

Oldham

Local

Development

Framework

**Other Protected Open Land
Interim Planning Paper**

Adopted 20.09.2021



Oldham
Council

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1 Purpose

- 1.1 This Interim Planning Paper sets out how the council will consider Other Protected Open Land (OPOL) when assessing planning applications for development that may impact on the OPOL. It must be read alongside Policy 22 'Protecting Open Land' of the Joint Core Strategy and Development Management Policies Development Plan Document (DPD) that was adopted 9 November 2011 by the council.

2 Background

- 2.1** The 1986 Borough Plan established areas of open land (as well as Green Belt) which it sought to reserve land for, or protect from, development. These areas were mainly located between the urban area and the Green Belt. This non-Green Belt designation was intended to protect two types of land not included within the Green Belt. Firstly, areas of open land that did not serve a Green Belt function but which were valuable open spaces. Secondly, areas of land that did perform some Green Belt function but which could be required for development purposes in the future. The 1986 Borough Plan did not, however, distinguish between the two types of land. These land designations were carried across to the 1996 Unitary Development Plan (UDP). The approach to the land was to accord a similar level of protection against inappropriate development as in the Green Belt.
- 2.2** In the 2006 UDP, the decision was made to rationalise and clarify the approach taken in the 1986 Borough Plan and the 1996 UDP given that they made no distinction between the two types of protected land. Those sites considered suitable for possible future development needs were designated as “Land Reserved for Future Development”. Sites deemed to perform primarily recreational roles were designated “Open Spaces”. Those sites with agricultural or informal recreational roles which provided important breaks between or on the edge of built-up areas were designated as “Other Protected Open Land”.
- 2.3** In the Joint Core Strategy and Development Management Policies Development Plan Document (‘the Joint DPD’), adopted in 2011, all of the OPOL designations were carried forward with the exception of OPOL 3 at Foxdenton (which formed part of an employment led mixed use designation). There are currently 22 OPOL sites designated in the Joint DPD.

3 Policy Context

Local Plan Context

- 3.1** The Joint DPD (Policy 22) explains that OPOL is open land which, while not serving the purposes of the Green Belt, is locally important because it helps preserve the distinctiveness of an area. As well as providing attractive settings they provide other benefits, such as informal recreation and habitats for biodiversity, therefore helping to provide sustainable communities, mitigate climate change and contribute towards health and well-being.
- 3.2** The adopted policy states "Development on OPOL will be permitted where it is appropriate, small-scale or ancillary development located close to existing buildings within the OPOL, which does not affect the openness, local distinctiveness or visual amenity of the OPOL, taking into account its cumulative impact. Where appropriate, development will be screened or landscaped to minimise its visual impact".
- 3.3** Planning Practice Guidance requires Local Plans to be kept up to date and suggests policies in Local Plans should be reviewed to assess whether they need updating at least once every five years. As the Joint DPD was adopted in 2011 a review of the Local Plan is underway.
- 3.4** Local Plans must be in conformity with and support national planning policy – the National Planning Policy Framework (NPPF). As part of reviewing the evidence for the Local Plan it is considered that OPOL should be assessed against NPPF to bring it in line with national policy.
- 3.5** NPPF does not make any reference to OPOL. It does however refer to 'Local Green Space' (LGS). Therefore the assessment of OPOL carried out to inform preparation of the Local Plan will be against the LGS criteria set out in NPPF and subsequently OPOL carried forward will be re-designated as LGS.

National Planning Policy Framework (2019)

- 3.6** NPPF explains that LGS designation allows communities to identify and protect green areas of particular importance to them. A LGS can only be designated through a Local Plan or a Neighbourhood Plan.
- 3.7** Identifying land as LGS should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. LGS should only be designated when a plan is prepared or reviewed, and is capable of enduring beyond the end of the plan period.
- 3.8** NPPF states the designation should only be used where the green space is:
- in reasonably close proximity to the community it serves;
 - demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - local in character and is not an extensive tract of land.
- 3.9** Policies for managing development within a LGS should be consistent with those for Green Belt.

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- 3.10** The OPOL currently designated in the adopted Joint DPD has been assessed against the NPPF LGS criteria and guidance from Planning Practice Guidance.
 - 3.11** This assessment will be used to inform preparation of the Local Plan and review of relevant policy.

4 Local Green Space Assessment outcome

- 4.1** The outcome of the assessment is shown below. All of the sites assessed were considered to be demonstrably special to a local community, reasonably close to the community and local in character and not an extensive tract of land.
- 4.2** A heritage significance assessment has inputted into the LGS assessment. For some sites this has identified where the historic environment, often linking to recreation, could be enhanced. Consideration will need to be given as to how these opportunities can be delivered through the Local Plan review and / or working with our partners and across council departments.
- 4.3** The assessment recommends the de-designation of some OPOL, which will be through the emerging Local Plan review or through Places for Everyone Joint Development Plan Document (PfE). Until such a time as the revised Local Plan or PfE is in place they will continue to be designated as OPOL and protected through Policy 22.
- 4.4** Any extensions or reductions in boundaries proposed as part of the LGS assessment will need to be considered as part of the Local Plan review. At the point of adoption extensions to OPOL boundaries will be designated in the Local Plan and any removals of land from OPOL boundaries will be de-designated.

Table 1 Assessment of OPOL against Local Green Space Criteria

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
OPOL 1 – Royley Clough, Royton – with extension including cricket ground	Yes. The OPOL, with the proposed extension, meets the criteria based on richness of wildlife, beauty, historic significance and recreation.	N/A
OPOL 2 – Ferney Field Road	Yes. Overall the land is considered to be of local significance due to richness of wildlife.	N/A
OPOL 4 – Foxdenton Hall Park with extension including Foxdenton Hall Park and Albert Taylor Recreation Ground	Yes. It is considered that the OPOL with the proposed extension is of local significance due to recreation, historic significance, beauty and richness of wildlife.	There is an opportunity to enhance the historic environment by opening the hall to the public and offering updated interpretation boards and a heritage trail around the locations of former estate buildings such as the farm and the icehouse. In addition, the sundial should be restored to its former position.

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
OPOL 5 Crossley Bridge Playing Fields	<p>Yes. It is considered that the site is of local significance due to its recreational value.</p> <p>It is considered that the boundary should be amended in the Local Plan review to take account of the recent residential development, which will be removed from the OPOL.</p>	N/A
OPOL 6 Moston Brook and Hole Bottom Clough	Yes. It is considered that the site is of local significance due to beauty, recreation, historic significance, richness of wildlife and tranquillity.	Improvements could be made in line with Moston Brook feasibility study and masterplan.
OPOL 7 Simkin Way	Yes. It is considered that the site is of local significance due to historic significance.	N/A
OPOL 8 Oldham Edge	<p>Yes. The land is considered to be of local significance due to richness of wildlife, historic significance, recreational value and also tranquillity and beauty in parts of the site.</p> <p>It is considered that the boundary should be amended to exclude the school sports hall extension.</p>	<p>There is an opportunity to enhance historic significance further with heritage trails and interpretation boards. The public sculptures appear to coincide with the locations of historic routeways and interpretation could be offered as to what these actually mark.</p> <p>There are opportunities to highlight the historic routeway towards Royton as well as fieldwalk the landscape to find any possible remnants of historic mining.</p>
OPOL 9 Bullcote Lane	<p>No. The site is not considered to be of local significance against the Local Green Space criteria.</p> <p>NPPF states identifying land as LGS should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.</p>	N/A

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
	<p>LGS should only be designated when a plan is prepared or reviewed, and is capable of enduring beyond the end of the plan period.</p> <p>The site has been put forward as a strategic allocation in Places for Everyone Joint Development Plan Document (PfE). The OPOL is proposed to be de-designated through PfE.</p> <p>Until such a time as PfE is in place the site will continue to be designated as OPOL and protected through Policy 22.</p>	
OPOL 10 Shawside	<p>The land has areas that are rich in wildlife and offer a recreational role (to the north).</p> <p>However, as NPPF states identifying land as LGS should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.</p> <p>LGS should only be designated when a plan is prepared or reviewed, and is capable of enduring beyond the end of the plan period.</p> <p>The site has been put forward as a strategic allocation in the Places for Everyone Joint Development Plan Document (PfE).</p> <p>It is considered that to designate the land as LGS would not be consistent with the local planning of sustainable development.</p> <p>The OPOL is proposed to be de-designated through PfE.</p> <p>Until such a time as PfE is in place the site will continue to be designated as OPOL and protected through Policy 22.</p> <p>If the site were not to be proposed for development as part of PfE or as part of a Local Plan Review then all or part of</p>	Twingate Nature Reserve has recently been granted funding for tree planting under City of Trees.

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
	<p>the site would be considered for LGS designation as part of the Local Plan Review.</p> <p>The elements that meet the LGS criteria should be considered as part of the master planning exercise and planning application, particularly in terms of ecology.</p>	
<p>OPOL 11 – Land at Greenacres, including Lees Cemetery and Mills recreation ground</p>	<p>Yes. The land is of local significance due to its beauty, tranquillity, wildlife, recreational value and historic significance.</p> <p>It is considered that the boundary should be amended to remove Roundthorn Primary School and The Hawthorne and associated brownfield land. This part of the OPOL is not considered to contribute to the LGS criteria.</p> <p>It is also considered that Lees Cemetery and the Mills recreation ground should be added to the LGS.</p>	<p>There are several opportunities to enhance historic significance further at Greenacres by offering heritage and geological trails, as well as interpretation boards.</p> <p>Some of the current boards are in poor condition, heavily vandalised and repetitive; it is felt that they could be more specific to the area in which they are located.</p> <p>There is an opportunity to create a geologically focused heritage trail at Glodwick Lows, to incorporate and celebrate its status as a Regionally Important Geological Site (RIGS).</p> <p>Interpretation boards could also be used to highlight historic remnants of quarrying and mining and identify potential signs of Medieval coal extraction, such as bell pits and adits. The former textile industry in this area has been utilised within the public realm, however the reused engine beds have no accompanying</p>

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
		<p>interpretation and it is felt that these need further explanation.</p> <p>Other features such as the Roman Road and the Medieval corn mill could also be highlighted or even targeted for any future archaeological work. There is also an opportunity to celebrate Clem Beckett at Glodwick Lows as well.</p>
OPOL 12 Thornley Brook (Please note this does not include land granted planning permission for homes)	Yes. The land is of local significance due to its beauty, richness of wildlife, tranquillity, historic significance and local recreational value.	N/A
OPOL 13 – Stonebreaks	<p>Yes. The land is of local significance due to its beauty, tranquillity, historic significance and local recreational value. A small part of the site is also of local significance due to its wildlife.</p> <p>It is also considered that a small extension to the north of the OPOL could form part of the designation.</p>	N/A
OPOL 14 Dacres Hall	Yes. The land is of local significance due to beauty, tranquillity, historic significance and wildlife.	N/A
OPOL 15 Wall Hill	Yes. It is considered that the existing OPOL is locally significant due to historic significance and richness of wildlife.	There are already a number of interpretation boards on the former Delph Donkey railway line bordering the site, which includes a small part on the former Bankfield Mill, and there is an opportunity to open up

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
		<p>access to the wooded area and extend the heritage trail here.</p> <p>There is also an opportunity to consolidate the ruins and explore the area archaeologically as well in the future.</p>
OPOL 16 Ryefields Drive	Yes. The land is of local significance due to its beauty and richness in wildlife.	N/A
OPOL 17 Stoneswood	Yes. The land is considered to be of local significance due to its historic significance and richness in wildlife.	N/A
OPOL 18 Rumbles Lane / Lumb Mill	<p>No. Although the site adds to the attractiveness of the area it is not considered that the site is demonstrably special against the reasons set out in NPPF.</p> <p>Therefore the OPOL is proposed to be de-designated through the Local Plan review.</p>	N/A
OPOL 19 Ainley Wood	Yes. The site is considered to be of particular local significance due to its beauty, tranquillity, historic significance and richness of its wildlife.	<p>There are opportunities to enhance this historic significance further through a heritage trail and interpretation boards focused on the former Hull Mill and the possible Roman Road towards the nearby Castleshaw fort.</p> <p>There is also an opportunity to explore Hull Mill archaeologically and consolidate any standing remains.</p>
OPOL 20 Land South of Oaklands Road	No. Although a section of the site provides some priority habitats it is not considered that the whole site should be	N/A

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
	<p>designated as LGS due to this alone as the extent is small in comparison to the whole site. The site is a rail embankment.</p> <p>Therefore the OPOL is proposed to be de-designated through the Local Plan review.</p>	
OPOL 21 Land at Summershades Lane	Yes. It is considered that the site is of local significance due to richness of its wildlife and historic significance.	The historic significance mostly derives from the site's former use as pleasure gardens from the late 19th to mid-20th century. Some of these features still survive, although the site has not been maintained. There is an opportunity to restore these features and make public access easier to this site.
OPOL 22 Cowlshaw	<p>The land has areas that are rich in wildlife.</p> <p>However, identifying land as LGS should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.</p> <p>LGS should only be designated when a plan is prepared or reviewed, and is capable of enduring beyond the end of the plan period.</p> <p>The site is proposed as a strategic allocation in Places for Everyone Joint Development Plan Document (PfE) and part of the OPOL has outline planning permission for residential development.</p> <p>It is considered that to designate the land as LGS would not be consistent with the local planning of sustainable development.</p>	N/A

OPOL	Does the site meet Local Green Space Criteria	Identified enhancement opportunities
	<p>However, any development proposals must follow the biodiversity mitigation hierarchy.</p> <p>The OPOL is proposed to be de-designated through PfE.</p> <p>Until such a time as PfE is in place the site will continue to be designated as OPOL and protected through Policy 22.</p>	
OPOL 23 Rear of Elk Mill / Cotswold Drive	Yes. It is considered that the site is of local significance due to beauty, richness of its wildlife, tranquillity and recreational value.	N/A

5 Status of Local Green Space Assessment

- 5.1** When considering planning applications for development and taking into account the housing land supply position at any time, where relevant, Policy 22 remains extant and should be considered as appropriate to the application and/or when applying the tilted balance.
- 5.2** For the most up to date housing land supply position please see the authorities Monitoring Report ⁽¹⁾ and Strategic Housing Land Availability Assessment (SHLAA) ⁽²⁾ or contact the council's Strategic Planning and Information Team at spi@oldham.gov.uk.
- 5.3** The main aim of the OPOL designation is to protect OPOL from development. As such, OPOL is not considered a policy related to the delivery or supply of housing and so should not be considered 'most important' in determining applications related to the provision of housing and nor 'out-of-date' when there is insufficient five-year deliverable housing land to meet the borough's local housing need.
- 5.4** Section 38(6) of the Planning and Compulsory Purchase Act 2004 lays down the legal principle that the decision on a planning application is to be governed by the development plan, read as a whole, unless other material considerations indicate otherwise. In the case of applications related to the provision of housing, the lack of a five-year housing land supply, does not automatically mean paragraph 11(d) of the NPPF applies in that permission should be granted in presumption of sustainable development. Rather, the development plan policies should be considered as a whole, and weight afforded according to the decision-makers assessment of the tilted balance.
- 5.5** OPOL and Policy 22 is therefore not automatically afforded less weight when determining planning applications for residential development but must be considered on its merits and on a case by case basis.
- 5.6** The LGS Assessment should be used as a material consideration to assess the significance of each OPOL.
- 5.7** Where it has been identified that an OPOL meets the LGS criteria in NPPF, and therefore is of local significance this should be taken into account in the weight given to the OPOL policy and the OPOL itself when assessing the tilted balance. There should be a presumption against development and development should only be allowed on OPOL land that meets Policy 22.
- 5.8** Where development is proposed on OPOL that does not meet LGS criteria, as identified in the LGS Assessment (2021) Policy 22 will still apply as the land is designated as OPOL until such time as it is de-designated as such through the Local Plan review or through Places for Everyone Joint Development Plan Document. However, the LGS assessment may be taken into account as a material consideration which helps to form a balanced judgement about whether the benefits of the scheme outweigh the loss of the OPOL. In any such case the LGS assessment, in combination with necessary site specific assessments, should still be taken into account to consider whether there are any qualities of the site that need to be had regard to as part of the planning

1 https://www.oldham.gov.uk/info/200709/documents_in_the_local_development_framework/263/annual_monitoring_report
2 https://www.oldham.gov.uk/info/200709/documents_in_the_local_plan/2134/strategic_housing_land_availability_assessment_shlaa

application, for example any areas of priority habitats present. Other planning policies also need to be taken into account in assessing any development proposals and / or the titled balance.