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1. Introduction and Purpose

- 1.1. This is the Protecting Our Local Environment Topic Paper and is one of 13 topic papers produced to inform the consultation on the Oldham Local Plan: Publication Plan.
- 1.2. All Topic Papers can be found online on [Oldham Council's website](#).¹
- 1.3. The main purpose of the Topic Paper is to set out:
 - the current key policies, plans and strategies relating to Protecting Our Local Environment that have informed the Local Plan;
 - the main issues, challenges and opportunities relating to the Local Environment that we face, underpinned by proportionate and relevant evidence;
 - how policies within the Oldham Local Plan: Publication Plan have been shaped, having regard to:
 - the key issues, challenges and opportunities facing the borough in relation to Protecting Our Local Environment;
 - responses received as part of the Oldham Local Plan: Draft Plan consultation and Duty to Co-operate discussions;
 - the outcomes of the Integrated Assessment, including any requirements of the Habitat Regulations Assessment; and
 - how, with these policies, the Plan sets out an appropriate strategy that is based on proportionate evidence.
- 1.4. The Setting the Scene Topic Paper sets out the context for the Oldham Local Plan: Publication Plan, its purpose and how it relates to the Places for Everyone Joint Development Plan Document.
- 1.5. The Topic Papers therefore support and complement the Oldham Local Plan: Publication Plan, demonstrating how policy choices have been informed, providing transparency around decision-making, and assisting those viewing the plan and the examining Inspector in understanding the rationale behind the Plan's content.

¹ Oldham Council's website, Local Plan Review available at:
https://www.oldham.gov.uk/info/201233/local_plan_review

2. Relevant Policies, Plans and Strategies

2.1. This section sets out the main policies, plans and strategies that relate to Protecting Our Local Environment and which have informed the policy approach taken.

National Context

National Planning Policy Framework

2.2. [National Planning Policy Framework](#)² (NPPF) (December 2024, as amended in February 2025) section 15 covers the natural environment and states that planning policies should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions.

2.3. NPPF chapter on Ground conditions and pollution states planning policies should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; and
- limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

2.4. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.

2.5. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of

² National Planning Policy Framework (December 2024, as amended February 2025) is available at https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

change') should be required to provide suitable mitigation before the development has been completed.

- 2.6. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes).
- 2.7. Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:
 - f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains

National Planning Policy Guidance

Contaminated Land

- 2.8. Planning Practice Guidance on [Land affected by contamination](#)³ (updated 2019) outlines why contamination is important to address as it can harm health, property and the wider environment.
- 2.9. The implications of contamination for development should be considered through the planning process to the extent that it is not addressed by other regimes.
- 2.10. The guidance outlines ways in which contaminated land can be identified and states that it is helpful for plans to be clear on the role of developers and requirements for information and assessments.
- 2.11. If there is a reason to believe contamination could be an issue, applicants should provide proportionate but sufficient site investigation information (a risk assessment) prepared by a competent person to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level.
- 2.12. The risk assessment should also identify the potential sources, pathways and receptors ('pollutant/ contaminant linkages') and evaluate the risks. This information will enable the local planning authority to determine whether more detailed investigation is required, or whether any proposed remediation is satisfactory.

Land stability

- 2.13. Planning Practice Guidance on [Land stability](#)⁴ (updated 2019) outlines that the effects of land instability may result in landslides, subsidence or ground heave.

³ Planning Practice Guidance on 'Land affected by contamination' is available at:

<https://www.gov.uk/guidance/land-affected-by-contamination>

⁴ Planning Practice Guidance on 'Land stability' is available at: <https://www.gov.uk/guidance/land-stability>

Failing to deal with this issue could cause harm to human health, local property and associated infrastructure, and the wider environment.

- 2.14. The planning system has an important role in considering land stability by:
 - minimising the risk and effects of land stability on property, infrastructure and the public;
 - helping ensure that development does not occur in unstable locations or without appropriate precautions; and
 - to bring unstable land, wherever possible, back into productive use.
- 2.15. The guidance outlines the other regimes that planning works alongside in terms of dealing with land stability issues. However, planning can have a role in ways such as:
 - including policies that ensure unstable land is appropriately remediated, prohibit development in specific areas, or only allow specific types of development in those areas; and
 - circumstances where additional procedures or information, such as a land stability or slope stability risk assessment report, would be required to ensure that adequate and environmentally acceptable mitigation measures are in place.
- 2.16. If land stability could be an issue, developers should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is known or suspected.
- 2.17. A preliminary assessment of ground instability should be carried out at the earliest possible stage before a detailed planning application is prepared. Applicants should ensure that any necessary investigations are undertaken to ascertain that their sites are and will remain stable or can be made so as part of the development of the site. A site needs to be assessed in the context of surrounding areas where subsidence, landslides and land compression could threaten the development within its anticipated life or damage neighbouring land or property.
- 2.18. Such information could be provided to the planning authority in the form of a land stability or slope stability risk assessment report. Developers may choose to adopt phased reporting, e.g. desk study results followed by ground investigation results.
- 2.19. The Coal Authority plays a critical role in dealing with land instability caused by the effects of past and present coal mining activity in England.

Noise

- 2.20. Planning Practice Guidance on Noise⁵ (updated 2019) makes clear that noise needs to be considered when development may create additional noise, or would be sensitive to the prevailing acoustic environment.

⁵ Planning Practice Guidance on 'Noise' is available at <https://www.gov.uk/guidance/noise--2>

2.21. Plan-making and decision making need to take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

2.22. Noise has no adverse effect so long as the exposure does not cause any change in behaviour, attitude or other physiological responses of those affected by it. The noise may slightly affect the acoustic character of an area but not to the extent there is a change in quality of life.

2.23. As the exposure increases further, it crosses the 'lowest observed adverse effect' level boundary above which the noise starts to cause small changes in behaviour and attitude, for example, having to turn up the volume on the television or needing to speak more loudly to be heard. The noise therefore starts to have an adverse effect and consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise).

2.24. The guidance sets out a noise hierarchy table with further details of the likely average response of those affected.

2.25. Development proposed in the vicinity of existing businesses, community facilities or other activities may need to put suitable mitigation measures in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme.

2.26. In these circumstances the applicant (or 'agent of change') will need to clearly identify the effects of existing businesses that may cause a nuisance (including noise, but also dust, odours, vibration and other sources of pollution) and the likelihood that they could have a significant adverse effect on new residents/users. In doing so, the agent of change will need to take into account not only the current activities that may cause a nuisance, but also those activities that businesses or other facilities are permitted to carry out, even if they are not occurring at the time of the application being made.

2.27. The agent of change will also need to define clearly the mitigation being proposed to address any potential significant adverse effects that are identified. Adopting this approach may not prevent all complaints from the new residents/users about noise or other effects but can help to achieve a satisfactory living or working environment and help to mitigate the risk of a statutory nuisance being found if the new development is used as designed.

2.28. Planning can address the adverse effects of noise through engineering, layout, using planning conditions / obligations and mitigating the impact such as through noise insulation.

Air Quality

- 2.29. Planning Practice Guidance on [Air Quality](#)⁶ (2019) sets out the legal and UK national emission reduction commitments. These pollutants can have direct effects on public health, habitats and biodiversity, and can combine in the atmosphere to form ozone, a harmful air pollutant (and potent greenhouse gas) which can be transported great distances by weather systems. Odour and dust can also be a planning concern, for example, because of the effect on local amenity.
- 2.30. All development plans can influence air quality in a number of ways, for example through what development is proposed and where, and the provision made for sustainable transport. Consideration of air quality issues at the plan-making stage can ensure a strategic approach to air quality and help secure net improvements in overall air quality where possible.
- 2.31. It is important to take into account of air quality management areas, clean air zones and other areas including sensitive habitats or designated sites of importance for biodiversity where there could be specific requirements or limitations on new development because of air quality. Air quality is also an important consideration in habitats assessment, strategic environmental assessment and sustainability appraisal which can be used to shape an appropriate strategy, including through establishing the ‘baseline’, appropriate objectives for the assessment of impacts and proposed monitoring.
- 2.32. Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor. Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity.
- 2.33. Assessments need to be proportionate to the nature and scale of development proposed and the potential impacts (taking into account existing air quality conditions), and because of this are likely to be locationally specific. The scope and content of supporting information is best discussed and agreed between the local planning authority and applicant before it is commissioned.
- 2.34. Mitigation options will need to be locationally specific, will depend on the proposed development and need to be proportionate to the likely impact. It is important that local planning authorities work with applicants to consider appropriate mitigation so as to ensure new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.
- 2.35. Examples of mitigation include:

⁶ Planning Practice Guidance on ‘Air Quality’ is available at: <https://www.gov.uk/guidance/air-quality--3>

- maintaining adequate separation distances between sources of air pollution and receptors;
- using green infrastructure, in particular trees, where this can create a barrier or maintain separation between sources of pollution and receptors;
- appropriate means of filtration and ventilation;
- including infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points);
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

Travel Plans, Transport Assessments and Statements

2.36. Planning Practice Guidance on [Travel Plans, Transport Assessments and Statements](#)⁷ (2014) outlines that Transport Assessments and Statements are ways of assessing the potential transport impacts of developments.

2.37. A Travel Plan is used to identify opportunities for the effective promotion and delivery of sustainable transport initiatives e.g. walking, cycling, public transport and tele-commuting, in connection with both proposed and existing developments and through this to thereby reduce the demand for travel by less sustainable modes.

2.38. Travel Plans, Transport Assessments and Statements can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

⁷ Planning Practice Guidance on 'Travel Plans, Transport Assessments and Statements' is available at: <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Greater Manchester Context

Greater Manchester Strategy (2025)

- 2.39. The Greater Manchester Strategy⁸ sets the vision for a thriving city region where everyone can live a good life.
- 2.40. This supports the PfE carbon neutrality target for 2038 and to create a greener place.

Greater Manchester Five-Year Environment Plan 2025-2030

- 2.41. The Greater Manchester Five-Year Environment Plan⁹ aims to improve air quality through a strong partnership approach.
- 2.42. The vision includes *Across the city region air and water quality will be cleaner due to reduced emissions and pollution* with an aim where our air quality enhances the health, well-being and quality of life of the city-region.
- 2.43. Actions also includes delivering integrated transport systems through the Transport Strategy which will manage traffic and parking.

Places for Everyone (PfE)

- 2.44. The Places for Everyone¹⁰ (PfE) Joint Development Plan Document (DPD), is a strategic plan that covers nine of the ten Greater Manchester districts - Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. The Plan took effect and became part of the statutory development plan for each of the nine PfE authorities on 21 March 2024.
- 2.45. The relationship between PfE and the Oldham Local Plan: Publication Plan is explained in the 'Setting the Scene' Topic Paper.
- 2.46. The following PfE policies relevant to the Protecting our Local Environment Topic Paper are.
- 2.47. **Policy JP-S1 Sustainable Development** In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.
- 2.48. **Policy JP-S4 Flood Risk and the Water Environment** states an integrated catchment-based approach will be taken to protect the quantity and quality of water bodies by securing the remediation of contaminated land and the careful design of

⁸ The Greater Manchester Strategy (2025) is available at: <https://togetherwearegm.co.uk/our-vision/greater-manchester-strategy/>

⁹ The Greater Manchester Five-Year Environment Plan (2024) is available at: <https://www.greatermanchester-ca.gov.uk/what-we-do/environment/five-year-environment-plan/>

¹⁰ Places for Everyone is available at: <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/strategic-planning/places-for-everyone/pfe-adoption/>

developments to minimise the potential for urban diffuse pollution to affect the water environment.

- 2.49. **Policy JP-S5 Clean Air** sets out a range of measures to support improvements in air quality such as considering the location and design of development, information to be submitted on air quality, implementing the Clean Air Plan and associated measures, controlling parking and traffic and promoting green infrastructure.
- 2.50. **Policy JP-P1 Sustainable Places** seeks for all development to offer a high level of amenity that minimises exposure to pollution.
- 2.51. **Policy JP-P3 Cultural Facilities** states we will proactively develop and support cultural businesses and attractions in our cities and towns through a range of measures, where appropriate including supporting a mix of uses which derive mutual benefits from, and do not compromise, the creative industries and cultural facilities in the Creative Improvement District in line with the Agent of Change principle. If development would potentially result in conflict between a cultural activity and another use, especially in terms of noise, then the development responsible for the change must secure the implementation of appropriate mitigation before it is completed.
- 2.52. **Policy JP-P7 Sport and Recreation** aims for a network of high quality and accessible sports and recreation facilities including by: locating and designing recreation facilities in relation to housing so as to ensure that they are accessible but also minimise the potential for complaints due to disturbance to residential amenity from recreational activity.
- 2.53. **Policy JP-C5 Streets for All** aims for the design and management of streets to follow a Streets for All approach by mitigating the impacts of air and noise pollution and carbon emissions from road transport.

Local Context

- 2.54. A summary of the Oldham Partnership's Oldham Plan and the Council's Corporate Plan and how the Local Plan will help to deliver their missions and priorities is provided in the Setting the Scene Topic Paper. The sections below mainly focus on those parts of the plans relevant to Protecting Our Local Environment.

The Oldham Plan

- 2.55. The Oldham Plan 2024-2030 Pride, Progress and Partnership¹¹ sets out three clear missions to achieve by 2030 to deliver real improvements to the lives of Oldham people – Great Place to Live, Healthier Happier Lives and Green and Growing.
- 2.56. A Great Place to Live aims to create safer and welcoming neighbourhoods.

Oldham Council Corporate Plan

- 2.57. Oldham Council's Corporate Plan 'Ready for the Future'¹² (2024-2027) builds on the Oldham Plan and is focused on the same three goals.
- 2.58. A Great Place to Live will create will mean our neighbourhoods will be places where residents are proud to live, and work with us to keep them clean and green.
- 2.59. Green and Growing mission supports being on our way to making Oldham a carbon-neutral borough by 2030.

Building a Better Oldham

- 2.60. Building a Better Oldham¹³ is the Council's ambitious transformation programme for the borough. As with the Partnership's missions, the Local Plan support's delivery of this ambitious programme. Further information can be found in the Setting the Scene Topic Paper.
- 2.61. Building a Better Oldham will involve ensuring that Oldham is the greenest borough and improving health and well-being of our communities.

Oldham Green New Deal Strategy

- 2.62. The Oldham Green New Deal Strategy¹⁴ was adopted by the Council in March 2020. The Strategy's objective is to 'Future-proof the regeneration of the borough by establishing Oldham as an exemplar Green City on energy, carbon, water and green infrastructure'.

¹¹ The Oldham Plan is available at:

https://www.oldham.gov.uk/info/201261/oldham_plan/3207/oldham_plan

¹² The Corporate Plan is available at:

https://www.oldham.gov.uk/downloads/file/8094/oldham_corpotrate_plan_ready_for_the_future

¹³ Building a Better Oldham is available at:

https://www.oldham.gov.uk/info/201248/building_a_better_oldham#:~:text=Building%20a%20Better%20Oldham%20is,jobs%20and%20100%20apprenticeship%20opportunities

¹⁴ The Green New Deal Strategy is available at: <https://www.oldham.gov.uk/gnbs>

- 2.63. The Strategy puts in place a framework to work with our residents and partners to make Oldham an even greener, smarter, more enterprising place.
- 2.64. Target outcomes include improved air quality for Oldham.

3. Issues, challenges and opportunities relating to Protecting Our Local Environment

- 3.1. This section summarises the main issues, challenges and opportunities relating to our local environment that we face in Oldham, underpinned by proportionate and relevant evidence.

Protecting and improving local environmental quality

- 3.2. The IA Scoping Report Update 3 sets out the issues that need to be addressed by the IA which the Local Plan links to. This includes the need to protect and improve local environmental quality and remediate contaminated land.
- 3.3. NPPF states planning policies should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions.
- 3.4. The Council's website has information on issues affecting the local environment such as noise nuisance and contaminated land.

Improving air quality

- 3.5. The IA Scoping Report Update 3 sets out the issues that need to be addressed by the IA which the Local Plan links to. This includes the need to continuing improving air quality.
- 3.6. NPPF states planning policies should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications.
- 3.7. PfE Policy JP-S5 Clean Air sets out a range of measures to support improvements in air quality.
- 3.8. Greater Manchester's investment-led [Clean Air Plan](#)¹⁵ will contribute towards reducing air pollution on local roads through a multi-million-pound investment in cleaner buses, taxis and targeted traffic measures.

¹⁵ The Greater Manchester Clean Air Plan is available at: <https://cleanairgm.com/clean-air-plan/>

4. Protecting Our Local Environment and the Oldham Local Plan: Publication Plan

- 4.1. This section of the Topic Paper looks at each of the policies contained in the Protecting Our Local Environment chapter of the Oldham Local Plan: Publication Plan.
- 4.2. For each policy the Topic Paper shows how policies within the Oldham Local Plan: Publication Plan have been shaped to provide an appropriate strategy for the borough that is based on proportionate evidence and having regard to:
 - The key issues, challenges and opportunities facing the borough in relation to Protecting Our Local Environment;
 - Responses received as part of the Oldham Local Plan: Draft Plan consultation and Duty to Co-operate discussions; and
 - The outcomes of the Integrated Assessment, including any requirements of the Habitat Regulations Assessment.

Policy LE1: Ensuring a High Standard of Amenity in New Development

Summary of Evidence

- 4.3. No specific evidence has been prepared for the Local Plan however the Council's duties include addressing amenity issues and amenity policies are most commonly referred to in officer reports for planning applications.
- 4.4. Consultation with stakeholders ensures that environmental health issues are addressed appropriately.

Draft Local Plan consultation and Duty to Co-operate

- 4.5. At Draft Plan stage Policy LE1 was named 'Noise Pollution and Vibration in New Development' – it has been renamed to 'Ensuring a High Standard of Amenity in New Development' in the Publication Plan.
- 4.6. A summary of comments which were received to Policy LE1 at Draft Plan stage and the Council's response is set out in Table 1 below.

Table 1: Draft Local Plan Consultation Summary and Response – Policy LE1

Respondent	Summary of Comment	Council Response
Coal Authority, Sport England, Alan Chorlton	Support the Policy	Support noted
Natural England	The Local Plan should include a policy for the protection of Best and Most Versatile (BMV) agricultural land. Avoiding loss of BMV land is the priority as mitigation will not be possible on many development sites. Areas of poorer quality land (grades 3b, 4, 5) should be preferred to areas of higher quality land (grades 1, 2)	The Local Plan for Oldham includes PfE Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity. Criterion 7 addresses our most valuable soil resources and seeks to safeguard

Respondent	Summary of Comment	Council Response
	<p>and 3a). The Local Plan should include a policy for the protection and sustainable management of soils so that soil disturbance is minimised and to retain as many ecosystem services as possible through careful soil management during the construction process and appropriate soil re-use. Soil protection and sustainable management relates to other policy areas such as renewable energy, climate change, green infrastructure and biodiversity net gain, flood schemes, managed realignment, development design and landscaping.</p>	<p>our 'best and most versatile' agricultural land.</p>
Lancashire Wildlife Trust	<p>Support this policy, but it should also state that there should be no unacceptable impact on the natural environment.</p>	<p>The Local Plan must be read as a whole. Policy N1 addresses this.</p>
National Highways	<p>This policy is in line with DfT Circular 01/2022 as protection/improvement in air quality would support a modal shift away from road transport/car usage and reduce the number of vehicles on the SRN. It is essential that National Highways and Oldham work closely together to reduce the level of carbon emissions produced from road transport.</p>	<p>Comment noted.</p>

- 4.7. A detailed summary of the responses received can be found in the Schedule of Comments and the Council's Response.
- 4.8. Oldham Council met with Natural England on 11 July 2025 to discuss the amendments that had been made where it was flagged that PfE addressed soils, but reference had been made to peat. Natural England noted the response.

Policy Approach

- 4.9. Policy LE1 has been developed to address NPPF and to add further policy detail to PfE to ensure that locally matters on amenity, including noise and vibration are appropriately addressed.
- 4.10. Policy LE1 sets out that all developments will be expected to provide and maintain a high standard of protection from noise pollution and vibration for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings.

- 4.11. Proposals will be required to demonstrate that noise and vibration; and traffic movements to, from, and within the site have been adequately addressed. An assessment may be required.
- 4.12. The agent of change is required to provide suitable mitigation to be agreed with the Council.
- 4.13. The Reasoned Justification sets out more explanation on the importance of protecting amenity; noise generating development and noise sensitive uses; and traffic and parking provision.
- 4.14. Since Draft Plan stage the policy name has been amended and reference to light has been removed as Policy OL5 addresses this. Other amendments were minor and presentational.

Monitoring

- 4.15. There are no relevant Local Plan indicators for this policy.

Integrated Assessment

- 4.16. The Integrated Assessment of Policy LE1 resulted in 2 significantly positive scores and 24 neutral scores. No amendments were made to the policy as a result of the IA at Publication Plan Stage.
- 4.17. The HRA has screened the policy out. No Likely Significant Effect on any European Site is anticipated from the operation of this Policy.
- 4.18. For previous stages of the IA please see the IA report.

Policy LE2: Ground Conditions and Contaminated Land

Summary of Evidence

- 4.19. No specific evidence has been prepared for the Local Plan however the Council's duties include addressing contaminated land as part of the planning application process.
- 4.20. Site constraints, including those related to ground conditions and contaminated land, are considered as part of the development management process when dealing with planning applications. In addition, consultation with relevant stakeholders ensures that land stability is appropriately considered.

Draft Local Plan consultation and Duty to Co-operate

- 4.21. At Draft Plan stage the following comments were received, which the Council addressed – this is set out in Table 2 below.

Table 2: Draft Local Plan Consultation Summary and Response – Policy LE2

Respondent	Summary of Comment	Council Response
Coal Authority	Support the Policy	Support noted
Canals and Rivers Trust	Our network is often supported by existing embankment structures or cuttings, which are often at risk of instability from neighbouring development. The general wording of this policy does refer to 'land that is potentially unstable'. However, the policy text only seeks to address this issue through a 'Coal Mining Risk Assessment or Contaminated Land Assessment'. These reports are not likely to be appropriate to address the risk of land instability in all instances, where development has the potential to impose loading that could increase the risk of a land slip or collapse, and where the potential for land slips is not only due to past coal mining activity. To ensure that land stability issues can be addressed satisfactorily, we request that the policy should be re-worded to refer to the potential submission of land stability reports by an appropriately qualified person may be required to address land instability issues. Suggested wording provided.	The suggested policy wording has been incorporated into Policy LE2.

- 4.22. A detailed summary of the responses received can be found in the Schedule of Comments and the Council's Response.

Policy Approach

- 4.23. Policy LE2 has been developed to address NPPF and to add further policy detail to PfE (Policy JP-S1) to ensure that locally matters on contaminated land and land instability are appropriately addressed.
- 4.24. Policy LE2 states development proposals for sensitive end uses will be permitted on contaminated land, or land which may have been subject to previous industrial activity or affected by landfill gas or land instability, where appropriate measures can be taken to remediate and/or satisfactorily mitigate the risk of contamination and/or existing ground conditions.
- 4.25. The policy then sets out details of when an appropriate Coal Mining Risk Assessment, Land Stability or Slope Stability Risk Assessment or Contaminated Land Assessment is required and what they should contain.
- 4.26. The policy states that any remedial measures will be secured by a planning condition.
- 4.27. The Reasoned Justification provides more information on contaminated land, its likely presence in Oldham, and the need to engage in and find solutions to contaminated land early in the design process.
- 4.28. The Reasoned Justification provides further detail on the assessments that may be required.
- 4.29. Since Draft Plan stage the policy has been amended to refer to sensitive end uses. The policy also now refers to Land Stability or Slope Stability Risk Assessment, in response to consultation comments received.

Monitoring

- 4.30. Policy LE1 will be monitored by the Local Plan monitoring framework in line with Local Plan Policy M1.
- 4.31. The Local Plan indicator that will be used to monitor this policy is:
 - Number of planning applications with conditions attached relating to contaminated land
- 4.32. Policy M1 of the Local Plan sets out that where monitoring identifies underperformance or unintended outcomes:
 - Further guidance on the relevant policy matter may be produced.
 - Policy revisions and an early review of the Local Plan may be triggered.
 - Engagement with stakeholders may be undertaken to address delivery barriers.
- 4.33. The monitoring framework is therefore considered to be appropriate to ensure the deliverability of Policy LE2.

Integrated Assessment

- 4.34. The Integrated Assessment of Policy LE1 resulted in 8 positive / significantly positive scores and 18 neutral scores. No amendments were made to the policy as a result of the IA at Publication Plan Stage.
- 4.35. The HRA screened the policy out. No Likely Significant Effect on any European Site is anticipated from the operation of this Policy.
- 4.36. For previous stages of the IA please see the IA report.

Policy LE3: Air Quality

Summary of Evidence

- 4.37. Greater Manchester's [Clean Air Plan](#)¹⁶ sets the plan for cleaner air in Greater Manchester which focusses on investment, particularly in cleaner and active travel.
- 4.38. The PfE chapter Connected Places provides much of the policy framework for how air quality will be addressed strategically across Greater Manchester, as well as specifically, Policy JP-S5 Clean Air.
- 4.39. This policy requires developments that could have an adverse impact on air quality to submit relevant air pollution data so that adverse impacts can be fully assessed, and it states that development will only be permitted where they are acceptable and/or suitable mitigation can be provided.

Draft Local Plan consultation and Duty to Co-operate

- 4.40. At Draft Plan stage the following comments were received, which the Council addressed – this is set out in Table 3 below.

Table 3: Draft Local Plan Consultation Summary and Response – Policy LE3

Respondent	Summary of Comment	Council Response
Coal Authority, Lancashire Wildlife Trust and National Highways	Support the Policy	Support noted
Natural England	Alignment should be made to PfE which outlines a long term plan for sustainable growth. This includes proposed mitigation that is required to avoid adverse effects at Holcroft Moss SSSI under JP-G9 Policy JP-C7.	Reference to Policy JP-C8 added to supporting text of Policy LE3. The Publication Plan makes clear that the plan should be read alongside PfE.
United Utilities	Supportive of this policy in principle, but there should be a policy within the Local Plan which captures the agent of change principle to protect the operation of existing businesses / operations from encroachment issues. Recommend suggested wording is included within a new agent of change policy to protect existing businesses and operations.	Policy LE1 already mentions the agent of change. The plan must be read as a whole. Policy LE1 and Policy LE3 has information in the supporting text outlining what information is required to be submitted.

- 4.41. A detailed summary of the responses received can be found in the Schedule of Comments and the Council's Response.

¹⁶ Greater Manchester's Clean Air Plan is available at <https://cleanairgm.com/clean-air-plan/>

4.42. Oldham Council met with United Utilities on 9 July 2025 and Natural England on 11 July 2025 to provide an update on the amendments that had been made to the policy.

Policy Approach

4.43. Policy LE3 has been prepared to expand on PfE Policy JP-S5 in relation to air quality, in particular to set out more detail on when an Air Quality Assessment will be required.

4.44. Policy LE3 seeks to help improve air quality within the borough. The policy sets out that development should not impede the achievement of air quality objectives; introduce a new source of any air pollutant; and increase exposure to poor air quality.

4.45. Policy LE3 then sets out circumstances where an Air Quality Assessment is required.

4.46. The policy also sets out that where development is likely to produce odour, applicants should demonstrate that there is no negative impact on residential amenity through an Odour Impact Assessment.

4.47. The Reasoned Justification to Policy LE3 explains sources that air pollution can arise from; refers to Policy T5; expands on when an Air Quality Assessment may be needed; refers to PfE Policy JP-C8; and provides more detail on Odour Impact Assessments.

4.48. Since Draft Plan stage the policy has been amended to add reference to the Greater Manchester Clean Air Plan. Criterion 1 of the Draft Plan was removed as it was felt that it was already covered by PfE in relation to significant impacts on human health, local amenity or the natural environment. Reference to Clean Air Zones has been removed as these do not exit within the final Clean Air Plan.

Monitoring

4.49. Policy LE3 will be monitored by the Local Plan monitoring framework in line with Local Plan Policy M1.

4.50. The Local Plan indicators that will be used to monitor this policy are:

- Number of days in Greater Manchester where air pollution was moderate or higher
- Per capita emission estimates, industry, domestic and transport sectors
- Annual mean nitrogen dioxide

4.51. Policy M1 of the Local Plan sets out that where monitoring identifies underperformance or unintended outcomes:

- Further guidance on the relevant policy matter may be produced.
- Policy revisions and an early review of the Local Plan may be triggered.
- Engagement with stakeholders may be undertaken to address delivery barriers.

4.52. As these policies have been informed by PfE Policy JP-S5, the PfE monitoring framework will also help to monitor this chapter. The main PfE indicators that will be used to help monitor this chapter are:

- Exceedance of the legal level of NO2 (as an Annual Mean) in local AQMA and
- Clean Air Plan Monitoring

4.53. The monitoring framework is therefore considered to be appropriate to ensure the deliverability of Policy LE3.

Integrated Assessment

4.54. The Integrated Assessment of Policy LE3 resulted in 9 positive / significantly positive scores and 17 neutral scores. No amendments were made to the policy as a result of the IA at Publication Plan Stage.

4.55. The HRA screened the policy out. No Likely Significant Effect on any European Site is anticipated from the operation of this Policy.

4.56. For previous stages of the IA please see the IA report.

5. Conclusion

Providing an appropriate strategy

- 5.1 Policies LE1 to LE3 of the Oldham Local Plan: Publication Plan provide the policy framework for ensuring that we protect our local environment.
- 5.2 In terms of the test of soundness listed at paragraph 36 of NPPF it is considered that these have been met as follows:
 - a) **Positively prepared:** the Oldham Local Plan: Publication Plan supports delivery of PfE which provides the strategic direction and context for the borough. The Local Plan sets out how the local environment matters such as noise, amenity, contaminated land, land stability and air quality identified in PfE will be managed locally in Oldham whilst achieving sustainable development. The policy has been amended to address matters from stakeholders, such as Canals and Rivers Trust.
 - b) **Justified:** policies LE1 to LE3 provide an appropriate strategy in relation to local environment matters across Oldham.

It addresses matters raised in NPPF and planning practice guidance. The approach helps deliver the Local Plan vision to be a clean, green and healthy environment. The policies will help implement Plan Objective 8 'Uplifting the health and well-being of our residents and local communities by: providing and maintaining high standards of amenity and local environmental quality'.

The policies will help deliver the Oldham Plan and Corporate mission for a Great Place to Live through creating neighbourhoods that are safer and welcoming and where residents are proud to live, and work with us to keep them clean and green.

- c) **Effective:** the Oldham Local Plan: Publication Plan supports delivery of PfE which sets out the borough's housing and employment needs for the borough. The plan period of up to 2039 reflects that of PfE and continued effective joint working arrangements with PfE districts on cross-boundary strategic matters, will support delivery of the joint and local plans. Finally, deliverability of the Oldham Local Plan: Publication Plan is also evidenced by the Infrastructure Delivery Plan and Statement of Common Ground.
- d) **Consistent with national policy:** policies LE1 to LE3 support delivery of sustainable development in accordance with relevant national policy, in particular by:
 - i. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability
 - ii. mitigating and reducing to a minimum, potential adverse impacts resulting from noise from new development

- iii. sustaining and contributing towards compliance with objectives for pollutants and seeking opportunities to improve air quality or mitigate impacts