

Oldham

Local

Plan

**Habitats Regulations Assessment
(screening) of the Oldham Town
Centre Conservation Area Appraisal
and Management Plan
Supplementary Planning Document**

January 2019



Oldham
Council

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FAO Georgina Brownridge
Oldham Council

5th December 2018

By e-mail

Dear Georgina

Habitats Regulations Assessment (Screening) of the Oldham Conservation Area Appraisal and Management Plan

Thank you for asking the Ecology Unit to carry out an Assessment under the terms of the Conservation of Habitats and Species Regulations 2017 (as amended) of the Oldham Conservation Area Appraisal and Management Plan prepared on behalf of Oldham Council by Donald Insall Associates in November 2018.

Introduction

Article 6(3) of the European Habitats Directive dealing with the conservation of European protected sites states that:

'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.'

The Oldham Conservation Area Appraisal and Management Plan is considered to be a *'Plan not directly connected with the or necessary to the management [of a European site]'* under the terms of the legislation and therefore is considered to require an Assessment under the terms of the statute. Such Assessments are conventionally referred to as 'Habitats Regulation Assessments' or HRAs

European protected sites (the 'Natura 2000 Network') are of exceptional importance for the

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conservation of important species and natural habitats within the European Union. The purpose of Habitats Regulation Assessment (HRA) of land use plans is to ensure that protection of the integrity of European protected sites is an integral part of the planning process at a regional and local level. The network of European protected sites comprises Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites. Government guidance advises that potential SPAs (pSPA), candidate SACs (cSAC) and potential Ramsar (pRamsar) sites are also included in HRAs.

Habitats Regulation Assessments can be seen as having a number of discrete stages -

- Stage 1 - Screening
- Stage 2 – Appropriate Assessment
- Stage 3 – Assessment of Alternatives
- Stage 4 – Assessment where no alternatives are available

This document comprises Stage 1 of the Habitats Regulation Assessment process and contributes to the fulfilment of Oldham Council's statutory duty as regards Article 6(3). That is, it is a Screening Opinion on whether the Plan under consideration may have a significant effect on the special interest of any European designated protected sites

The Greater Manchester Ecology Unit (GMEU), as a specialist ecological adviser to Oldham Council, has prepared this Screening Opinion. Natural England and the JNCC were consulted for information on the conservation objectives and favourable condition tables for the European Sites concerned.

The Plan being Screened

The Plan under consideration is the Oldham Conservation Area Appraisal and Management Plan prepared on behalf of Oldham Council by Donald Insall Associates in November 2018.

The Plan provides a detailed, updated appraisal of the Oldham town centre Conservation Area, recommends extensions to the Conservation Area and recommends management interventions to protect and conserve the Conservation Area assets in future.

Conservation areas are 'areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance', and are recognised for their distinctive townscape, including their buildings, streets and public realm. With regard to the British planning system, conservation areas are considered as 'designated heritage assets;' any proposals for change or development must assess the effect that the development might have on the character and appearance of the area. The Oldham Town Centre Conservation Area was first designated in November 1975. The Oldham town centre Conservation Area has been identified as 'at risk' by Historic England.

The Plan has the following key purposes –

- To address the challenges facing this 'at risk' area;

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- Understand the significance of the conservation area and suggest opportunities to enhance its character and appearance;
- Stimulate local interest in both the protection of and careful development of the 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;
- Inform the Local Plan review and its implementation and future development management;
- Support the implementation of the Oldham Town Centre Masterplan;
- Achieve the removal of the area from Historic England's Heritage at Risk Register.

The Plan does not propose increased development or significant changes in the land-use of the area concerned.

European Sites Concerned

The Environment Agency has determined that for most developments the maximum distance from a European Site where impacts could be effectively measured is 10km. Beyond this distance significant effects are considered unlikely to arise or any effects will be so diffuse at distances beyond 10km that they will effectively be impossible to measure.

There are two European Sites within 10km of the area affected by the Plan –

- South Pennine Moors SAC/SPA, within 10km of the area of the Plan
- Rochdale Canal SAC, within 5km of the area of the Plan

The South Pennine Moors

The South Pennine Moors SPA/SAC and Ramsar sites have been designated because they support important upland habitats and important upland bird communities. At its closest point the Plan area is more than 9km from the boundary of the Moors. No direct impacts on the Moors will therefore be caused by the Plan.

Given that the implementation of the Plan will not involve significant new development or significant changes in land use, and given the distance of the plan area from the European sites, I would not consider that the implementation of the Plan will have any indirect impacts on the special nature conservation value of the Moors.

I would conclude that the implementation of the Oldham Conservation Area Appraisal and Management Plan will have no likely significant effect on the South Pennine Moors European site(s).

Rochdale Canal

The Rochdale Canal Special Area of Conservation (SAC) has been designated because it supports important aquatic plant communities. Any operation that could affect these plants could cause

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harm to the nature conservation interest of the European site. Such operations include draining or dredging of the Canal, shading the Canal, causing pollution of Canal waters and leading to increased boat traffic on the Canal.

I would not consider that the implementation of the Plan will cause any of these operations and therefore will not have any direct or indirect impacts on the special nature conservation value of the Canal.

I would conclude that the implementation of the Oldham Conservation Area Appraisal and Management Plan will have no likely significant effect on the Rochdale Canal European site(s).

Conclusion

The implementation of the Oldham Conservation Area Appraisal and Management Plan 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.

Yours sincerely

Derek Richardson
Principal Ecologist