consultation Bodies and Government Departments consulted on the SPD

### Specific Consultation Bodies

The following bodies are specific consultation bodies (at the time the consultation was held) and were 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 were 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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## 6 Appendix 2: General and Other Consultees

### General Consultees

The following bodies are general consultation bodies and were 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 also consulted 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)

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- Electricity, Gas and Telecommunications Undertakers, and the National Grid Company
  - 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

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- Regional Housing Boards
  - 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 also notified those individuals and organisations on the mailing list that consultation was underway on the draft SPD and accompanying documents.

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## **7 Appendix 3: Public Schedule of Comments and Responses**

In accordance with Regulation 12 (a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, this statement sets out a summary of the main issues raised in representations received to the consultation on the draft SPD and how these have been addressed.

Comment ID	Name / Organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC1	Mr Brian Lee 273764	Support	1.5	Supports the SPD. Suggests that applicants are currently advised in line with the guidance proposed in the draft SPD, even though it is currently not adopted.	Support noted. The advice and principles set out within the SPD are currently being promoted.
VC2	Mr Brian Lee 273764	Support	3.4	Supports the SPD.	Support noted.
VC3	Mr Brian Lee 273764	Objection	5.6	The criterion listed in Matter 3 allows for 50% of any row of premises to be in A5 use. This is too many to allow.	Matter 3 provides a threshold for the number of A5 uses. Matter 2 provides a threshold in relation to the clustering of A5 uses. These two matters should be considered in conjunction with each other, not individually.  Matter 3 has been amended to provide greater clarity on this point.
VC4	Mr Brian Lee 273764	Support	5.16	Supports the SPD. Raises a concern that paragraph 5.16 contradicts paragraph 5.6.	These paragraphs are not contradictory. The SPD has to be read as a whole.
VC5	Mr Brian Lee 273764	Support	5.24	Supports the SPD.	Support noted.
VC6	Mr Brian Lee	Support	5.27	Supports the SPD.	Support noted.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC7	Mr Brian Lee 273764	Support	5.31	Supports the SPD.	Support noted.
VC8	Mr Brian Lee 273764	Support	5.35	Supports the SPD.	Support noted.
VC9	Mr Brian Lee 273764	Support	5.44	Supports the SPD.	Support noted.
VC10	Mr Brian Lee 273764	Support	Matter 10	Supports the SPD.	Support noted.
VC11	Mr Brian Lee 273764	Support	5.57	Supports the SPD.	Support noted.
VC12	Mr Brian Lee 273764	Support	5.58	Supports the SPD.	Support noted.
VC13	Mr Brian Lee 273764	Support	6.1	Supports the SPD.	Support noted.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC14	Mr Brian Lee 273764	Observation	6.46	The buildings in Uppermill Centre are of stone.	Comment noted. Paragraph 6.46 amended to take comment into account.
VC15	Mr Brian Lee 273764	Support	6.49	Supports the SPD, but comments that there is currently a high number of existing unsuitable signage within Uppermill Centre. Request to make all signage in Conservation Areas subject to planning permission.	Support Noted.  The requirement for advertisement consent to display certain types of advertisement within Conservation Areas is managed through the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and 2011.
VC16	Mr Brian Lee 273764	Support	7.1	Supports the SPD.	Support noted.
VC17	Mr Brian Lee 273764	Support	8.3 Fig.8	Supports the SPD. Request to change the photograph used in Figure 8.	Support noted. The photograph in Figure 8 has been removed.
VC18	Mr Brian Lee	Support	8.7	Supports the SPD.	Support noted.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC19	Mr Brian Lee 273764	Support	8.9	Supports the SPD.	Support noted.
VC20	Mr Brian Lee 273764	Support	8.12	Supports the SPD.	Support noted.
VC21	Mr Brian Lee 273764	Support	9.1	Supports the SPD.	Support noted.
VC22	Mr Brian Lee 273764	Support	9.11	Supports the SPD.	Support noted.
VC23	Mr Brian Lee 273764	General Comment	10.1	Supports the SPD. Request to make all fascia signage subject to planning permission.	Support noted. The existing regulations managing advertisements, as set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and 2011 are sufficient to manage development through specifying the kinds of advertisement which do and do not require consent.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC24	Mr Brian Lee 273764	General Comment	10.5	Supports the SPD. Request to reword criterion 10.4c.	For advertisements which do require advertisement consent applications will be determined against the relevant local planning policies, guidance in this SPD and other material considerations.  Support noted. Criterion 10.4c has been amended.
VC25	Mr Brian Lee 273764	Support	10.8	Supports the SPD.	Support noted.
VC26	Mr Brian Lee 273764	Support	10.15	Supports the SPD, but requests additional information in paragraph 10.4 regarding colour of signage.	Support noted. Advice on colour of shop fronts and signage is covered in Section 6 - 'Colour, Materials and Maintenance'.
VC27	Mr Brian Lee 273764	Support	11.1	Supports the SPD.	Support noted.
VC28	Mr Brian Lee 273764	Support	11.7	Supports the SPD.	Support noted.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC29	Mr Brian Lee 273764	Support	14.2	Supports the SPD.	Support noted.
VC30	Mr Tim Lynch 633594	Objection	1.8	Objects to the definitive list of the borough's Centres included in the SPD.	Do not accept. The borough's retail hierarchy is set out in the Joint DPD. The Joint DPD is in line with the national guidance and has undergone a public examination and been found sound by the Planning Inspector. It was adopted in November 2011.
VC31	Mr Alan Broadbent 155765	Objection	1.2	Paragraph 1.2 of the SPD is unclear as to whether it applies to daytime uses.	Commented noted. Paragraph 1.2 has been amended to have regard to the comment.
VC32	Mr Alan Broadbent 155765	Objection	1.3	Accepts the guidance in Part 1 of the SPD but requests the removal of Part 2 of the SPD.	Do not accept. The guidance in part 2 of the SPD will improve the quality of shop and business frontage design across the borough. High quality design brings about economic, social and environmental benefits and reinforces civic pride.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC33	Mr Alan Broadbent 155765	Objection	1.4	Objects to the inclusion of objective 1.4g. The guidance and advice for shop and business premises fronts can be provided via a pamphlet.	Do not accept. The SPD needs to be read as a whole. Part 2 of the SPD can be made available separately.
VC34	Mr Alan Broadbent 155765	Objection	1.6	Objection to Part 2 of the SPD being a material consideration.	Do not accept. Supplementary Planning Documents are a material consideration as set out in the National Planning Policy Framework. The SPD needs to be read as a whole.
VC35	Mr Alan Broadbent 155765	Objection	2.1	Request to remove Hill Stores as one of the borough's Centres.	Do not accept. The borough's retail hierarchy is set out in the Joint DPD. The Joint DPD is in line with the national guidance and has undergone a public examination and been found sound by the Planning Inspector. It was adopted in November 2011.
VC36	Mr Alan Broadbent 155765	Observation	1.8	All large retail developments should be subject to public consultation.	Comment noted. Planning applications are subject to public consultation, in line with the council's Statement of Community Involvement (SCI) and The Town and

Comment ID Name / organisation / Objective / user ID				Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC37	Mr Alan Broadbent 155765	Objection	2.2	Paragraph 2.2 fails to take into account the underlying effect of the removal of Oldham's market.		Country Planning (Development Management Procedure) (England) Order 2010.	
VC38	Mr Alan Broadbent 155765	Observation	2.3	The regeneration of the borough's markets should be promoted by the SPD.		Comment noted. Policy 15 of the Joint DPD makes reference to Tommyfield market, where its importance as part of the retail offer is recognised.  The Local Plan puts in place a positive planning framework for investment, development and regeneration to support the Town Centre and the boroughs other Centres. This includes the boroughs markets.	

Comment ID	Name / Organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC39	Mr Alan Broadbent 155765	Observation	2.7	Properties that have existing planning permission cannot be managed by the SPD.	Additional text has been added to section 2 to take account of the comment.  Observation noted.
VC40	Mr Alan Broadbent 155765	Support	2.9	Supports the SPD.	Support noted.
VC41	Mr Alan Broadbent 155765	Support	2.10	Supports the SPD.	Support noted.
VC42	Mr Alan Broadbent 155765	Support	2.11	Supports the SPD.	Support noted.
VC43	Mr Alan Broadbent 155765	Support	6.1	Supports the SPD. Some flexibility should be allowed for modern, cosmopolitan signage design along with more traditional signage where required.	Support noted. SPD guidance does allow for each application to be decided on its own merits and for modern signage to be used where appropriate.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC44	Mr Mark Jones MJones Planning Consultancy 617842	Objection	4.3	Paragraph 4.3 provides an indication of the information required to support an application for the night time economy. It is not the place of the SPD to provide such guidance. Such guidance needs to be provided within the Validation Checklist as required by Development Management Policy Annex: Information requirements and validation for planning applications (6 <sup>th</sup> April 2010).  Request to include this guidance in the councils Validation Checklist.	Comment noted. Paragraph 4.3 has been amended to take account of the comment.  The council's Validation Checklist is up to date.
VC45	Mr Mark Jones MJones Planning Consultancy 617842	Objection.	Table 1	Table 1 is not needed. A hot food takeaway use needs no further explanation. Request examples relating to A5 uses. to remove Table 1.	Do not accept. Table 1 provides practical examples relating to A5 uses.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC46	Mr Mark Jones MJones Planning Consultancy 617842	Objection	4.4	<p>Objects to advice given in Section 4 as the Town and Country Planning (Use Classes) Order 1987 (as amended) provides legal definitions of use classes and it should not be the role of the SPD to provide these legal definitions.</p> <p>It is suggested that paragraph 4.4 is deleted and replaced with reference to the 1987 Use Classes Order and up-to-date planning case law.</p>	Paragraph 4.4 has been amended to take account of the comment.
VC47	Mr Mark Jones MJones Planning Consultancy 617842	Objection	2.9	<p>The SPD needs to provide more clarity on issue of need.</p>	<p>The Inspector looked at the issue of need and discussed it at the LDF examination. The conclusion was that Policy 15 is justified, effective and consistent. The SPD does provide further clarity in relation to need through Matters 1 to 4. The SPD needs to be read as a whole.</p>

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC48	Mr Mark Jones M.Jones Planning Consultancy 617842	Objection	5.2	The SPD does not address criteria a) of Policy 15 in terms of demonstrating need.	Do not accept. The SPD does provide guidance on 'need' particularly Matters 1 to 4.
VC49	Mr Mark Jones M.Jones Planning Consultancy 617842	Objection	Matter 2	Queries justification and evidence base for 5% figure being used to manage hot food takeaway uses. Suggests 25% instead.	Do not accept. The figure of 5% is based on a credible and robust evidence base. The 25% threshold suggested is not appropriate.
VC50	Mr Mark Jones M.Jones Planning Consultancy 617842	Objection	Matter 3	Queries justification and evidence for Matter 3. Requests clarity.	Do not accept. Matter 3 is based on a credible and robust evidence base. The criterion needs to be read in conjunction with Matter 2, which provides a threshold for the number of A5 uses allowed within a frontage.  The SPD needs to be read as a whole. Matters 2 and 3 are linked. Matter 3 has been amended to provide clarity.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC51	Mr Mark Jones MJones Planning Consultancy 617842	Objection	Matter 4	Matter 4 is not a land use planning matter. Request to remove Matter 4.	Do not accept. The Joint DPD states that the council will support improvements in the health and well-being of Oldham's residents by working with the NHS.  The National Planning Policy Framework states that planning should: <i>'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs'</i> (DCLG 2012:6).  The SPD has been produced in collaboration with Oldham NHS.
VC52	Mr Mark Jones MJones Planning Consultancy	Objection	5.21	Lunch time is not a time when significant noise and disturbance takes place. Issues affecting amenity take place only late at night. This has been supported at appeal	Comment noted. Reference to lunchtime has been clarified in paragraph 5.21.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
	617842			on many occasions in the Oldham area. There are no appeal decisions in Oldham regarding the impact of lunchtime trade.	
				Request to delete reference to lunchtimes in paragraph 5.21.	
VC53	Mr Mark Jones M.Jones Planning Consultancy 617842	Objection	5.28	Are the size, siting and storage of commercial waste bins a planning issue?	Yes.
VC54	Mr Mark Jones M.Jones Planning Consultancy 617842	Objection	Matter 1	The Town Centre is lacking in restaurants. There is an opportunity here to positively promote restaurants in the centres to meeting the other relevant criteria in the 2012 SPD.	Do not accept. The Town Centre has a wide variety of restaurants and other eating subject establishments, see list below, as of March 2012:  <ul style="list-style-type: none"> <li>● 9 no. A3 restaurant uses:</li> <li>● 6 no. A3 cafe uses:</li> <li>● 21 no. A5 uses:</li> </ul>

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC55	Mr Mark Jones MJones Planning Consultancy 617842	Support	5.4	Supports the SPD. Agrees that the collective impact of A5 uses could have a negative impact on the vibrancy of the borough's centres.	<ul style="list-style-type: none"> <li>1 no. A4 use offering a restaurant-like service</li> <li>6 no. Vacant restaurant/takeaway premises</li> </ul>
VC56	Ms Jo Farrington NHS 638396	Support	1.5	Supports the proposed SPD. In addition to providing guidance on the shop front and business frontage design, proposes that an objective is added that relates to the quality of the food provided.  Suggests that all new applications should include;  1. That 30% of menu options should comply with healthy choice criteria (the detail could be included in consultation with Environmental Health and Public health)	Support noted. Menu options and choices are not planning issues.

Comment ID	Name / organisation / Objective / user ID	Nature of comment	Paragraph / section	General Comments on Draft SPD	Council Response
VC57	Ms Jo Farrington NHS 638396	Support	5.16	<p>2. That healthier choices on the menu will be actively promoted to customers</p> <p>Supports the SPD as it has the potential to have a beneficial impact on the prevalence of adult obesity.</p>	Support noted.
VC58	Ms Jo Farrington NHS 638396	Support	5.16	<p>Request to include the information that, in Oldham 23.7% of the adult population over 16 years old are obese and we estimate that this is 41,753 people made up of 17,604 men and 20,665 women. Obesity causes changes in the working of the human body that lead to disease, for example, of the heart and circulation, lungs and breathing, the joints and some cancers. Obesity can lead to disability and premature death.</p> <p>It is difficult to manage and for people to lose weight or return again to a healthy weight and so prevention is particularly important.</p>	<p>Comment noted. Supporting text for Matter 4 amended to include suggested information.</p>

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VC59	Ms Jo Farrington NHS 638396	Support	5.16	This SPD will help manage access to less healthy food choices and this is supported. It also has the potential to improve access to healthier food choices and this aspect of the SPD can be further developed.	Support noted.
VC60	Ms Jo Farrington NHS 638396	General Comment	5.16	Suggests that the SPD would improve its contribution to health and wellbeing if it included an exclusion zone applied around secondary and higher education establishments and invites further discussion with stakeholders on this issue.  In particular it would address concerns about access to healthier food choices for students at the 6 <sup>th</sup> form college and Oldham College.	The NHS has been involved in the production of the SPD, specifically in relation to healthy eating issues and access to hot food takeaways.  The suggested 'exclusion zone' method was considered, however it is not considered appropriate to apply in this in the borough. It is considered that the issue of takeaway food at lunchtime could be better addressed by managing the opening hours of new establishments, which are close to schools and colleges. This gives the flexibility for hot food takeaway businesses to open where appropriate, but prevents

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VC61	Judith Nelson Support English Heritage	Section 6	We welcome references to the historic environment in the character profiles and the requirement that shop fronts should be carefully designed to preserve and enhance the character of historic buildings, reinstating original features and using traditional designs.	Support noted.  An additional paragraph has been added to Matter 4 to promote healthy eating choices for students in Oldham Town Centre.
VC62	Judith Nelson General Comment English Heritage	6.8	It would be useful to emphasise that where traditional shop fronts exist the first approach should be repair and maintenance rather than replacement. This is a more suitable approach which preserves existing	Comment noted. Paragraph 6.8 has been amended to take suggestion into account.  Paragraph 10.8 also covers this point.

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VC63	Judith Nelson English Heritage	Observation	Section	<p>It would be worth underlining the need for pre-application discussion when dealing with alterations to historic and listed buildings and buildings in conservation areas.</p> <p>fabric and detail. A sentence to this effect could be included in paragraph 6.8 of the SPD.</p>	<p>Comment noted. The matter of pre-application discussions is dealt with in the councils Statement of Community Involvement (SCI).</p> <p>Section 6 has been updated to take account of the comment.</p>
VC64	Alan Hubbard The National Trust	Support	Whole SPD	Supports the aims of the SPD.	Support noted.
VC65	Rose Freeman The Theatres Trust	Support	Whole SPD	Supports the aims to transform the town centre into a vibrant centre and specifically the reference to plans for the Coliseum Theatre.	Support noted.

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VC66	Rose Freeman The Theatres Trust	Support	Part 1	Supports efforts to control clustering of hot food takeaways and to create a safer environment for appropriate leisure uses.	Support noted
VC67	Rose Freeman The Theatres Trust	Observation	Part 1	Suggests that more family orientated music venues (such as theatres, cinemas, restaurants and focused venues as opposed to alcohol uses) could assist in making centres more vibrant.	Comment noted. The Joint DPD and the SPD provides flexibility for a number of retail, leisure, culture and tourism activities.
VC68	Clare Streater The Coal Authority	No comments	Whole SPD	No comments.	Noted
VC69	Sharon Doran NWDA	No comments	Whole SPD	No comments.	Noted.
VC70	Chris Thomas Chris Thomas Outdoor	Objection	11.1 – 11.2	Objection to advice on using dark, pale or muted colours for signage / shop fronts.	Comment noted. Paragraph 11.2 amended for clarity.

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VC71	Advertising Consultants on behalf of The British Sign and Graphics Association	Chris Thomas, Objection Chris Thomas Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	10.1	Comment that the sentence <i>Please note that most kinds of signage require 'Advertisement Consent from the Council'</i> is superfluous.	Do not accept. This sentence is not considered superfluous. Paragraph 10.1 has been amended for clarity.

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VC72	Chris Thomas Chris Thomas Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	Objection	10.4	Disagree with the implication that internally lit signs are bulky and intrusive.	Comment noted. Reference to `box` fascias is intended to advise against internally lit fascias which are bulky and protrude forward from the shop front. Paragraph 10.4 amended to take account of the comment.
VC73	Chris Thomas Chris Thomas Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	Objection	10.8	Disagree with suggestion that in some cases, where traditional Edwardian or Victorian fascias have been retained, these could be enhanced by restoration and / or by traditional hand painted signage.	Comment noted. Reference to hand-painted signage is a suggestion only. Paragraph 10.8 amended for clarity.

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VC74	Chris Thomas, Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	Objection	10.12	Agrees that hanging / projecting signs generally look better at fascia level. However, disagree that all projecting signs should be restricted to fascia level.	Comment noted. Paragraph 10.12 amended to take comment into account.
VC75	Chris Thomas, Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	Objection	10.12	Disagree that internally illuminated projecting signs are not appropriate.	Comment noted. Paragraph 10.12 amended to take account of comment.

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VC76	Chris Thomas, General Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	General Comment	10.21	Suggest that, for clarity, the final sentence should read "For these reasons, free-standing signage on public footways, will be resisted in most cases."	Comment noted. Paragraph 10.21 amended to take comment into account.
VC77	Chris Thomas, General Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	Objection	12.2 – 12.3	Disagree that internally lit box-signs are inappropriate.	Comment noted. Paragraph 12.2 deleted.
VC78	Chris Thomas, General Outdoor Advertising Consultants on behalf of The British Sign and Graphics Association	Objection	11.6	Objection to advice on materials.	Comment noted. Paragraph 11.6 amended for clarity.

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VC79	Advertising Consultants on behalf of The British Sign and Graphics Association Andrew Fletcher Oldham Town Centre Partnership	Support	Whole SPD	Town Centre Partnership supports SPD as it is consistent with relevant aims of the Town Centre Action Plan.	Support noted.
VC80	Dave Sherratt United Utilities	Support	Matter 6	Suggest alteration to Matter 6 of SPD. Change second sentence of Matter 6 to read:  <i>'Grease traps should be installed and maintained on all drains of commercial premises where hot food preparation is undertaken, to prevent blockages and the flooding of properties'</i>	Accept proposed change.

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VC81	Moira Percy Transport for Greater Manchester	General Comment	Matter 9	<p>Matter 9: Traffic and Highways, makes no reference to safety and security issues, which can arise in town centres as people travelling home wait for taxis and public transport at night.</p> <p>Suggest it may be appropriate for LDF policy 25 'Developer Contributions' to mitigate this by seeking contributions toward policing costs or security measures at taxi ranks or at public transport interchanges / on services.</p>	<p>Comment noted. Matter 12 of the SPD deals with developer contributions. Such contributions would be assessed on a case by case basis.</p>
VC82	David Hammond Natural England	General Comment	Habitats Regulations Screening Opinion.	<p>State that the Council has carried out an appropriate screening opinion for the SPD, under the Habitats Regulation.</p> <p>Suggests re-wording of paragraph 1.6 in the Draft SPD Habitats Regulations Screening Opinion document.</p>	<p>Comment noted. Changes to paragraph 1.6 of the Draft SPD Habitats Regulations Screening Opinion document to take comment into account.</p>

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VC83	Tony Marlor on behalf of Saddleworth Parish Council	Support	Whole SPD	The Parish Council welcomes the document, which covers essential issues.	Support noted.
VC84	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	4.1	The definition of the night economy should include retail shops.	Comment noted. The definition in section 4 has been amended to take account of the comment.
VC85	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	Matter 1 point a.	Does "other... local shopping parade" include village or local shopping centres? What is the time scale for the production of the master plans and how do they link with local plans?	Any other shopping parade refers to any other group of at least 3 units, outside Oldham Town Centre or the borough's other Centres of Chadderton, Failsworth, Hill Stores, Lees, Royton, Shaw and Uppermill, in line with Policy 16 of the Joint DPD.  The Local Plan is a series of documents that allow the council to manage development in the area and set out factors it will take into account when deciding planning applications. It sets out the long-term vision and objectives for the borough. Some areas, for example Oldham Town Centre have more detailed, specific masterplans, which go into detail about the aspirations for an area and give detail on

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VC86	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	Matter 2	Does the 5% relate to each individual location or is it 5% in total across all the locations listed?	how this may be implemented. These plans will follow the same overarching principles as set out in the local plan.  The 5% threshold in criteria a. applies to each individual frontage in the locations listed.
VC87	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	Matter 2	What is the rationale behind the 5% and 10% thresholds?	The figures of 5% and 10% are based on a credible and robust evidence base.
VC88	Tony Marlor on behalf of Saddleworth Parish Council	Objection	Matter 3	In village centres there should be at least 5 non A5 uses between individual or groups of existing A5 uses. Not two, as outlined in base. Matter 3.	Disagree. The criterion listed in Matter 3 is based on a credible and robust evidence base.
VC89	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	5.40	The preference for internal shutters should be emphasised.	Comment noted. The preference for internal, perforated shutters is emphasised in part 2 of the SPD. Section 13 on Security as been amended to take account of the comments.

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VC90	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	5.49	Paragraph 5.49 needs to be strengthened, to avoid developers evading control.	Comment noted. Paragraph 5.49 has been amended and strengthened to take account of the comment.
VC91	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	6.44	There is a lack of detail in the Uppermill character profile. This indicates an urgent need for a detailed Character Appraisal of the Conversation Areas.	Comment noted. The purpose of the character profiles is to provide some brief context as to the character and styles of the boroughs Centres. They are not a full character appraisal of the boroughs Centres.
VC92	Tony Marlor on behalf of Saddleworth Parish Council	Objection	6.46	The majority of buildings in Uppermill are of local stone, not sandstone.	Comment noted. Paragraph 6.46 amended to take comment into account
VC93	Tony Marlor on behalf of Saddleworth Parish Council	Objection	Figure 8	Figure 8 is a poor example of colour. The muted colours on Figure 12 are more appropriate. Also the fascia sign is badly proportioned and integrated with the buildings fan light window.	Comment noted. The photograph in figure 8 has been removed to take account of the comment.
VC94	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	Figure 9	The shop front (Number fifteen) does not match the very interesting architectural style of the rest of the building.	Comment noted. Figure 9 has been amended to take account of the comment.

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VC95	Tony Marlor on behalf of Saddleworth Parish Council	General Comment	Figure 10	The glazing bars on the shop front should be light and unobtrusive.	Comment noted. The photograph in Figure 10 has been removed.