

Oldham

Local

Plan

**Strategic Environmental
Assessment (SEA) Determination
Statement for the Oldham Town
Centre Conservation Area Appraisal
and Management Plan
Supplementary Planning Document**

January 2019



Oldham
Council

Oldham Council
Oldham Town Centre Conservation Area Appraisal and
Management Plan (CAAMP) Supplementary Planning
Document (SPD): Determination Statement
January 2019

Purpose of the CAAMP SPD

Oldham Council Joint Core Strategy and Development Management Policies Development Plan Document (the 'Joint DPD'), known as the Local Plan, was adopted in November 2011.

The council is now preparing a Conservation Area Appraisal and Management Plan (CAAMP) Supplementary Planning Document (SPD) for the Oldham Town Centre Conservation Area. The SPD will provide further guidance on the relevant policies contained within the Joint DPD, in particular it will assist council officers and applicants in implementing Policy 24 'Historic Environment' in planning decisions and enforcement.

There is also a need for up to date evidence to inform the Local Plan review and its implementation when adopted. In addition to which the Oldham Town Centre CAAMP SPD will support the preparation of regeneration plans for the town centre.

The Oldham Town Centre CAAMP SPD is seen as a high priority as the conservation area has been surveyed as part of the Historic England Heritage at Risk Assessment. Following this assessment, the conservation area has been included on the conservation area "at Risk" Register. An up to date CAAMP is required in order to re-assess the designated area and evaluate and record its special interest. The last conservation area appraisal for Oldham Town Centre was published in April 1997.

A key aim for the Local Plan is to conserve and enhance Oldham's heritage and landscapes.

The SPD is made up of an appraisal which proposes to extend the existing conservation area boundary. The appraisal also identifies buildings that could be added to a local list¹.

The SPD then includes a management plan, which sets out policies and recommendations around enhancement, regeneration and community engagement.

The Oldham Town Centre CAAMP SPD serves to:

- Stimulate interest in both the protection of and careful development of Oldham Town Centre Conservation Area for present and future generations;
- Encourage wider use and enjoyment of assets within Oldham Town Centre;
- Encourage the conservation, repair, reuse and management of the area's historic features; and

¹ National Planning Guidance states "Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting

- Work towards removing the conservation area from the “At Risk” register.

Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Regulations 2012

The Planning Act 2008 and the Town and Country Planning (Local Planning) (England) Regulations 2012 removed the requirement to prepare a Sustainability Appraisal report for SPDs.

However, the council is still required to screen SPDs to ensure that the legal requirements for sustainability appraisals 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 Strategic Environmental Assessment (SEA) Directive.

This determination statement therefore screens the Oldham Town Centre CAAMP SPD to ensure legal requirements are met.

European Directive 2001/42/EC and The Environmental Assessment of Plans and Programmes Regulations 2004

The European Directive 2001/42/EC requires a formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment. This applies to plans and programmes whose preparation began on or after 21 July 2004.

Where plans are subject to the Directive the responsible authority (Oldham Council) must prepare a report on its likely significant effects, consult environmental authorities and the public and take the report and the results of the consultation into account during the preparation process.

The Directive requires the council to determine whether or not the plan is likely to have significant environmental effects. The Directive and the Environmental Assessment of Plans and Programmes Regulations 2004 set out the determinations of the responsible authority.

The Environmental Assessment of Plans and Programmes Regulations 2004 Part 2 Regulation 9

Regulation 5 (6) sets out that an environmental statement does not need to be carried out for a plan relating to town and country planning or land use for a small area at a local level unless it has been determined under regulation 9(1) that the plan is likely to have significant environmental effects.

Under Regulation 9 (1), where a plan for which the first formal preparatory act is after 21 July 2004 and where the plan sets the framework for future development consent of projects, the Council must determine whether the plan is likely to have significant environmental effects.

Under Regulation 9 (2), before making a determination under Regulation 9(1), the Council shall take into account the criteria specified in Schedule 1 to the Regulations and consult the following three consultation bodies on the statement of its reasons for the determination:

- Environment Agency,
- Natural England; and
- Historic England.

Schedule 1 sets out the criteria for determining the likely significant effects on the environment.

Considering Part 2 Regulation 9

Regulation 9 (1) (a)

Preparation of the Oldham Town Centre CAAMP SPD began after 21 July 2004.

The SPD will support the implementation of the joint Core Strategy and Development Management Development Plan Document (the 'Joint DPD'). It will provide further guidance on the relevant policies within the Joint DPD. The Joint DPD itself sets the framework for future development consent of projects. The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the Strategic Environmental Assessment Directive. The SPD will provide more detail on that adopted framework.

It will also inform the Local Plan review and Oldham Town Centre regeneration plans.

Regulation 9 (1) (b)

The SPD relates to Oldham Town Centre Conservation Area, the boundary of which it is proposing to extend. It is considered the SPD relates to the use of a small area at a local level and relates to town and country planning and land use.

The Oldham Town Centre CAAMP SPD is subject to a Habitats Regulations Assessment (HRA) screening opinion. The HRA Screening Opinion confirms that the implementation of the Oldham Town Centre CAAMP will have no likely significant effects on European sites and will not affect the integrity of any European sites designated for their nature conservation value. The Plan can be 'screened out' and no further level of Assessment is required.

Regulation 9 (1) (c)

The SPD does not concern a minor modification to a plan or programme and therefore Regulation 9 (1) (c) is not relevant.

Regulation 9 (2)

Regulation 9 (2) requires that the council considers the criteria specified in Schedule 1 before making a determination on whether the SPD is likely to have significant environmental effects.

Schedule 1: Criteria for determining the likely significant effects on the environment	
1. The characteristics of plans and programmes, having regard, in particular, to -	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to	The Oldham Town Centre CAAMP SPD will support the implementation of the Joint DPD through providing further

<p>the location, nature, size and operating conditions or by allocating resources;</p>	<p>guidance on Policy 24 'Historic Environment'.</p> <p>The Joint DPD itself sets the framework for future development consent of projects and has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA Directive.</p> <p>The Joint DPD sets out a long-term spatial vision, objectives and the planning and development strategy for the borough up to 2026, core policies and development management policies and a monitoring and implementation framework. The Joint DPD includes policies on the historic environment.</p> <p>The Oldham Town Centre CAAMP SPD will also inform the Local Plan review which is subject to its own SEA. The principles from Policy 24 i.e. to conserve and enhance heritage assets will be carried through the Local Plan review. The SPD will provide more detail.</p>
<p>(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;</p>	<p>The Oldham Town Centre CAAMP SPD will provide further guidance on Policy 24 'Historic Environment' within the adopted Joint DPD. Its role will be to assist in implementing the Joint DPD when assessing development proposals, and in considering regeneration plans within Oldham Town Centre.</p> <p>The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA.</p> <p>The Oldham Town Centre CAAMP SPD will also inform the Local Plan review which is subject to its own SEA. The principles from Policy 24 i.e. to conserve and enhance heritage assets will be carried through the Local Plan review. The SPD will provide more detail.</p>
<p>(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>The Oldham Town Centre CAAMP SPD will support the implementation of the Joint DPD which promotes sustainable development.</p> <p>The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA Directive. This took into account environmental</p>

	<p>considerations to ensure that the Joint DPD promotes sustainable development.</p> <p>The SPD will provide further guidance on Policy 24 in relation to the Oldham Town Centre Conservation Area. It will cover issues on:</p> <p>Enhancement:</p> <ul style="list-style-type: none"> • vacant heritage assets (to secure the viable reuse of heritage assets and to prevent their decay and dereliction and ensure their long-term preservation); • repair and maintenance of heritage assets (to reverse the cumulative negative impact that the poor upkeep and maintenance of buildings and inappropriate alterations have on the appearance of buildings and the character of the conservation area); and • shop fronts, retail frontage and signage (to uplift the human experience of the conservation area at ground floor level and the perceived quality of the urban environment). <p>Regeneration:</p> <ul style="list-style-type: none"> • demolition (to preserve the conservation area and enhance its positive characteristics); • development (to encourage applications which reflect careful consideration of the historic context and encourage redevelopment of cleared vacant sites within the conservation area and its setting); • views and settings (to protect established and valued views which contribute to the setting of the conservation area and local views within the conservation); • public realm (to consider new public realm carefully to preserve and enhance its character); and • wayfinding (to improve wayfinding in and around the town centre and better define the
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	<p>conservation area).</p> <p>Community engagement:</p> <ul style="list-style-type: none"> • Identity (to give the conservation area a clear identity, engage the public and celebrate the heritage of Oldham); and • Well-being (to create a place that people find welcoming and which contributes to pride and well-being). <p>Management:</p> <ul style="list-style-type: none"> • Adoption and enforcement; and • Additional powers. <p>The SPD aims to improve the character and appearance of the Oldham Town Centre Conservation Area into a place that makes people feel proud of its identity. The SPD encourages the re-use of vacant buildings. The SPD will contribute towards sustainable development.</p>
(d) environmental problems relevant to the plan or programme; and	<p>The Oldham Town Centre CAAMP SPD will support the implementation of the Joint DPD which addresses environmental issues. The Joint DPD has been subject to a Sustainability Appraisal incorporating the SEA Directive.</p> <p>The CAAMP SPD aims to assist the council in removing the Oldham Town Centre conservation area from the Historic England “At Risk” register, addressing environmental problems in relation to neglected and vacant buildings.</p> <p>The principles from Policy 24 will be carried through to the Local Plan review i.e. to conserve and enhance heritage assets. The SPD will provide more detail.</p>
(e) the relevance of the plan or programme for the implementation of EU legislation on the environment (for example, plans and programmes linked to waste management or water protection).	<p>The Oldham Town Centre CAAMP SPD will support the implementation of the joint DPD. The SPD provides further guidance on Policy 24 within the Joint DPD.</p> <p>The Joint DPD has been subject to a Sustainability Appraisal, incorporating the</p>

	<p>requirements of the SEA Directive and has taken into account relevant legislation on the environment.</p> <p>The principles from Policy 24 will be carried through to the Local Plan review i.e. to conserve and enhance heritage assets. The Local Plan review is subject to its own Integrated Assessment, incorporating the SEA Directive. The SPD will provide evidence and detail to the Local Plan review.</p> <p>The HRA Screening Opinion confirms that the implementation of the Oldham Town Centre CAAMP will have no likely significant effects on European sites and will not affect the integrity of any European sites designated for their nature conservation value. The Plan can be 'screened out' and no further level of Assessment is required.</p>
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -	
(a) the probability, duration, frequency and reversibility of the effects;	<p>The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA Directive.</p> <p>Policy 24 'Historic Environment' scored positively in relation to the sustainability objectives, taking into account short, medium and long term effects.</p> <p>The Oldham Town Centre CAAMP SPD will support the implementation of the joint DPD. The SPD provides further guidance on Policy 24 within the Joint DPD. The SPD should therefore result in positive effects.</p>
(b) the cumulative nature of the effects;	<p>The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA Directive.</p> <p>The Preferred Way Forward (strategy) was assessed against sustainability objectives including ENV6 relating to heritage. This considered cumulative effects and scored positively.</p> <p>Policy 24 relevant to the SPD scored positively in the Sustainability Appraisal of the joint DPD.</p> <p>The Oldham Town Centre CAAMP SPD</p>

	<p>aims to reverse the cumulative negative impact that the poor upkeep and maintenance of buildings and inappropriate alterations have on the appearance of buildings and the character of the conservation area.</p> <p>It also aims to improve the appearance of shopfronts and signage and encourage the reuse of vacant historic buildings with the hope that the cumulative impact will be a very positive one – to remove the Oldham Town Centre Conservation Area from the Historic England “At Risk” register.</p>
(c) the transboundary nature of the effects;	<p>The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA Directive, including considering the transboundary nature of the effects.</p> <p>Policy 24 relevant to the SPD scored positively in the Sustainability Appraisal of the joint DPD.</p> <p>The SPD is concerned with Oldham Town Centre Conservation Area. It is considered that effects will be limited to this boundary, other than protecting important views out of the town centre. The SPD should result in positive effects limited to the local area.</p>
(d) the risks to human health or the environment (for example, due to accidents);	<p>The Oldham Town Centre CAAMP SPD will support the implementation of the Joint DPD which addresses environmental and social issues, such as health.</p> <p>The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA Directive.</p> <p>Policy 24 relevant to the SPD scored positively in the Sustainability Appraisal of the joint DPD against the objective to improve the health of the borough’s population.</p> <p>The Oldham Town Centre CAAMP SPD aims to improve community engagement to give the conservation area a clear identity, engage the public and celebrate the heritage of Oldham; and to create a place that people find welcoming and</p>

	<p>which contributes to pride and well-being. This should contribute towards the strategic objective.</p>
<p>(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);</p>	<p>The CAAMP SPD covers Oldham Town Centre Conservation Area (including proposed extensions to the existing boundary). It consists of two wards within Oldham. Spatial effects will be limited to the town centre, although the CAAMP seeks to protect valued views of the surrounding area, which would be a positive effect locally.</p> <p>The SPD provides further guidance on Policy 24 within the Joint DPD and will aid its implementation. The Joint DPD has been subject to a Sustainability Appraisal, incorporating the requirements of the SEA Directive, including geographical scope.</p>
<p>(f) the value and vulnerability of the area likely to be affected due to –</p> <p>(i) special natural characteristics or cultural heritage;</p> <p>(ii) exceeded environmental quality standards or limit values; or</p> <p>(iii) intensive land-use; and</p>	<p>(i) Oldham has a hierarchy of nature designations. However these fall outside of the Town Centre Conservation Area and it is not expected that the SPD would have any significant effects on these.</p> <p>The HRA Screening Opinion confirms that the implementation of the Oldham Town Centre CAAMP will have no likely significant effects on European sites and will not affect the integrity of any European sites designated for their nature conservation value. The Plan can be 'screened out' and no further level of Assessment is required.</p> <p>Biodiversity was considered as part of the Joint DPD Sustainability Appraisal. Policy 24 scored positively against the sustainability objective to protect and improve green infrastructure, biodiversity and geodiversity.</p> <p>Within the area considered by the SPD there is Oldham Town Centre Conservation Area, a number of Listed Buildings and their settings, and buildings that could be added to a 'local list'. The Oldham Town Centre CAAMP SPD seeks to enhance the character of the conservation area therefore impacts should be positive. Policy 24 scored significantly positive against the sustainability objective to conserve and</p>

	<p>enhance the borough's historical, archaeological and cultural heritage and its settings, and its landscape and townscape character.</p> <p>ii) Oldham has an Air Quality Management Area. Air Quality was considered as part of the Joint DPD Sustainability Appraisal. Policy 24 scored positively against the sustainability objective to protect and improve air quality.</p>
(g) the effects on areas or landscapes which have a recognised national, European Union or international protection status.	<p>The Peak District National Park falls within Oldham. The Oldham Town Centre CAAMP SPD is not considered to have any impact on this designation.</p> <p>Landscape was considered as part of the Joint DPD Sustainability Appraisal. Policy 24 scored positively against the sustainability objective to conserve and enhance the borough's historical, archaeological and cultural heritage and its settings, and its landscape and townscape character.</p> <p>The Oldham Town Centre CAAMP SPD will provide further guidance on Policy 24 within the Joint DPD.</p> <p>The Oldham Town Centre CAAMP SPD should result in positive impacts as it seeks to protect valued views of the surrounding landscapes.</p>

Consultation

Regulation 9 (2) (b) requires consultation to be undertaken with the Environment Agency, Natural England and Historic England before making a determination.

The above consultation bodies were consulted between 13 December 2018 and 11 January 2019. Historic England and Natural England agreed that the Oldham Town Centre CAAMP SPD does not require a SEA and the Environment Agency stated they have no comments to make.

Under Regulation 11 (1) the Council will send to each of the three consultation bodies a copy of the determination within 28 days of making a determination and under Regulation 11 (2) the Council will keep a copy of the determination available at the principal office for inspection by the public and will take appropriate steps to bring the determination to the attention of the public within 28 days of making a determination.

Determination

The Council considers that after having regard to the Environmental Assessment of Plans and Programmes Regulations 2004 the Oldham Town Centre CAAMP SPD does not require a Strategic Environmental Assessment (SEA). The likely effects are expected to be positive.