Oldham Local Plan

Local Plan Review: Issues and Options Appendices



Appendix 1: Saved UDP Policies

26.1 The UDP was adopted in July 2006. The policies were further `saved` by the Secretary of State in May 2009 (for an unspecified period of time) until replaced by the relevant part of the Local Plan. The table below lists the UDP policies that have remained unaffected by the adoption of the Local Plan, the Greater Manchester Waste DPD and the Greater Manchester Minerals DPD. They will continue to be `saved` until replaced by the relevant part of the Local Plan or Places for Everyone.

Table 9 UDP 'saved' policies

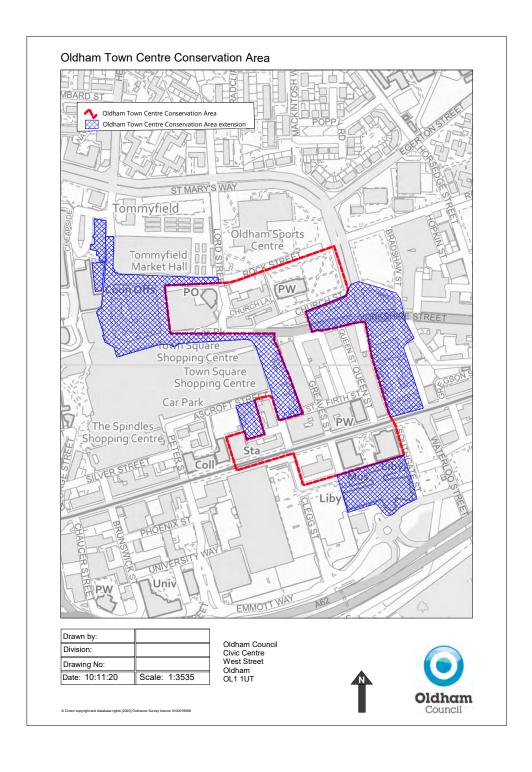
UDP Policy No.	UDP Policy Name	Local Plan document which may review the UDP policy
B1	BUSINESS AND INDUSTRIAL LAND ALLOCATIONS	Local Plan review and/or JWDPD and/or JMDPD
B1.1	Business and Industrial Allocations	Local Plan review and/or JWDPD and/or JMDPD
B1.2	Business and Office Allocations	Local Plan review and/or JWDPD and/or JMDPD
B1.3	Mixed Use Allocations	Local Plan review and/or JWDPD and/or JMDPD
D1.5	Protection of Trees on Development Sites	Local Plan review
D1.12	Telecommunications	To be determined
H1.1	Housing Land Release – Phase 1	Local Plan review
H1.2	Housing Land Release – Phase 2	Local Plan review
OE1.8	Major Developed Site in the Green Belt	Local Plan review / Places for Everyone
OE1.11	Farm Diversification	Local Plan review
TC1.1	Allocated Site	Local Plan review
TC1.2	Allocated Site	Local Plan review

Appendix 2: Current Local Plan policies to be superseded by draft GMSF 2020

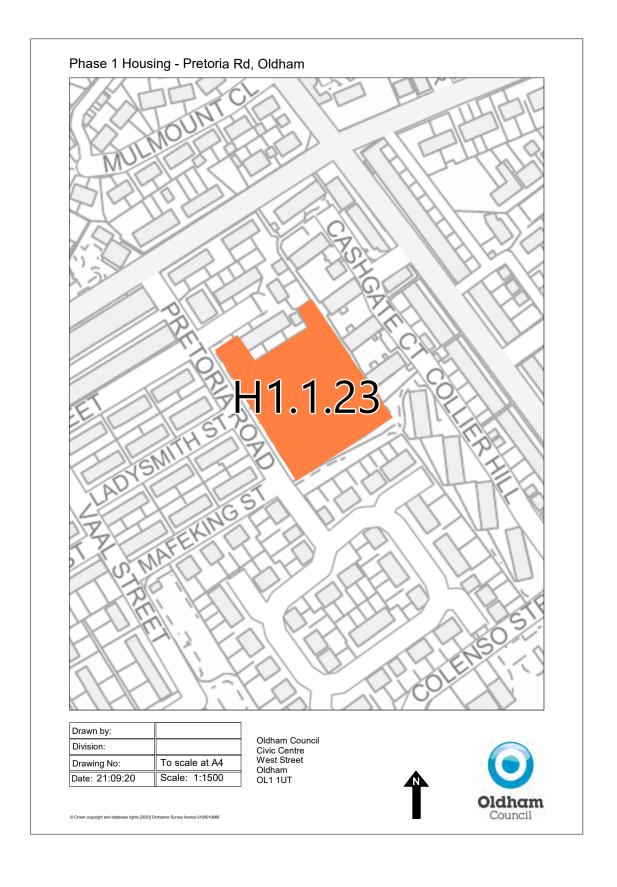
Table 10 Current Local Plan policies to be superseded by draft GMSF 2020

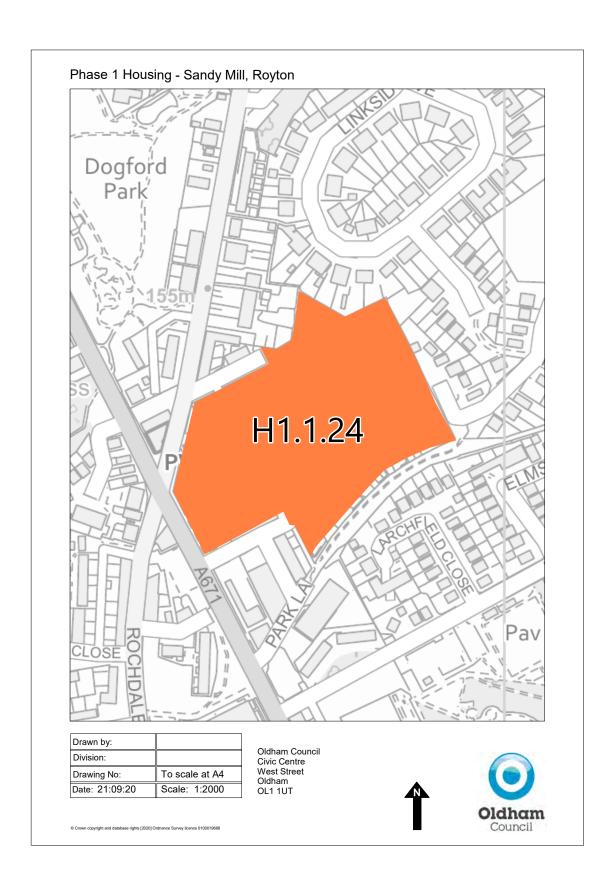
Policy	Replaced by Draft GMSF 2020 policy/policies
3 An Address of Choice	GM-H1 (Partially)
4 Promoting Sustainable Regeneration and Prosperity	GM-P3 and GM-P4 (All Partially)
5 Promoting Accessibility and Sustainable Transport Modes	GM-N3, GM-N4, GM-N5 and GM-N7 (All Partially)
18 Energy	GM-S2 (Partially)
19 Flooding	GM-S5 (Partially)
20 Design	GM-E1
22 Protecting Open Land	Partially superseded by GM Allocation Policy 10 Broadbent Moss, GM Allocation Policy 8 Beal Valley, GM Allocation Policy 11 Chew Brook Vale (Robert Fletchers), GM Allocation Policy 12 Cowlishaw, and partially superseded by GM-G10.
25 Developer Contributions	GM-D2
Saved UDP Policy B1.1.24 – Royton Moss, Moss Lane, Royton (Business and Industrial Allocation)	Partially superseded by GMSF Allocation 10 Broadbent Moss
Saved UDP Policy H1.2.17 – Danisher Lane, Oldham (Housing Land Release Phase 2)	Superseded by GMSF Allocation 14 Land South of Coal Pit Lane (Ashton Road)
Saved UDP Policy OE1.8 (Major Developed Site in the Green Belt)	Superseded by GM Allocation Policy 11 Chew Brook Vale (Robert Fletchers)

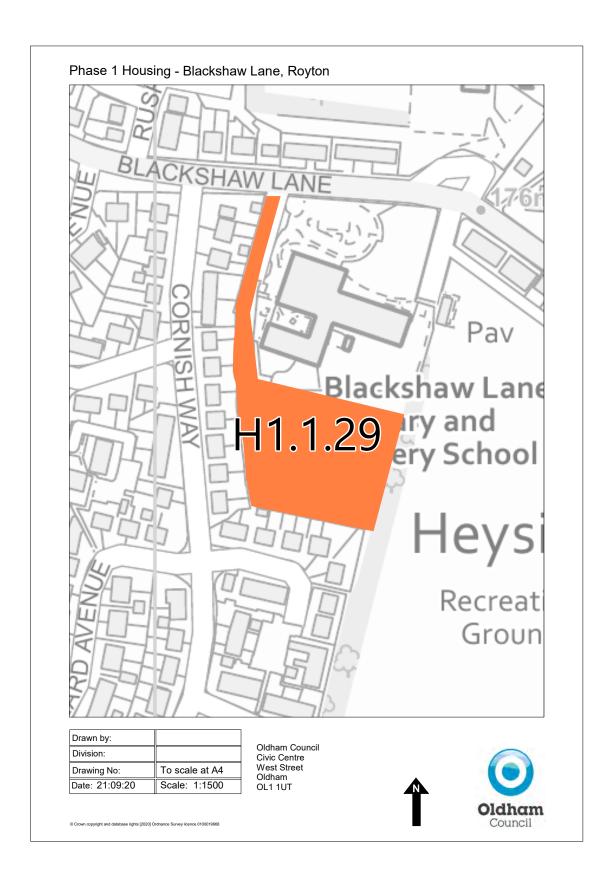
Appendix 3: Plan showing the extensions to Oldham Town Centre Conservation Area

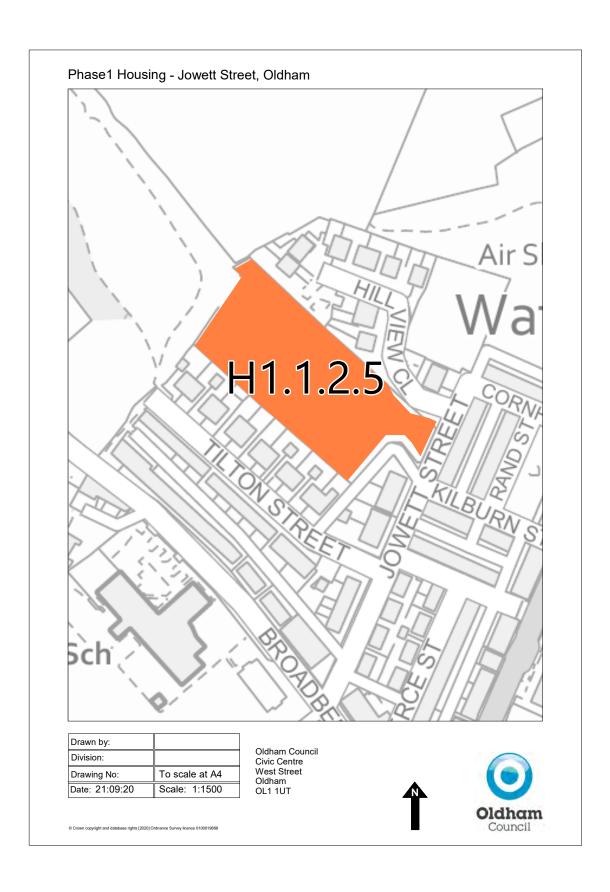


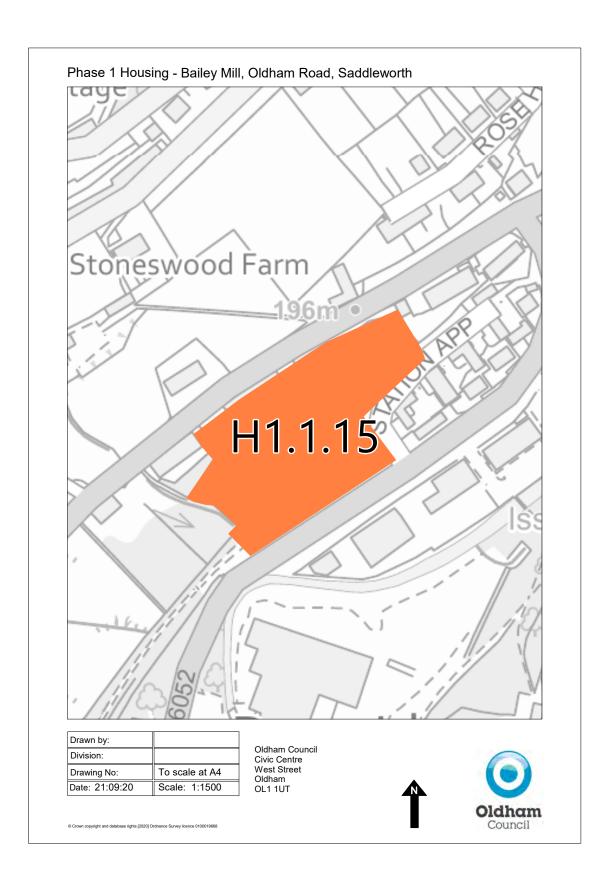
Appendix 4: Plans of the remaining saved UDP Housing Allocations

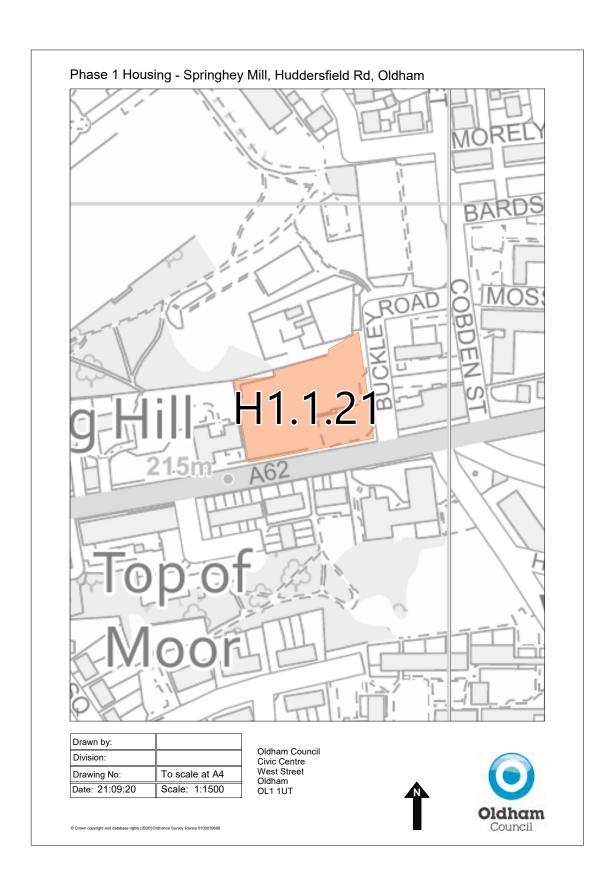


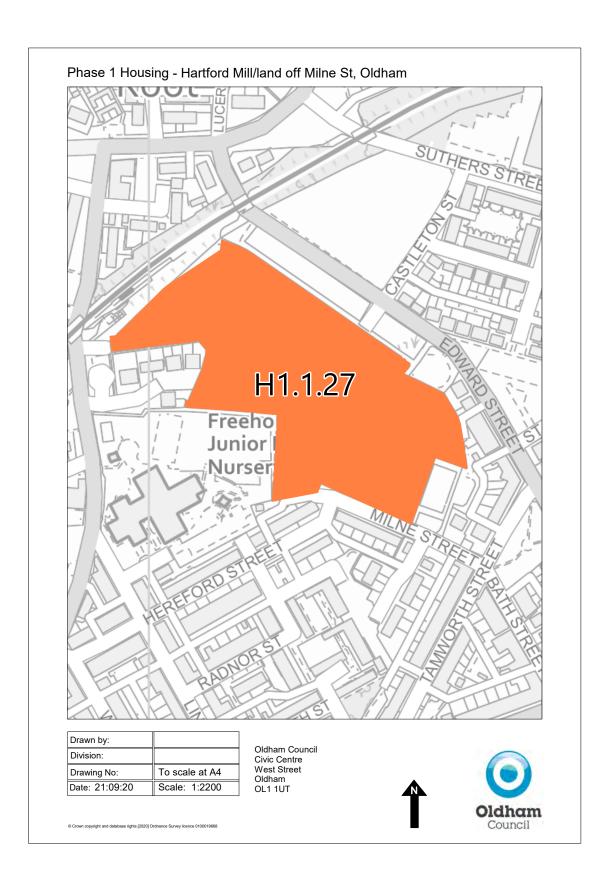


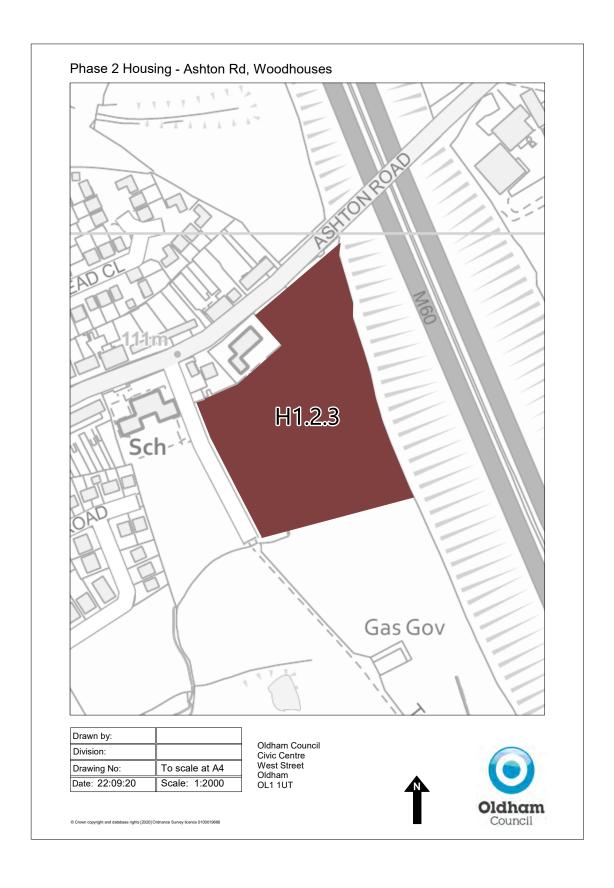


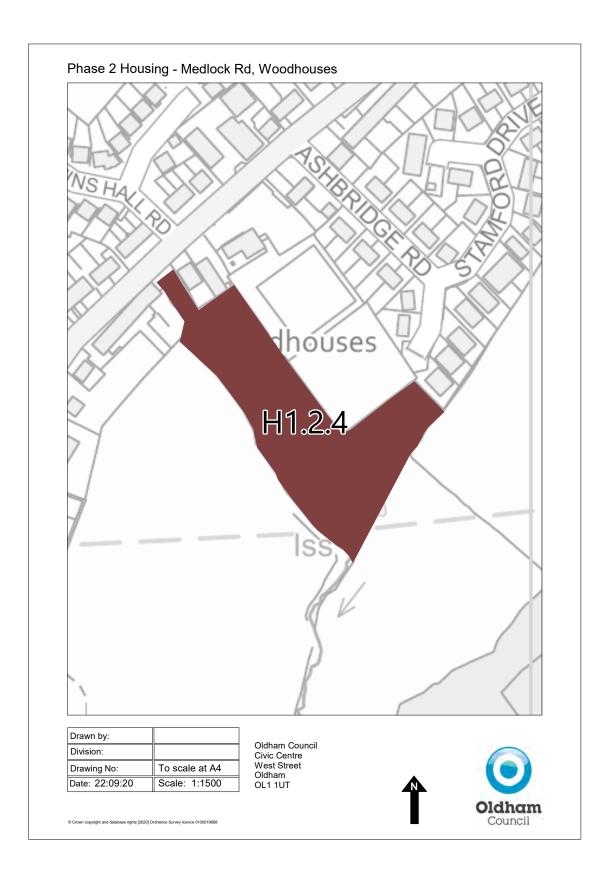


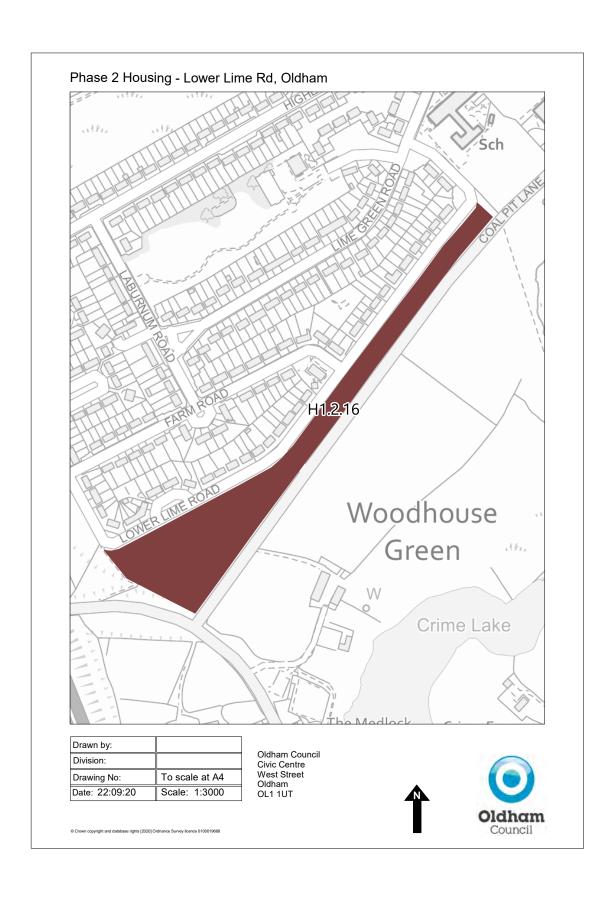




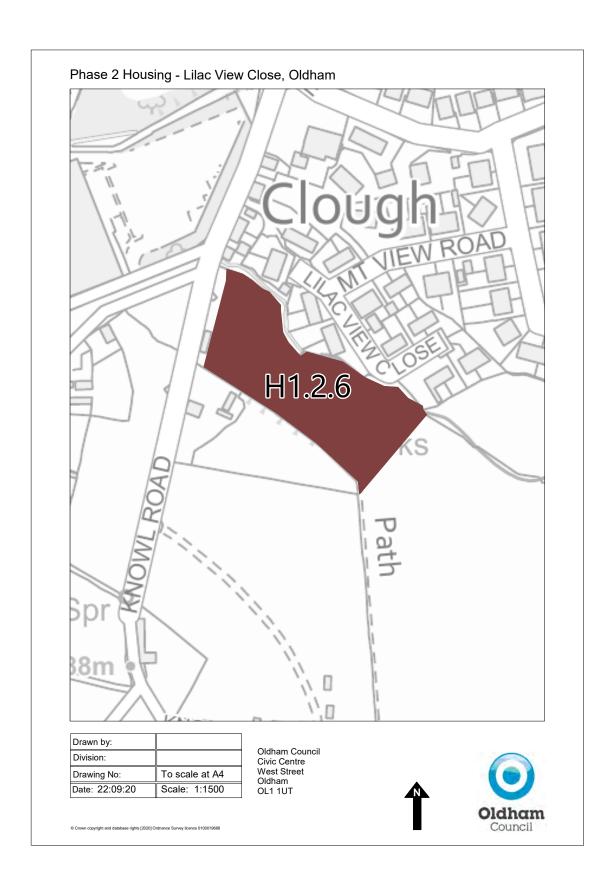




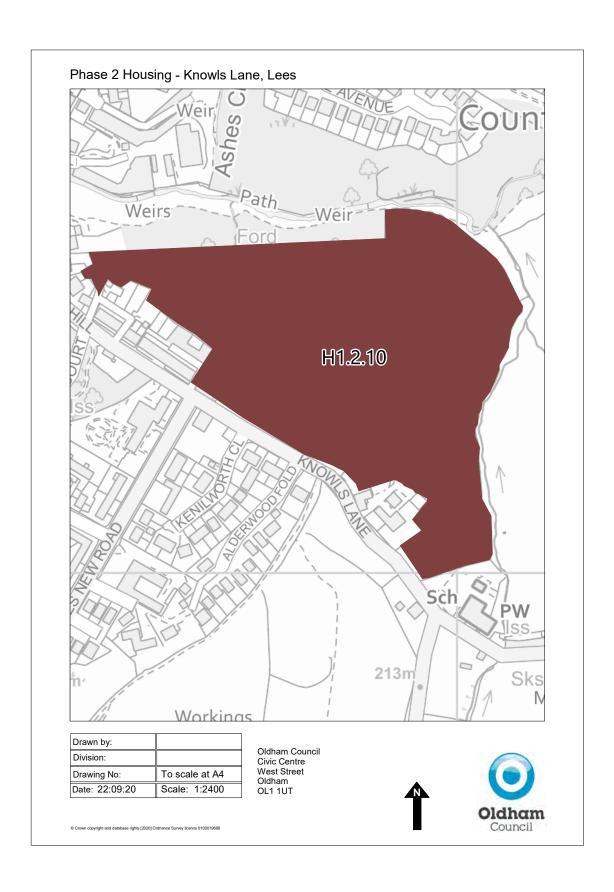




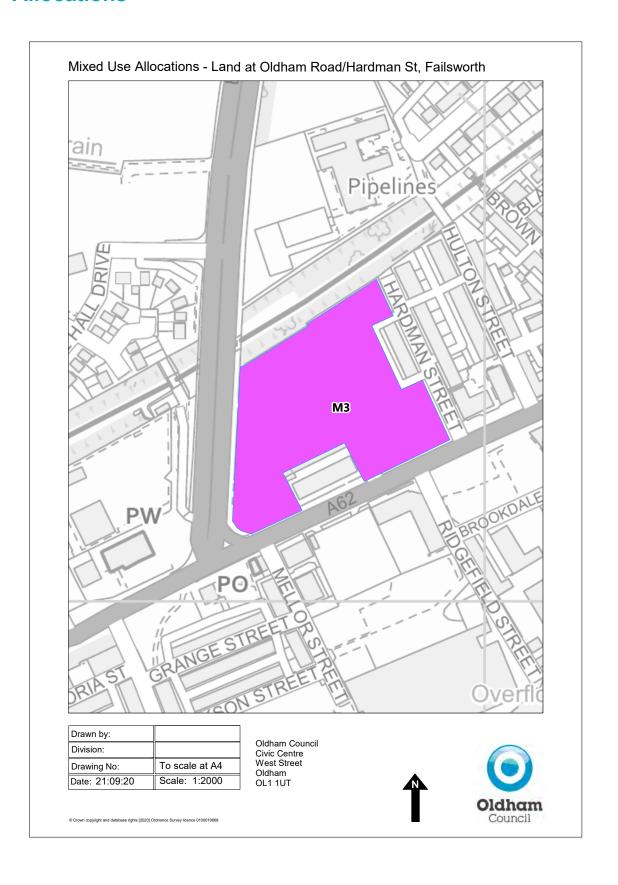


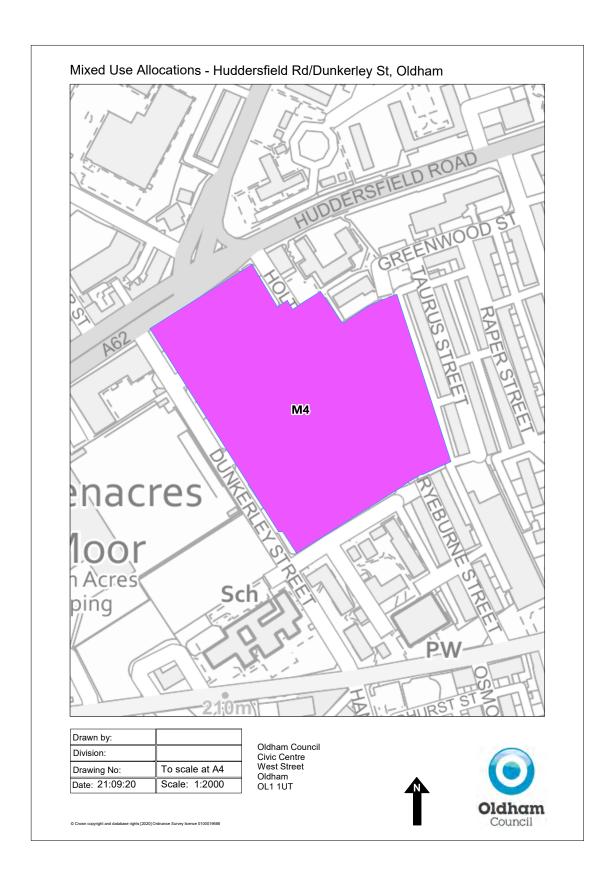




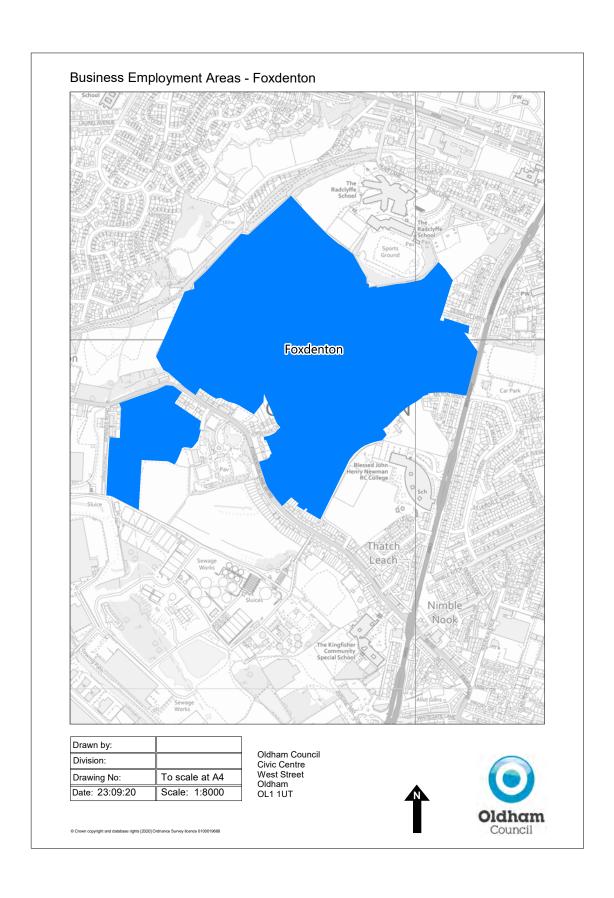


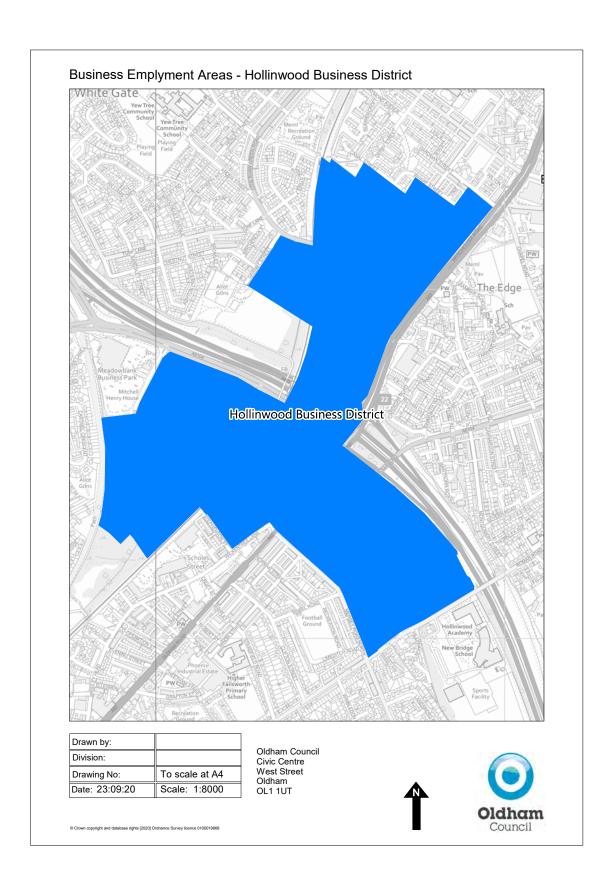
Appendix 5: Plans of the remaining saved UDP Mixed Use Allocations

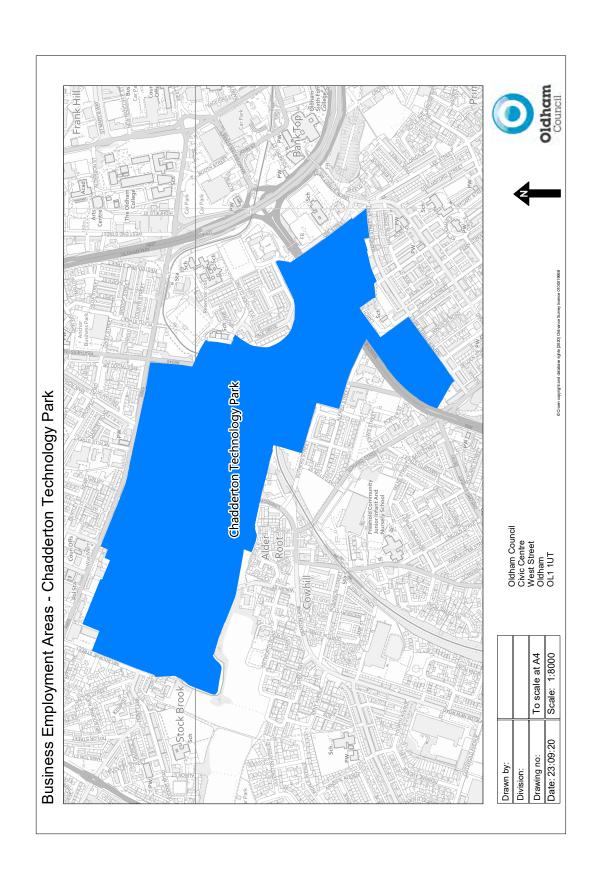


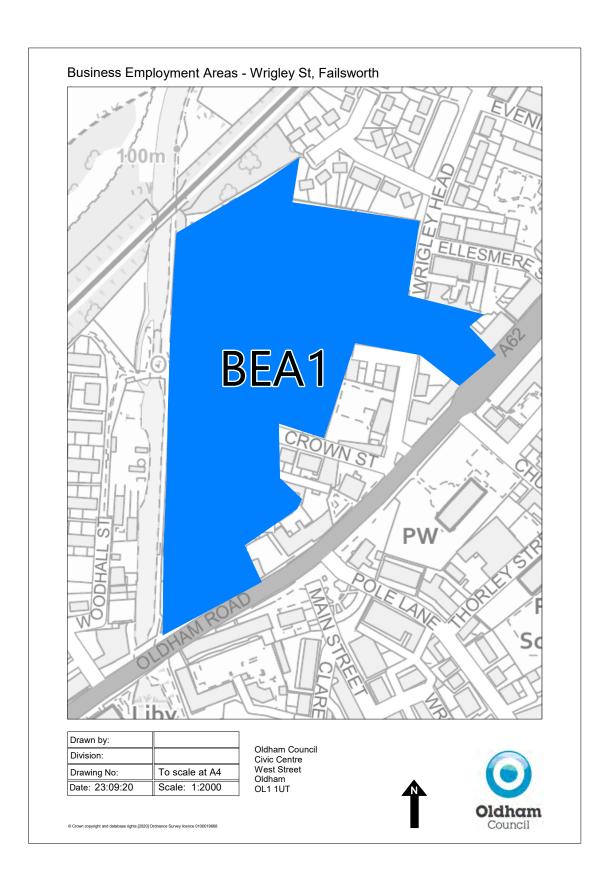


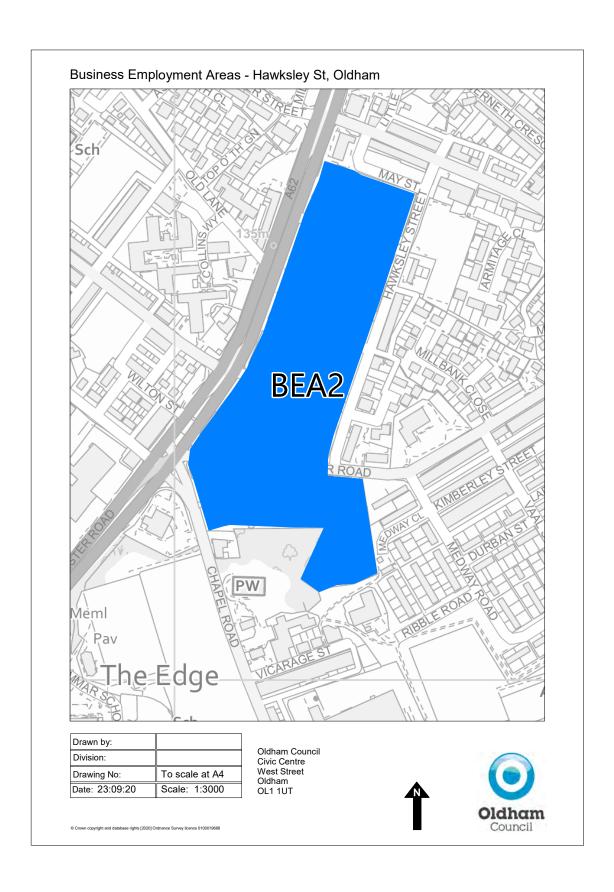
Appendix 6: Plans of existing Business and Employment Areas and Saddleworth Employment Areas

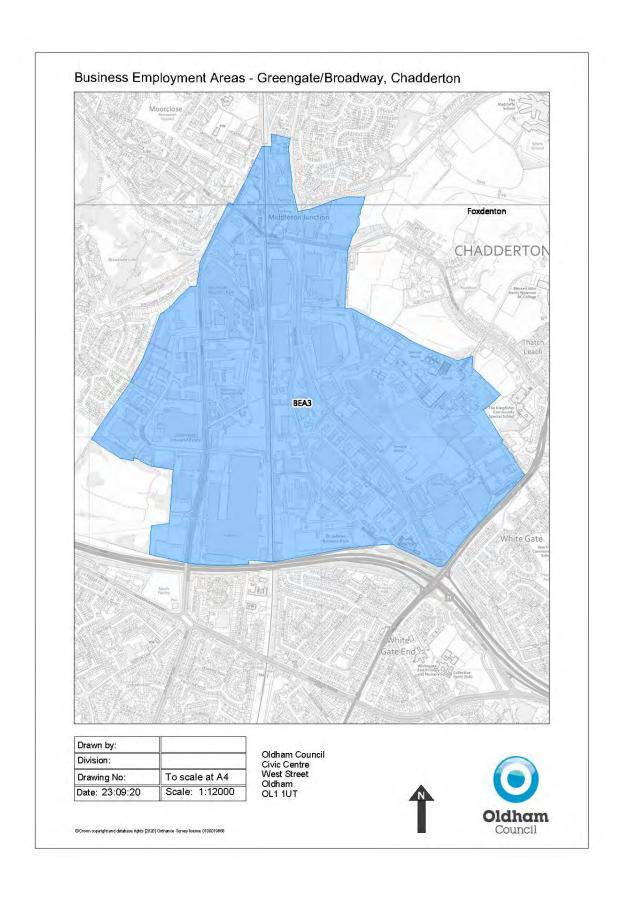


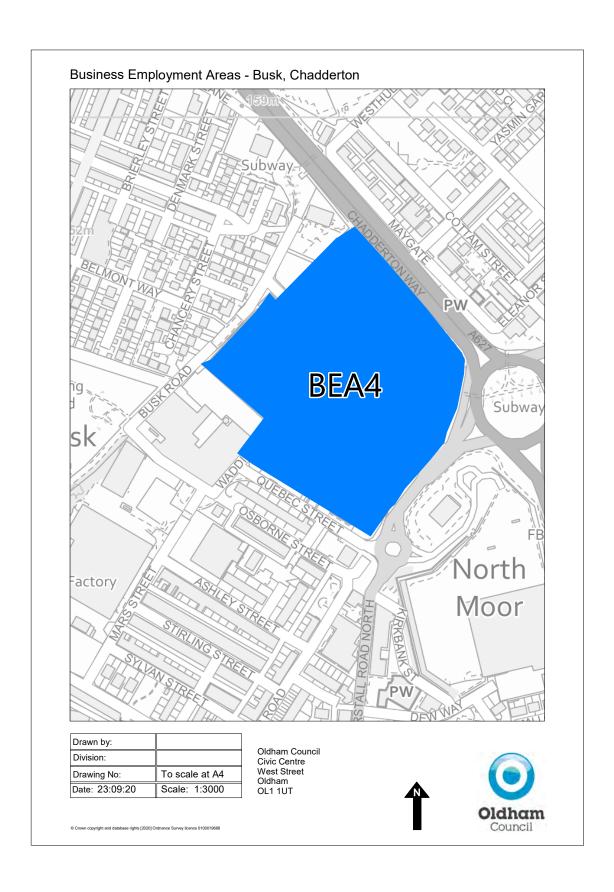


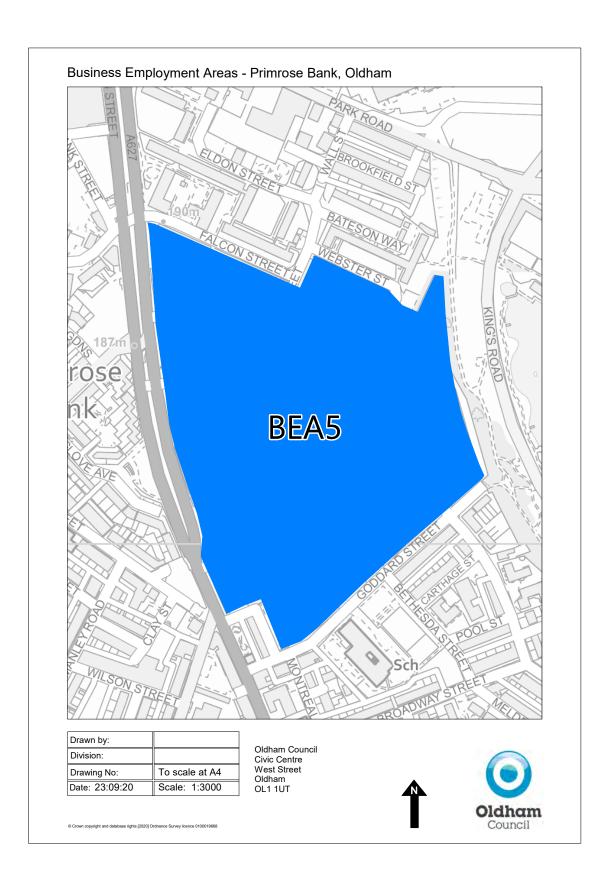


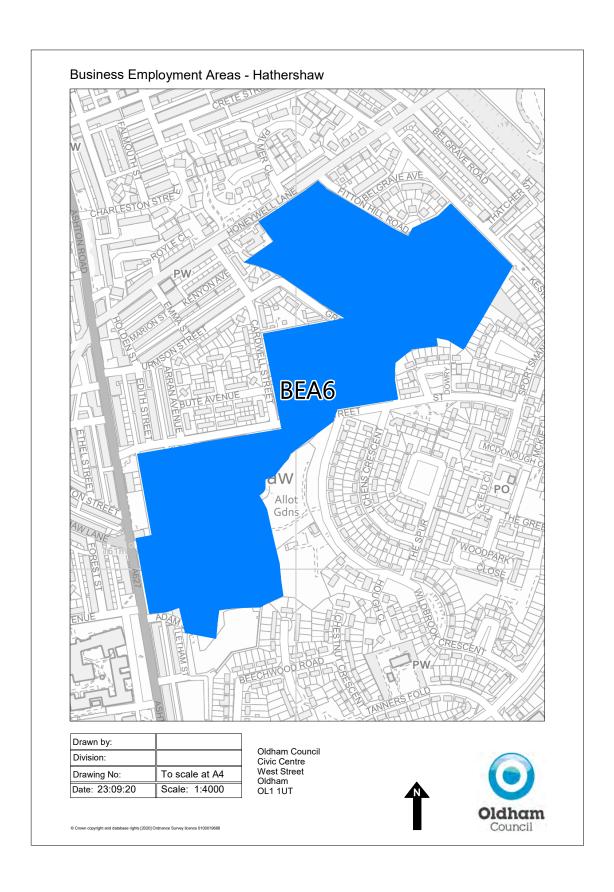


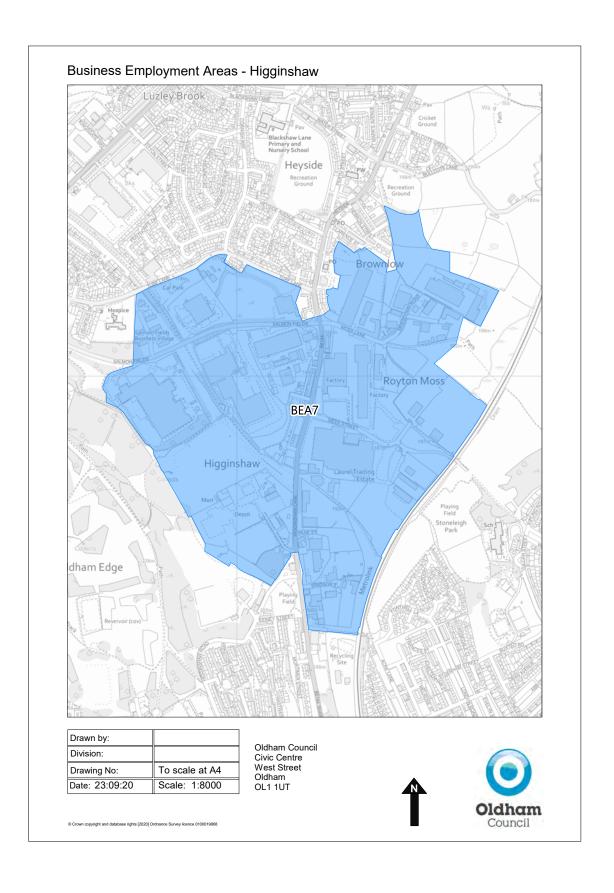


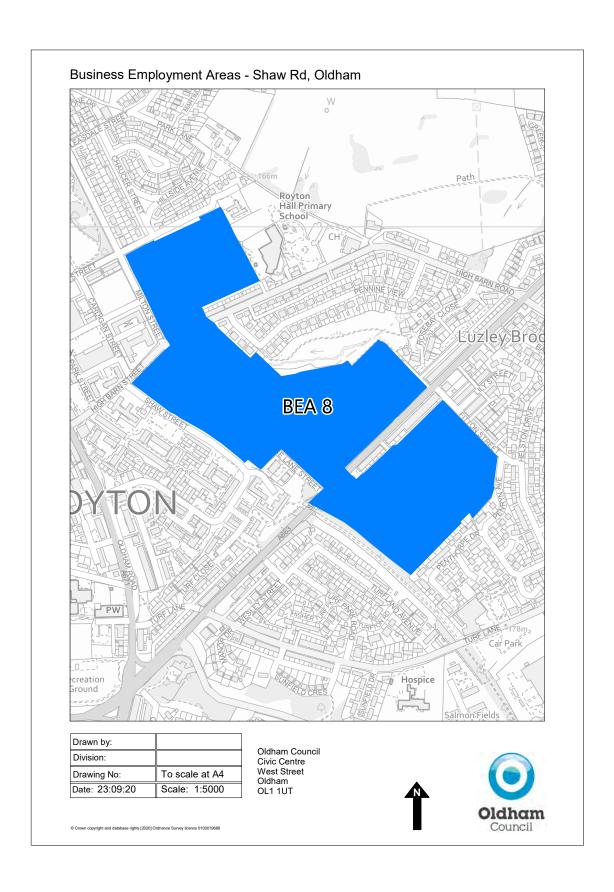


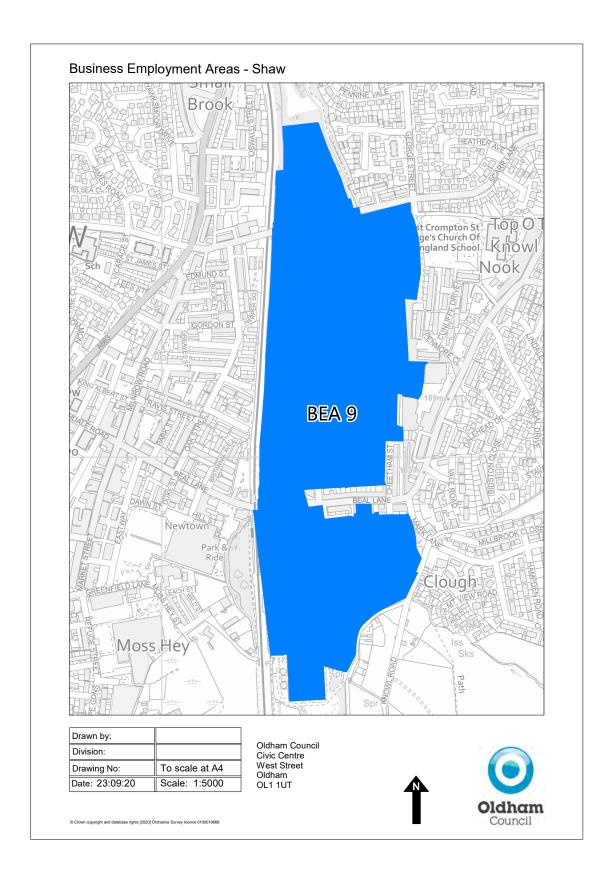


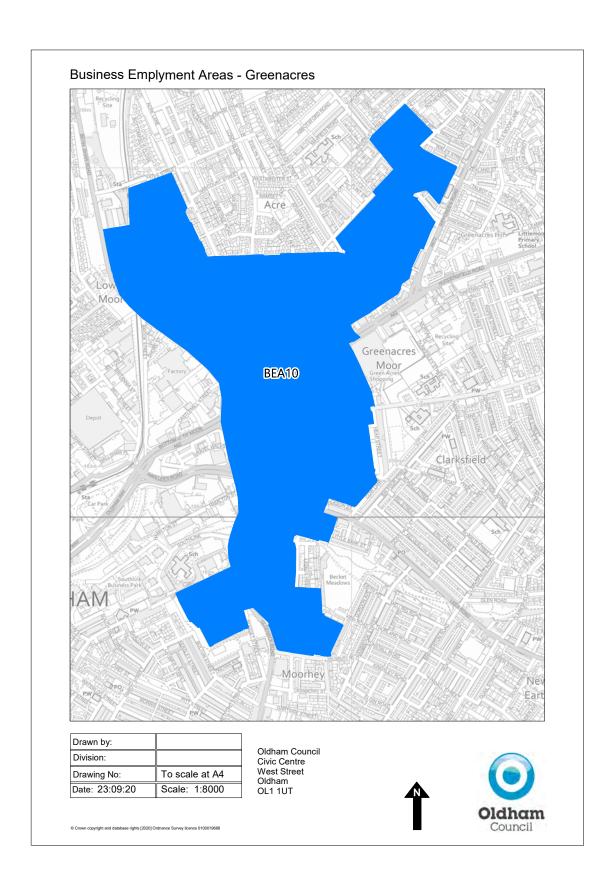




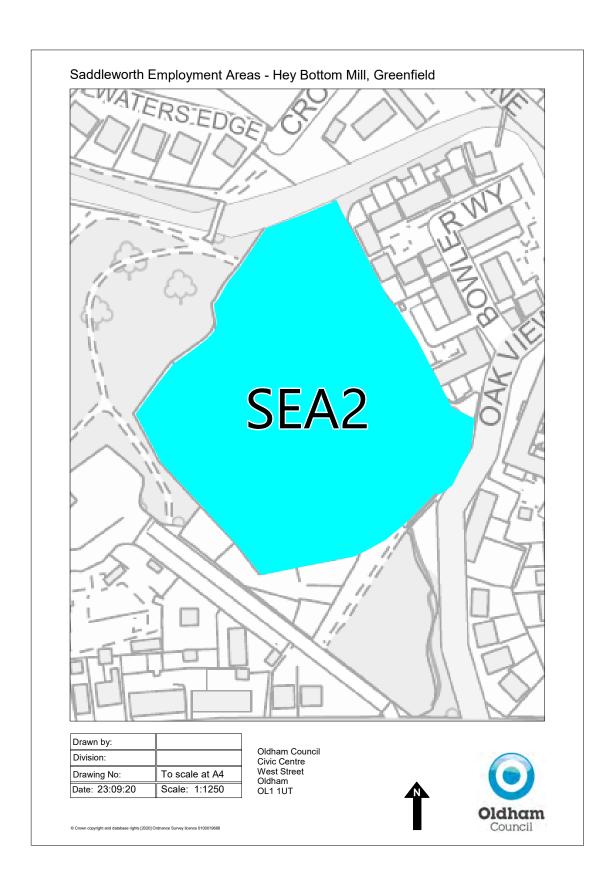


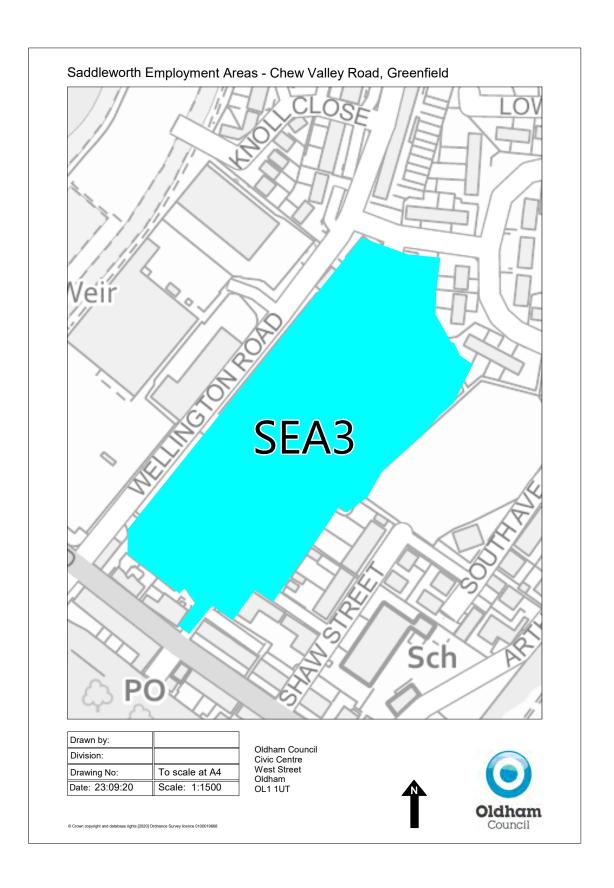






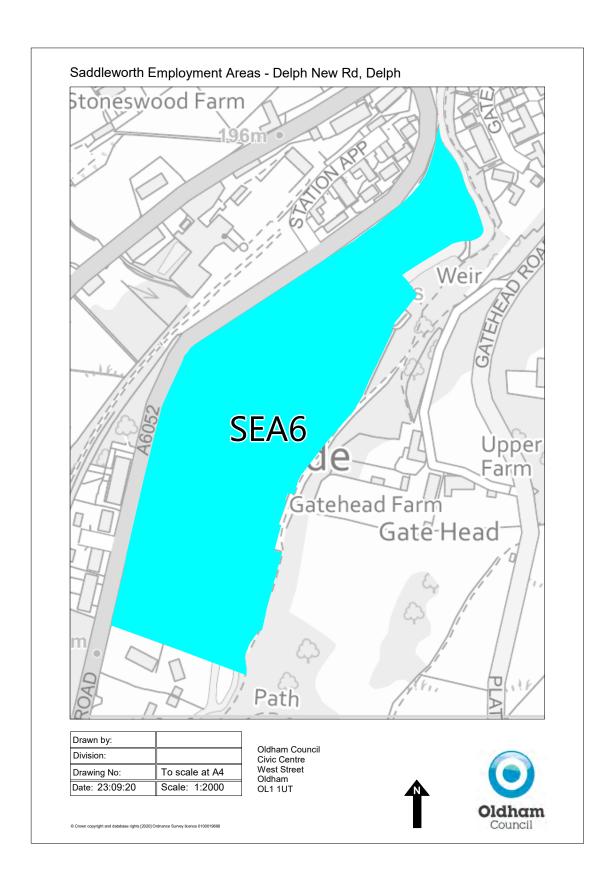


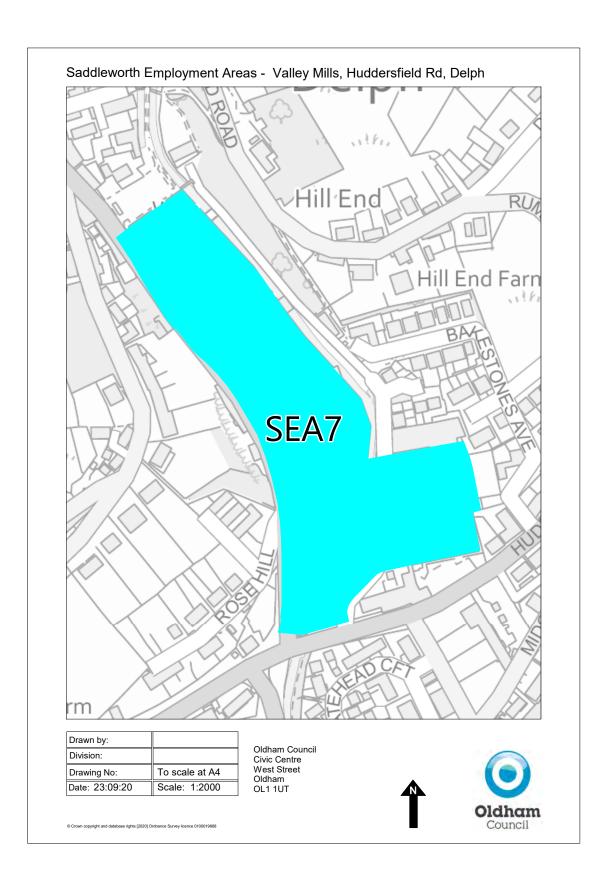


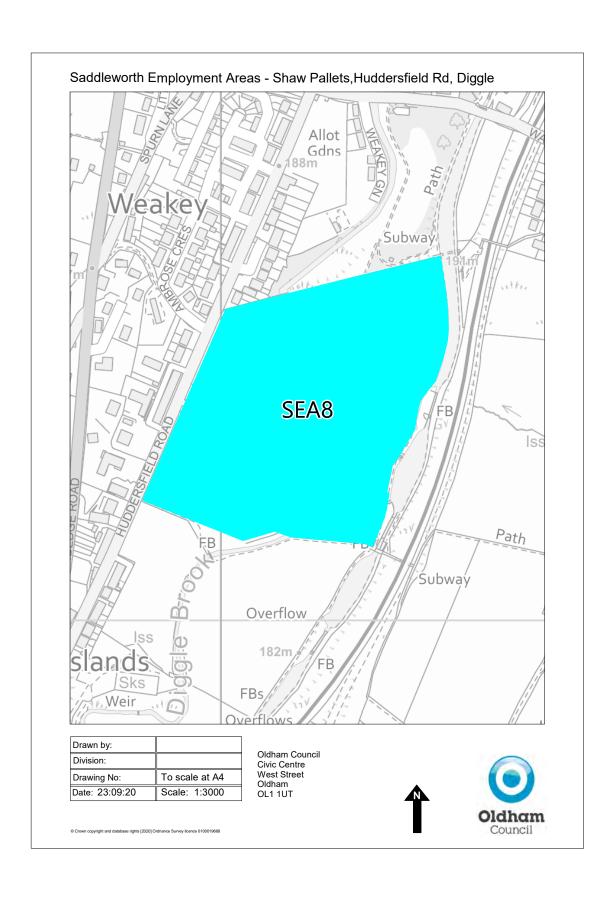


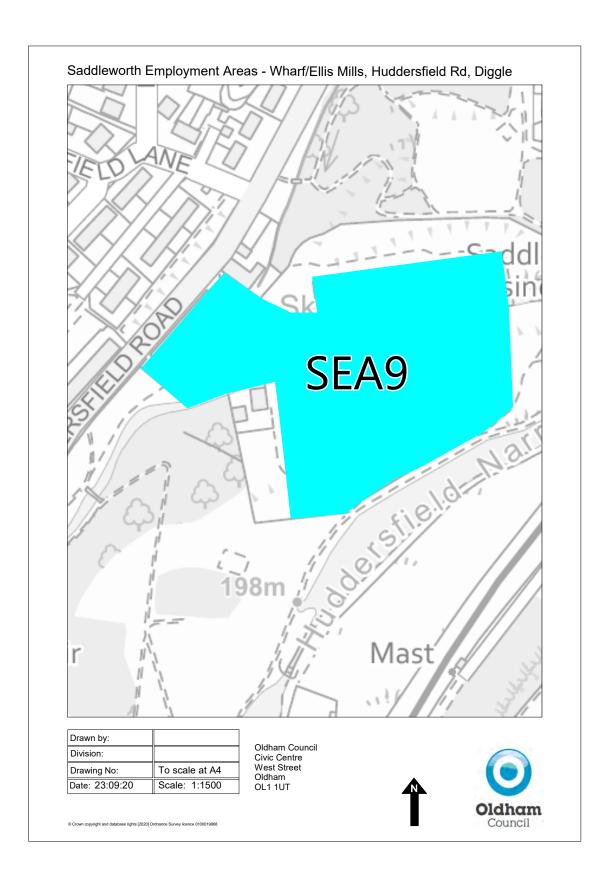


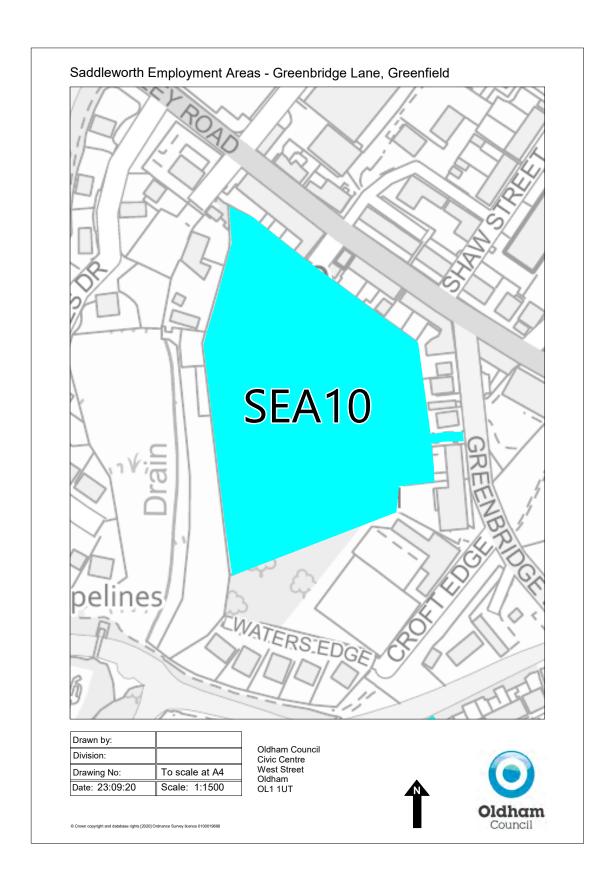






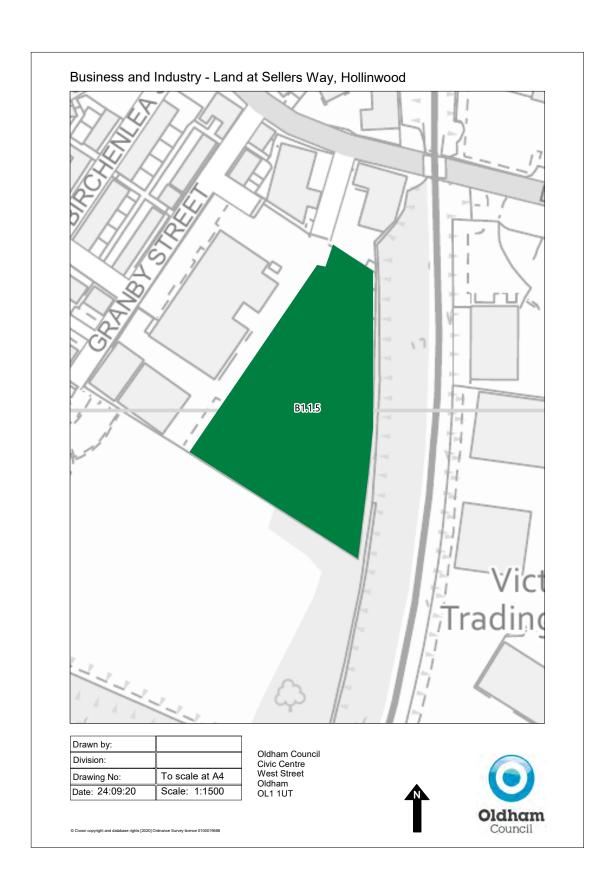






Appendix 7: Plans of the saved UDP Employment Allocations



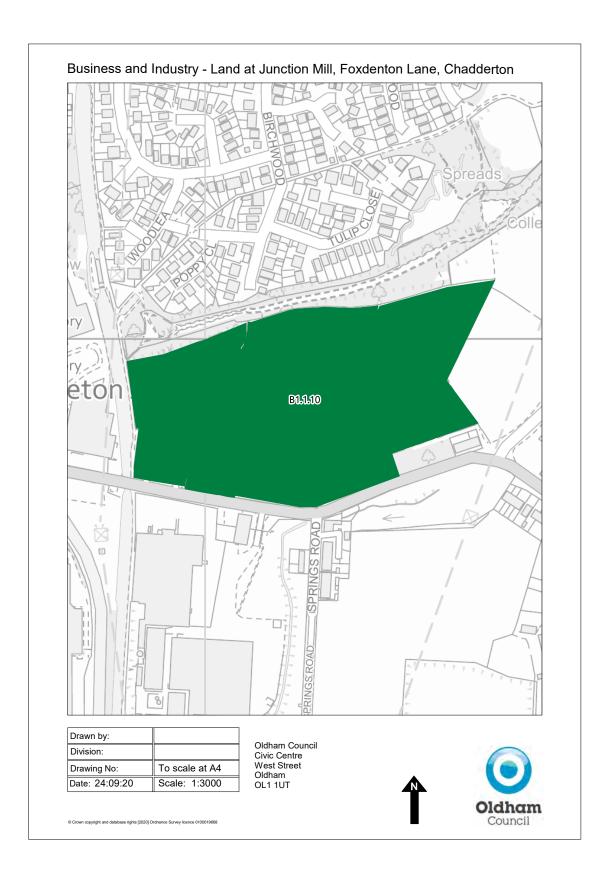




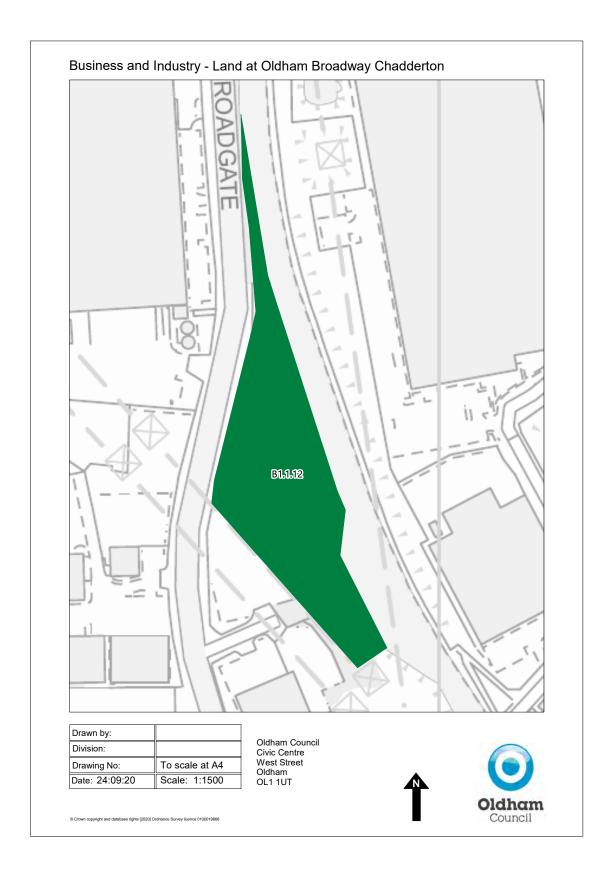




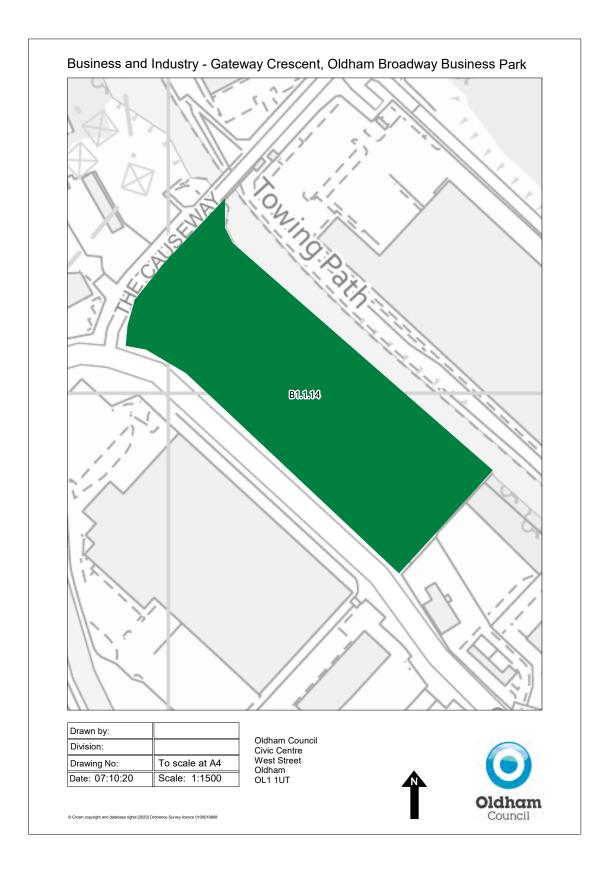




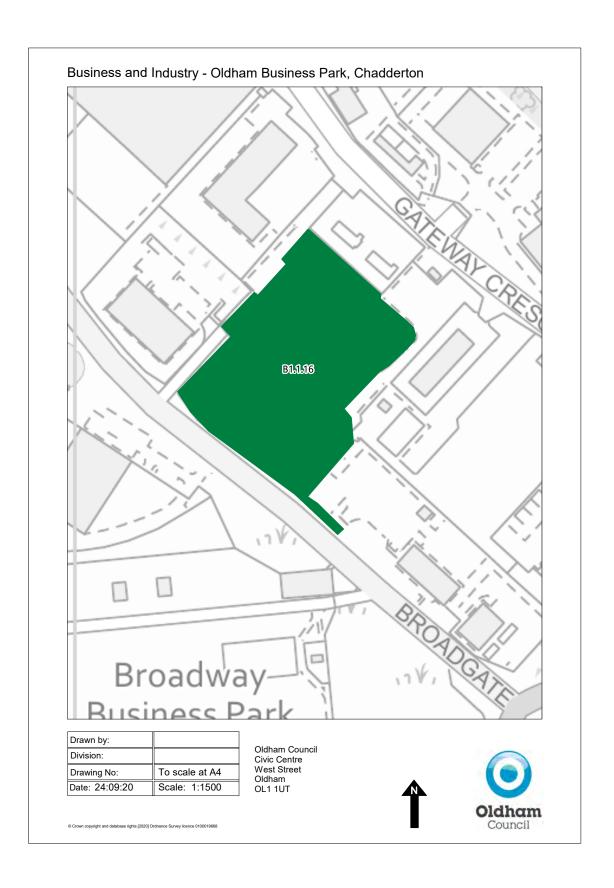


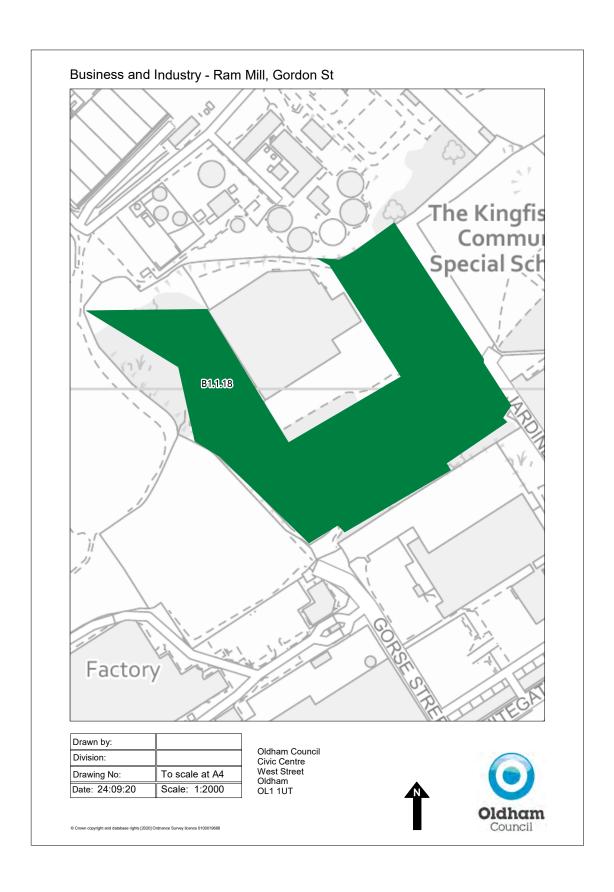


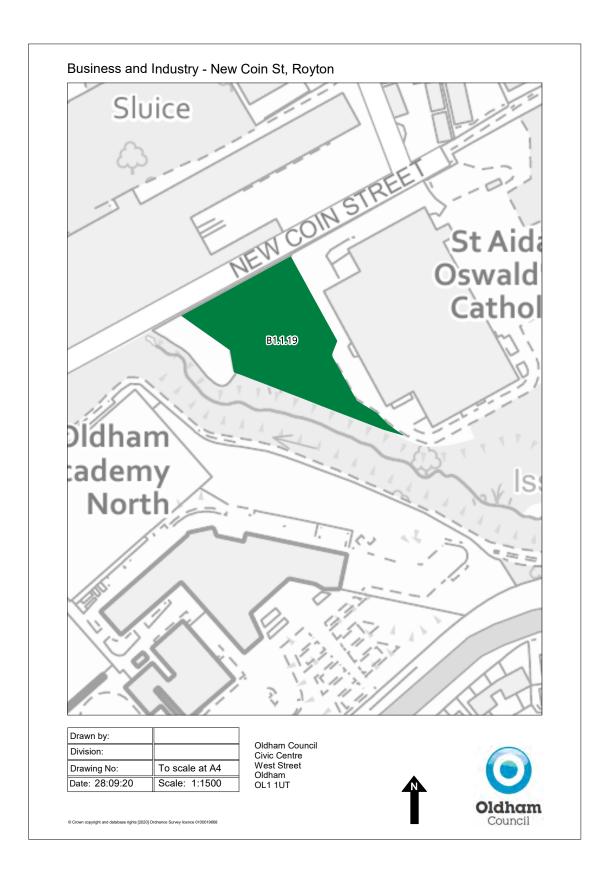


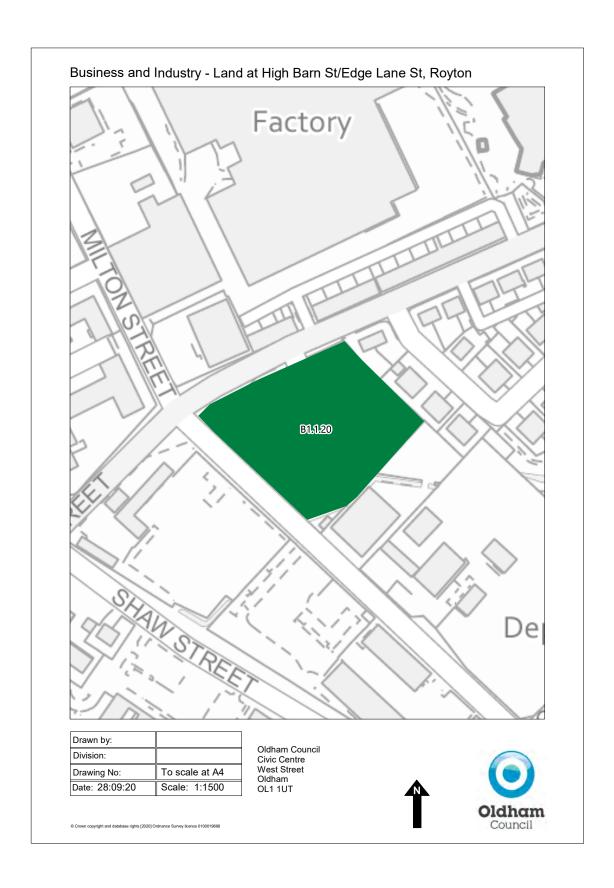


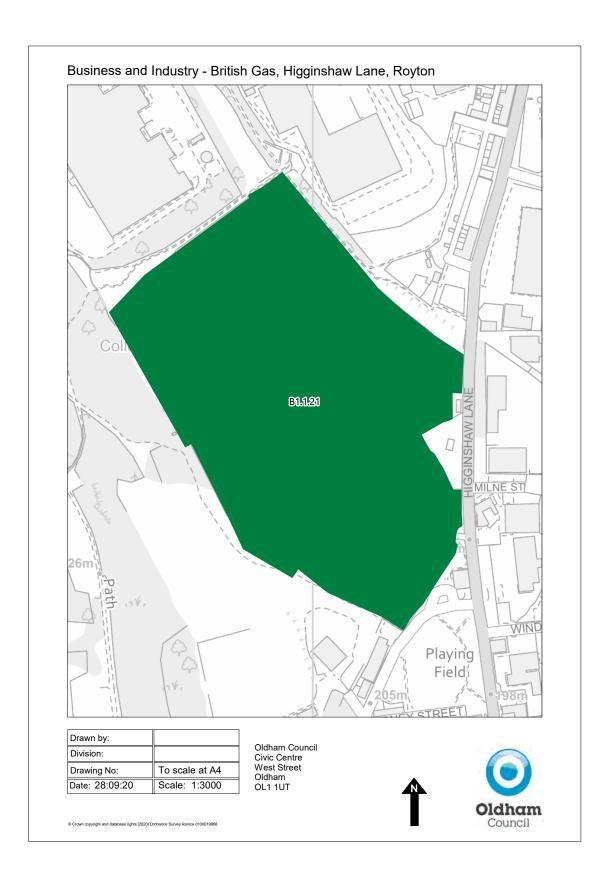


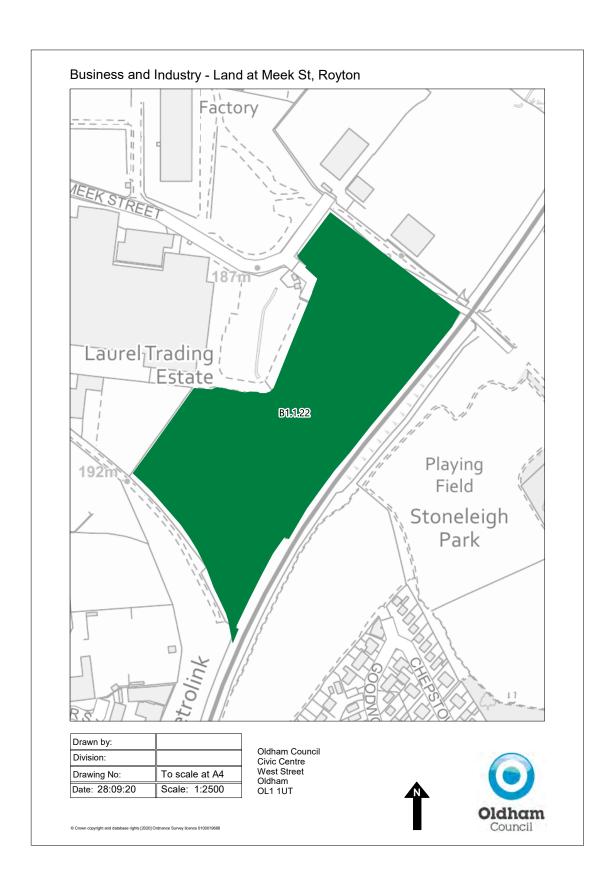


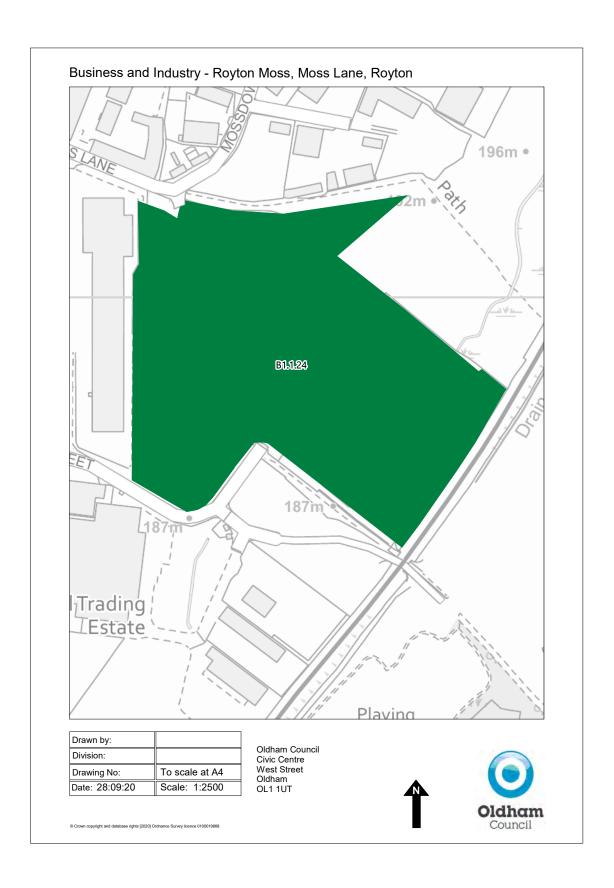


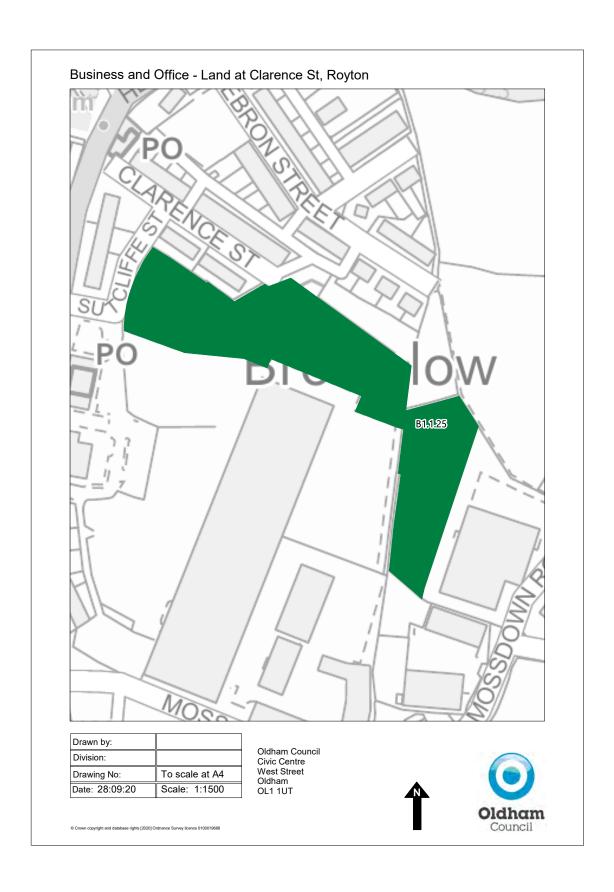


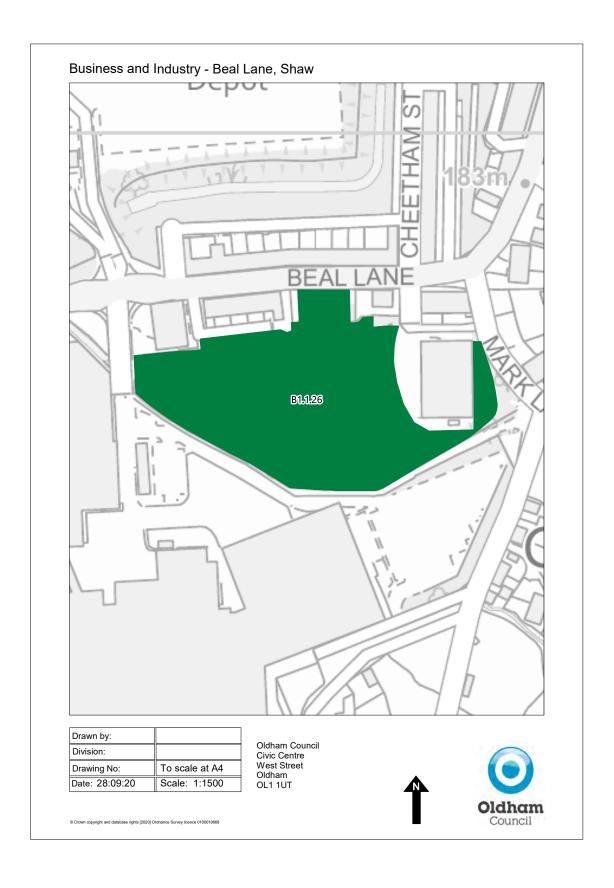


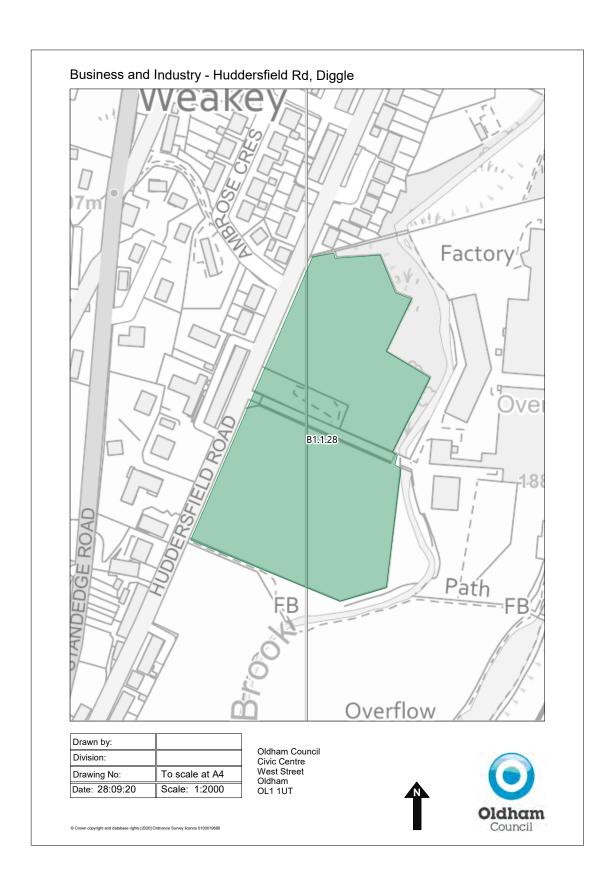


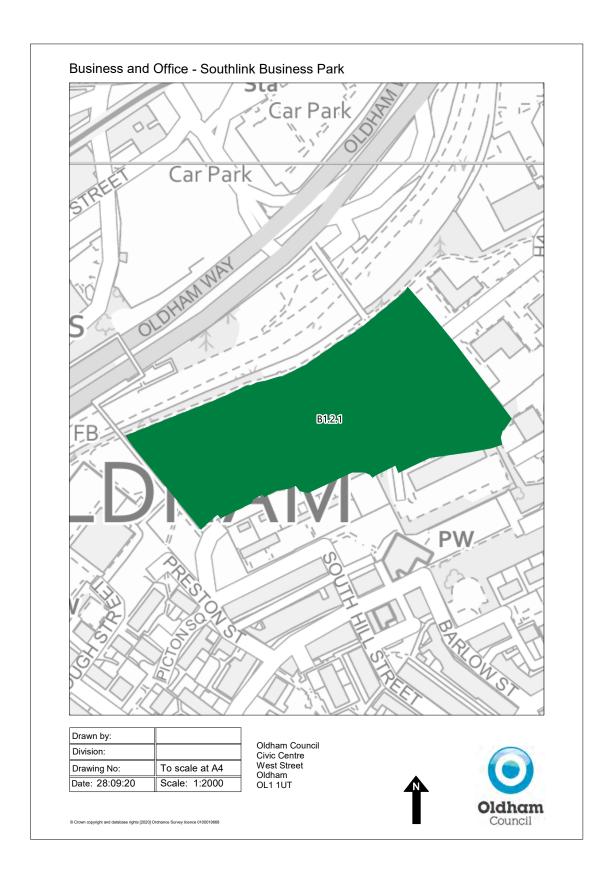


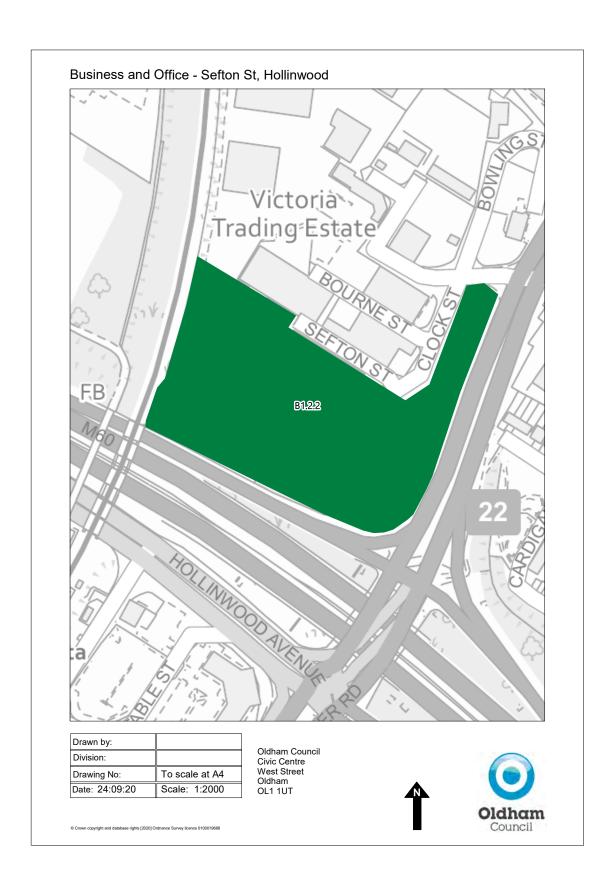


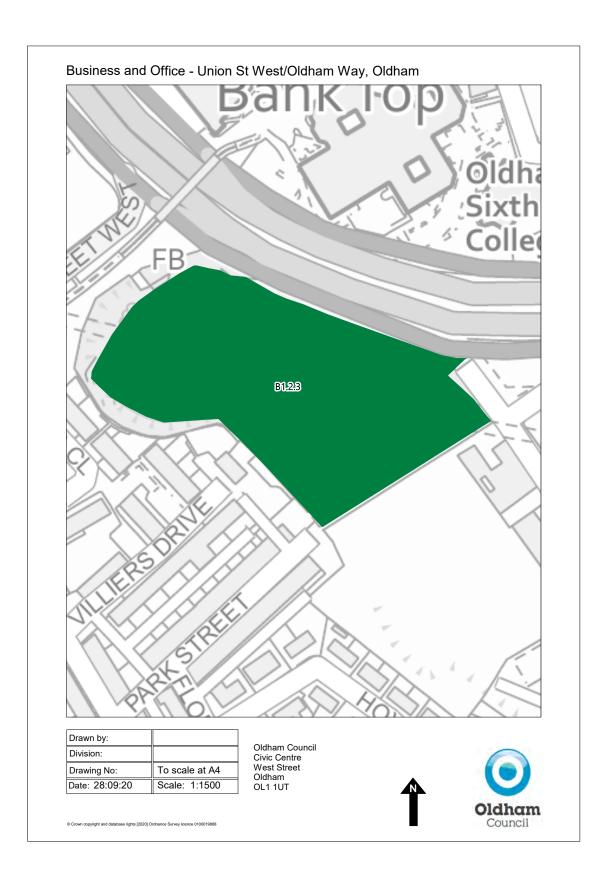


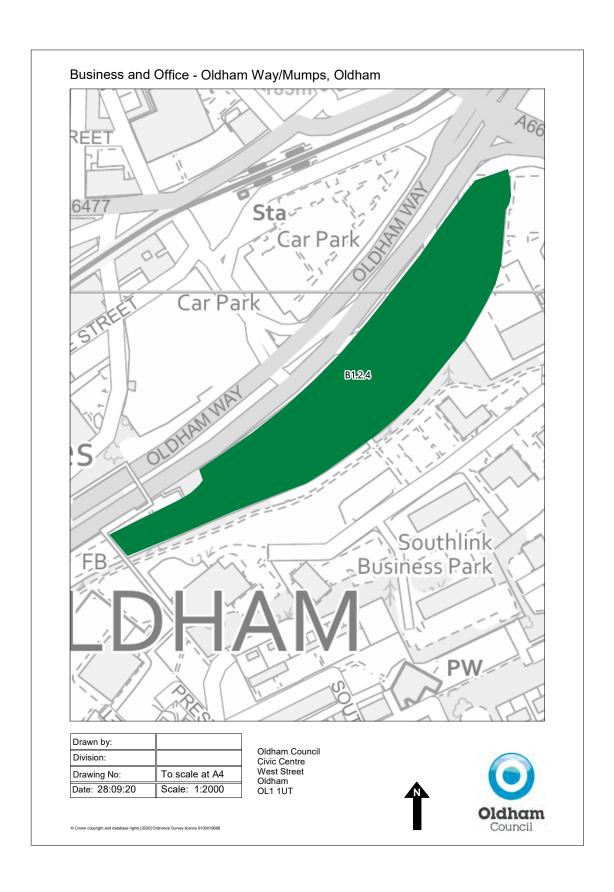


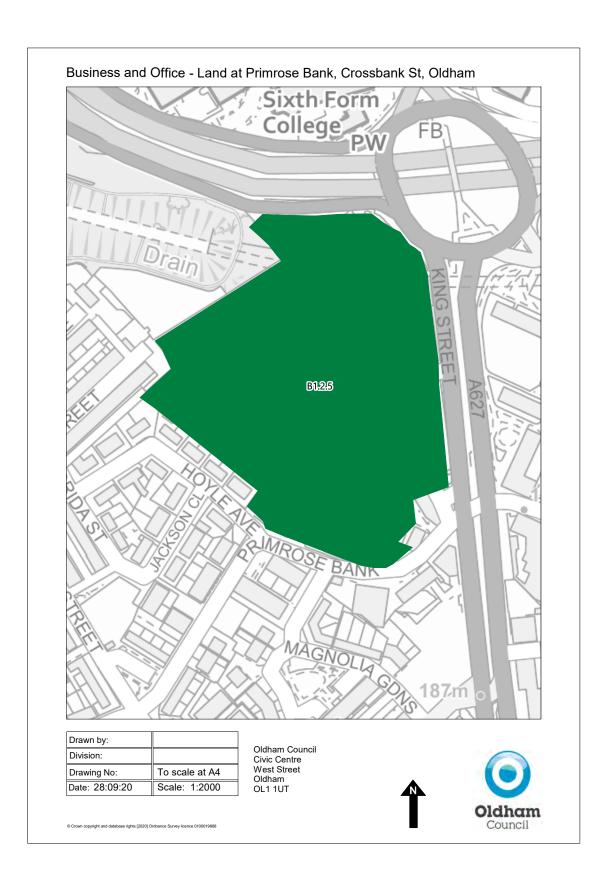




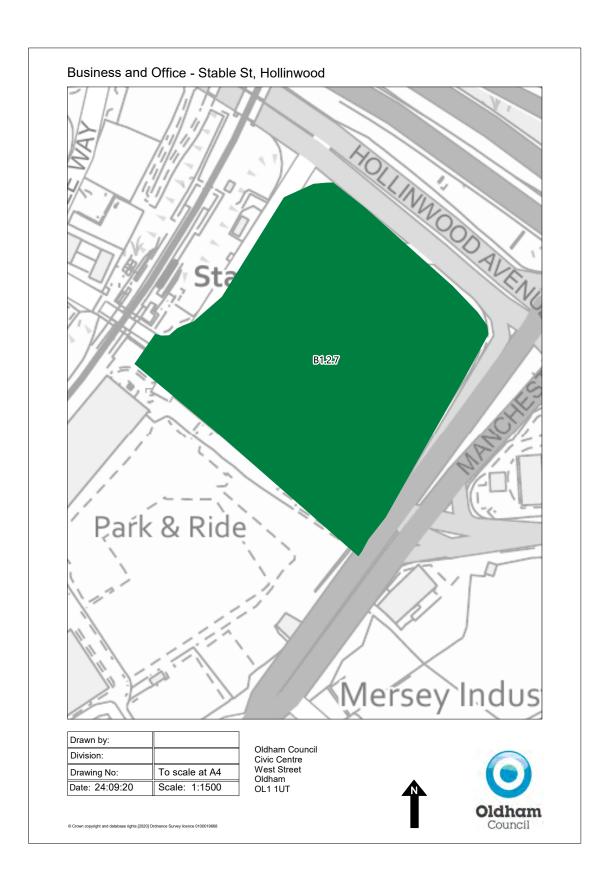












Appendix 8: Saved UDP Policy Farm Diversification

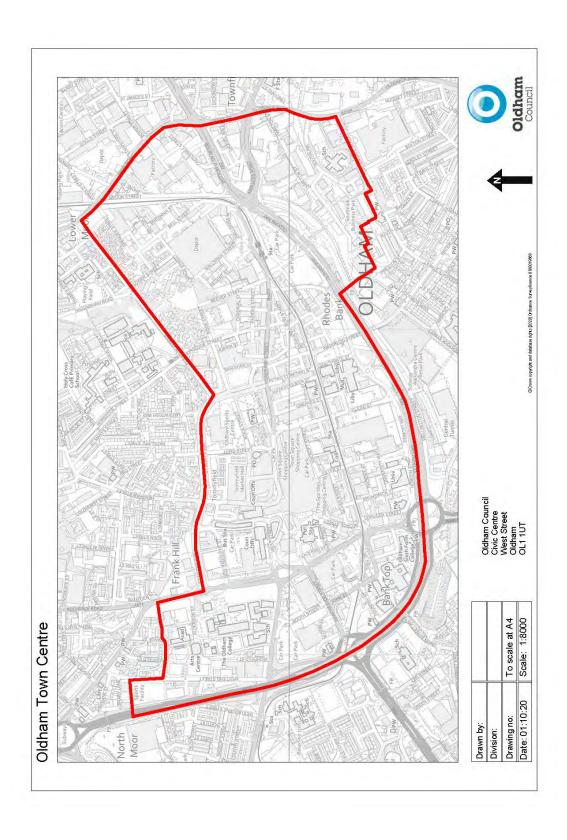
Oldham Metropolitan Borough Unitary Development Plan - Saved Policies

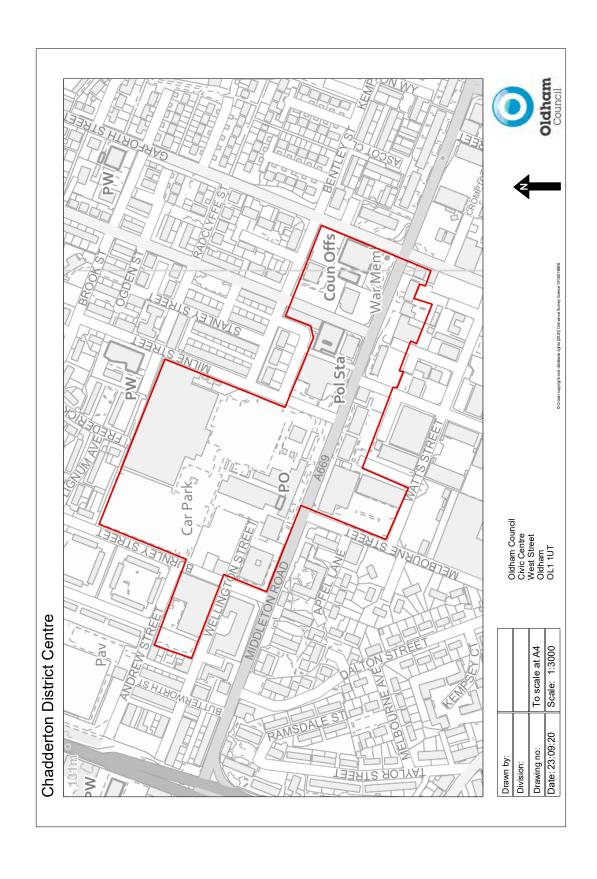
Farm Diversification

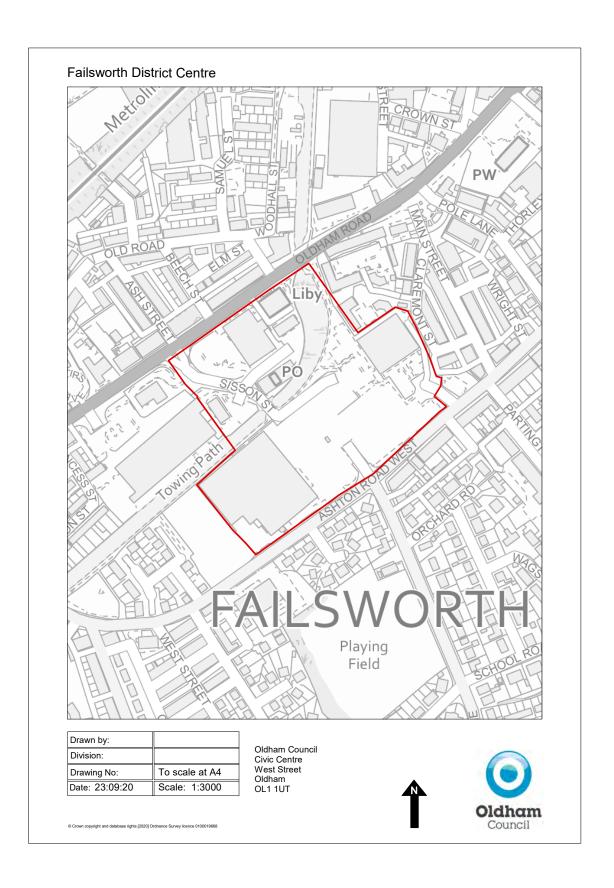
- OE1.11 The Council will permit a proposal for limited non-agricultural development on a farm holding where this would:
 - a. not result in the irreversible loss of agricultural land which the Council considers worthy of protection;
 - not harm the amenity of environmentally sensitive developments including residential properties, schools, hospitals and certain sensitive industrial processes by reason of noise, vibration, odour, atmospheric pollution or other nuisance;
 - c. safeguard the open character and landscape quality of the land;
 - d. make a positive contribution to the continued viability of the farm holding;
 - e. not harm the holding's continued viability through fragmentation or severance:
 - f. not conflict with the purposes of the Green Belt nor adversely affect its openness or amenity; and
 - g. not harm people's enjoyment of the countryside.
- 11.61 Farming plays an important, though declining, role in shaping and maintaining the fabric of the Borough's countryside. Policy OE1 protects the best and most versatile agricultural land. Subject to other planning considerations, as outlined, the Council will support farm diversification that will help to sustain a farm holding and thereby maintain the management of the landscape. The loss of part of a farm holding could affect the viability of the remainder, hence the criterion preventing severance or fragmentation. Where appropriate, proposals may be required to be accompanied by a statement as to how the development will affect farm structure and viability and a business plan to show how the diversification will support the existing holding.
- 11.62 The Government is encouraging farmers to explore diversification proposals such as small-scale horse-based enterprises. This type of business is likely to become increasingly popular in an area like Oldham, boosting outdoor recreational opportunities, particularly in the urban fringe. However such uses are also likely to lead to more activity, particularly by vehicles, than would be generated by purely agricultural practices and account must be taken of the degree to which this could affect the openness and amenity of the Green Belt.
- 11.63 As all the Borough's agricultural land falls within Green Belt, Land Reserved For Future Development or Other Protected Open Land, all proposals for development must comply with the relevant policies.

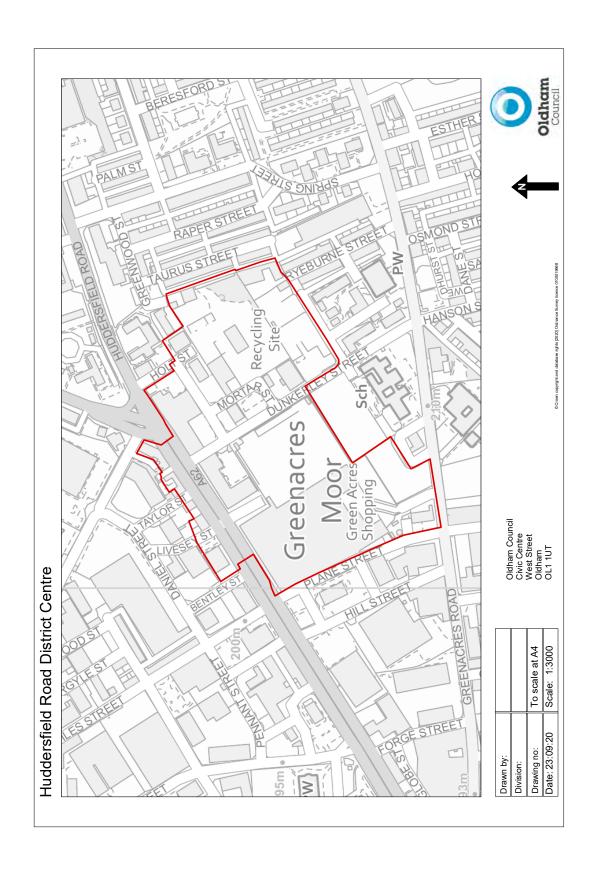
Oldham Metropolitan Borough Unitary Development Plan – Saved Policies

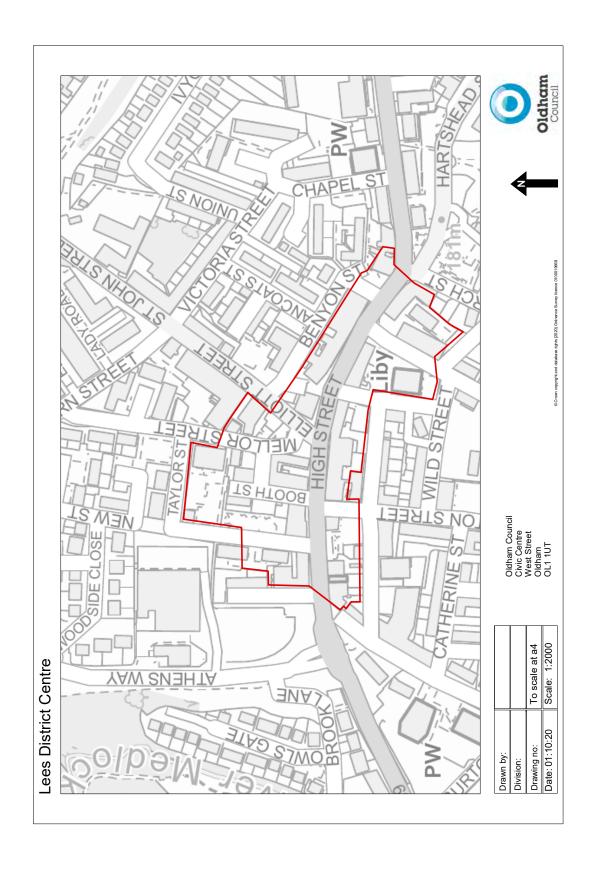
11.64 This policy aims to encourage diversification of the rural economy and land use, particularly in the urban fringe, where it can enhance tourism, recreational or educational opportunities, but to do so in a way that maintains the open character of the land, its wildlife habitats and food producing capabilities. The Council will assess all proposals for diversification in line with Policy OE2.1 on Landscape and Policies OE2.3 and OE2.4 on Habitat and Species Protection.

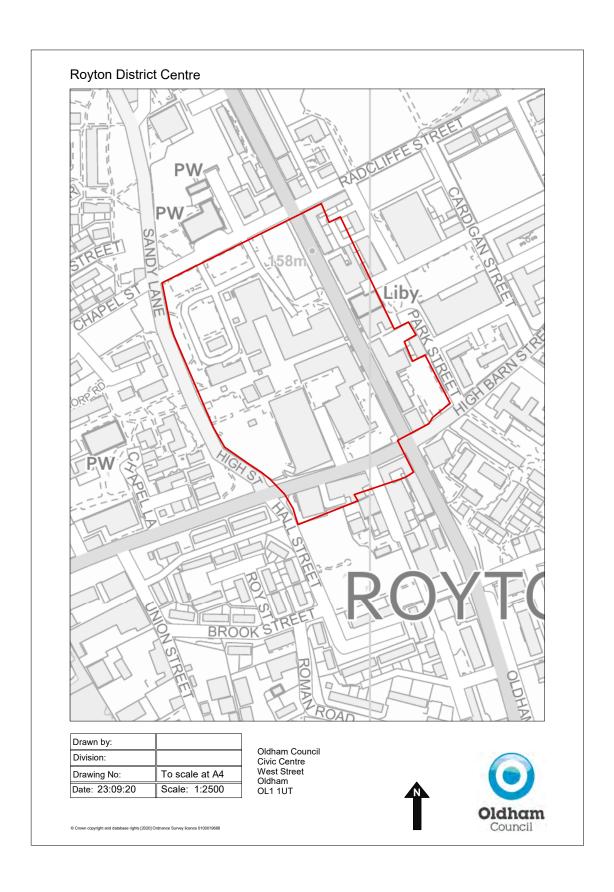


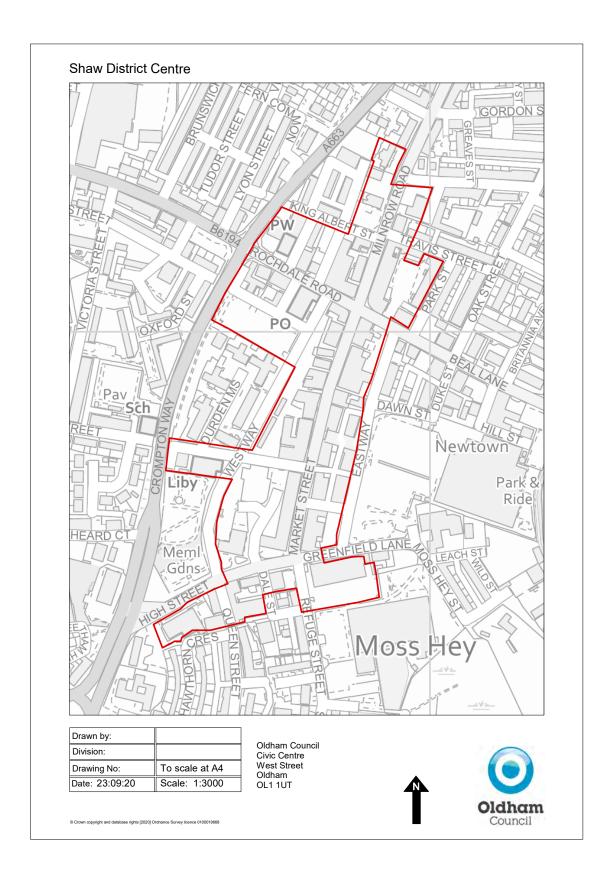


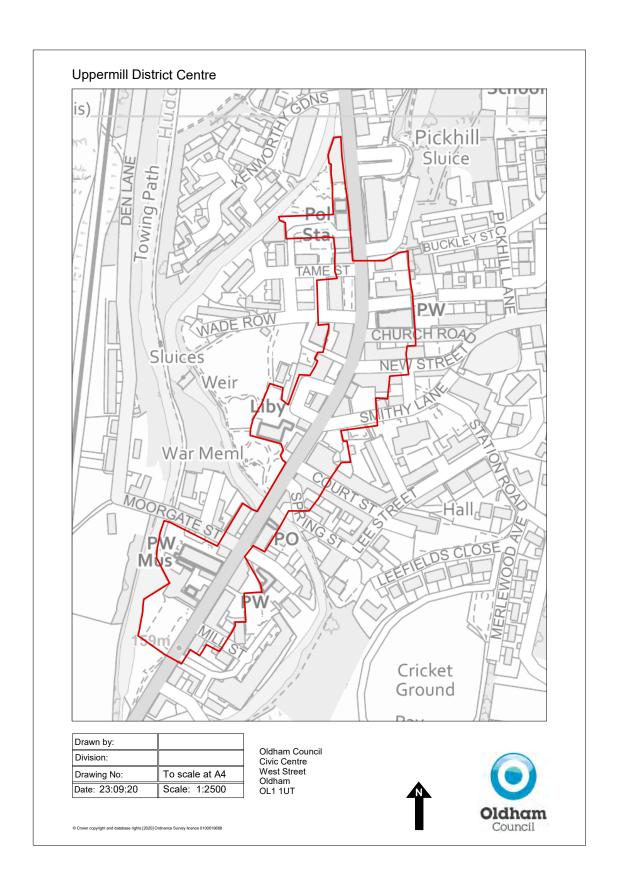




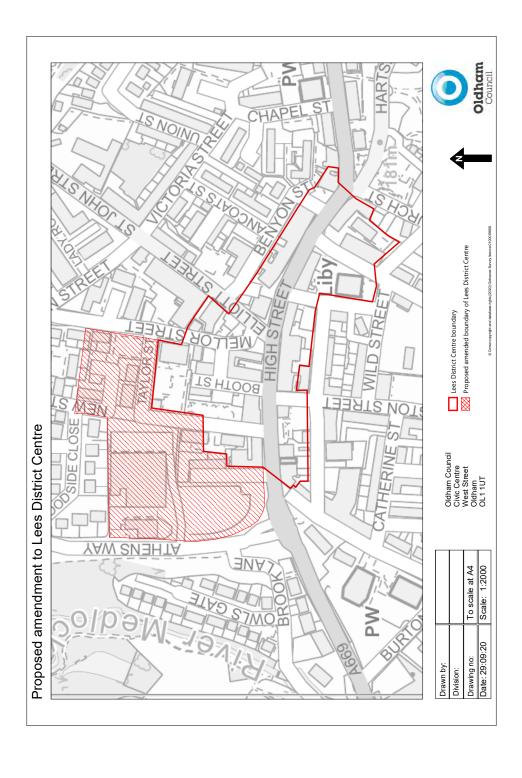




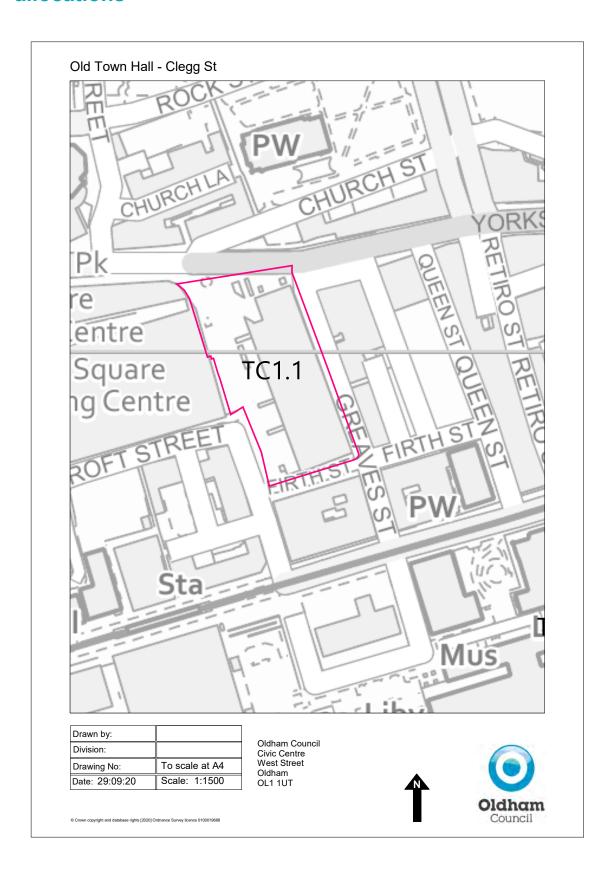


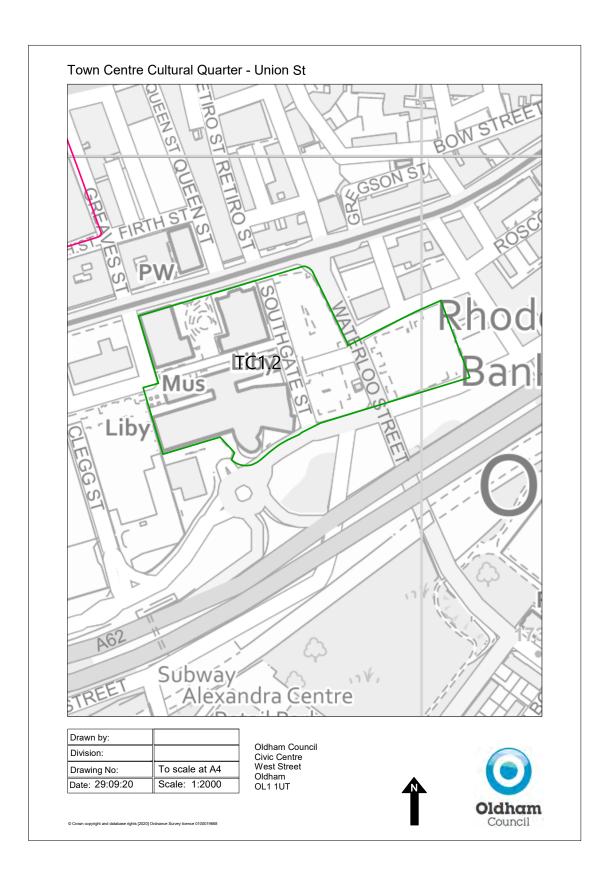


Appendix 10: Plan showing proposed amendment to Lees Centre

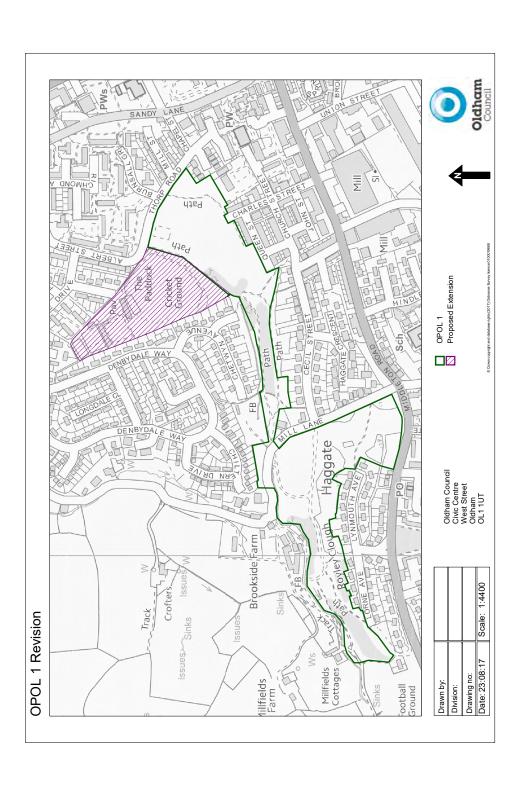


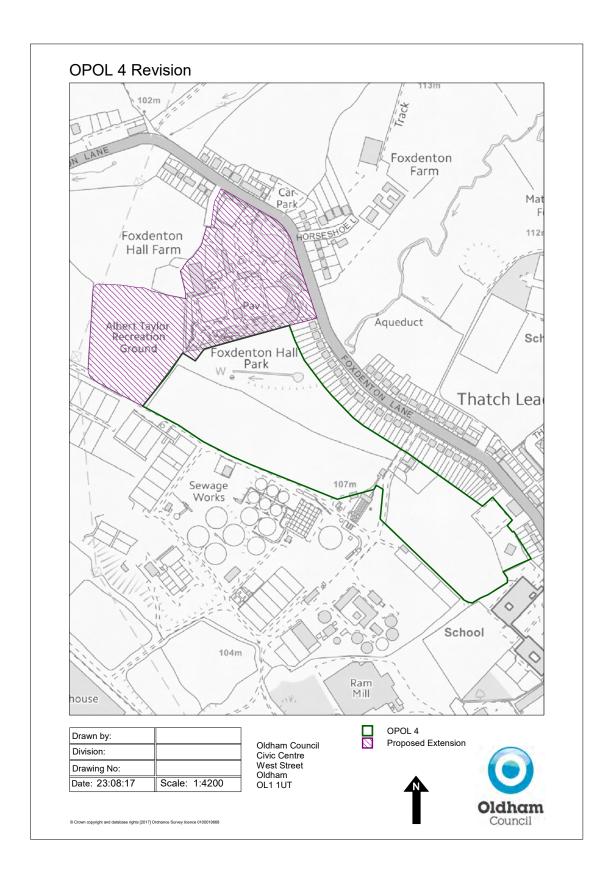
Appendix 11: Plans of the saved UDP Town Centre allocations

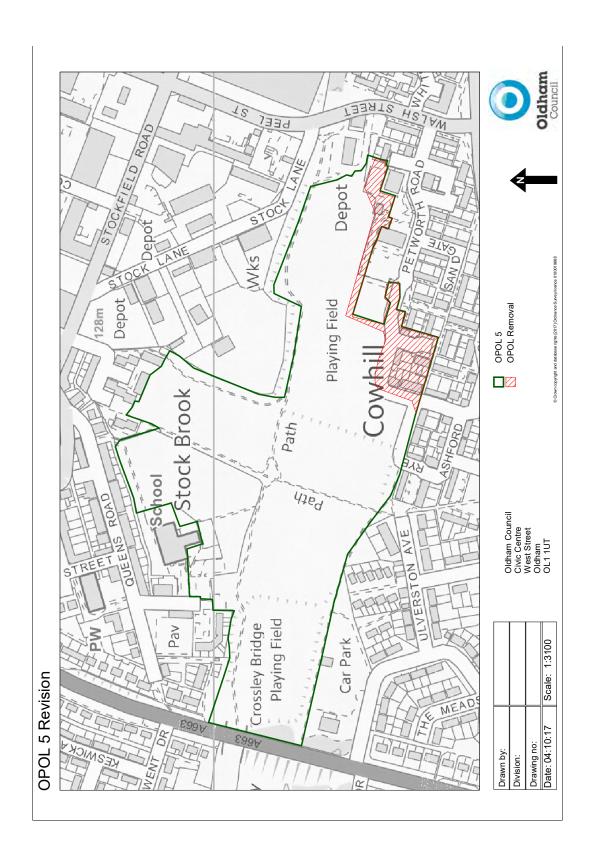


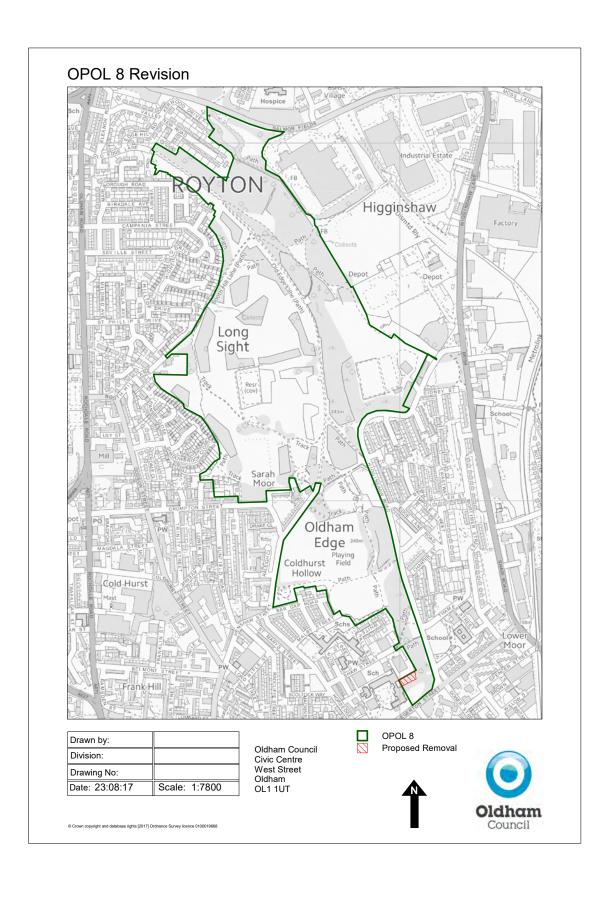


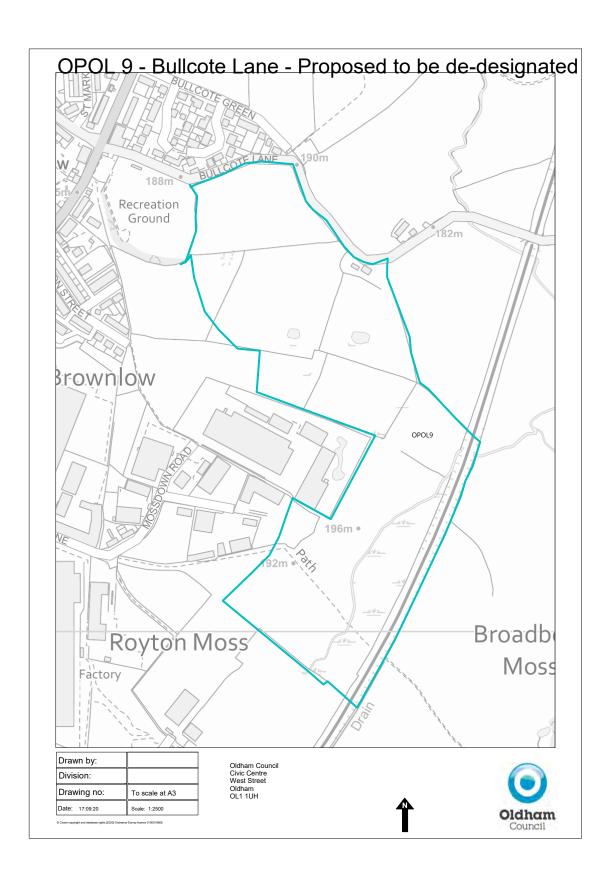
Appendix 12: Plans of proposed de-designated, new and amended Local Green Spaces

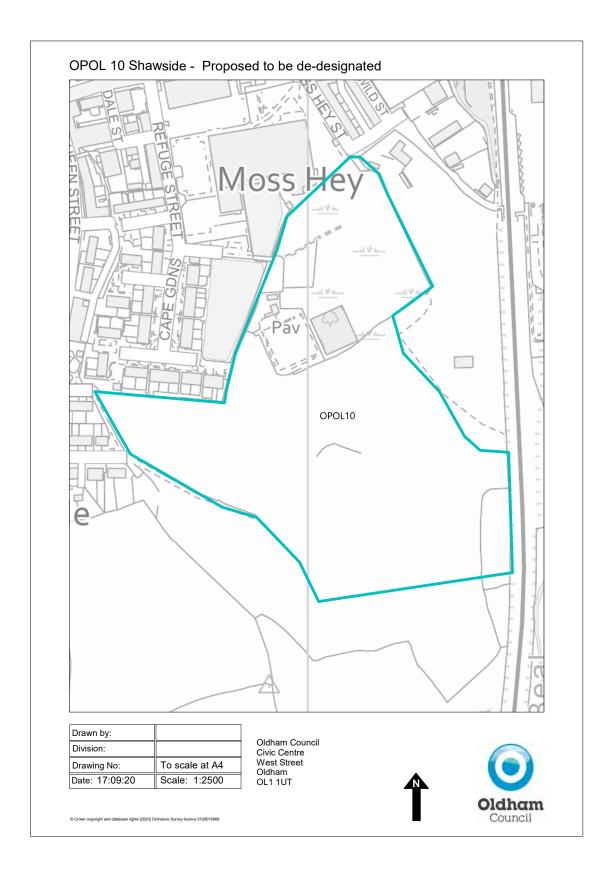


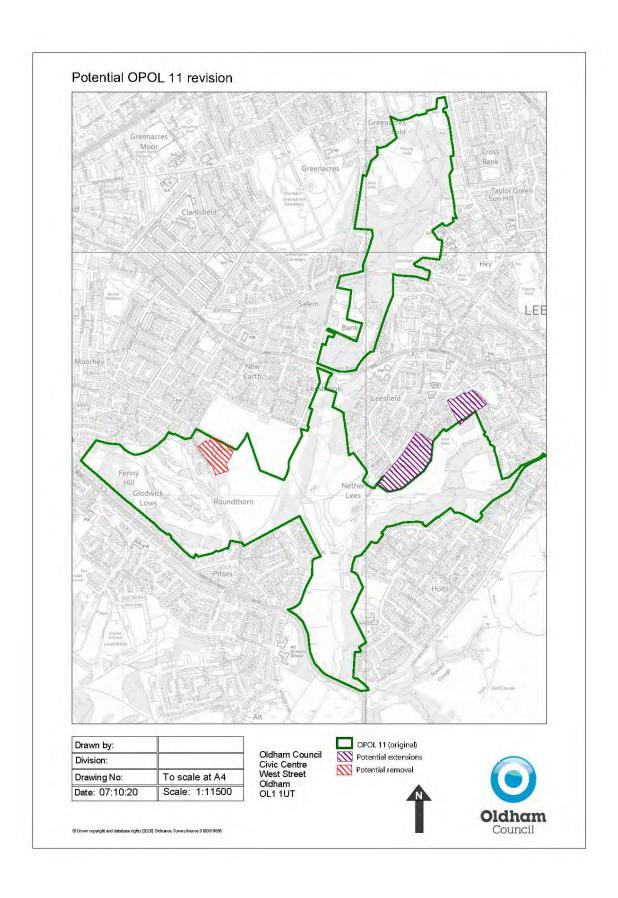


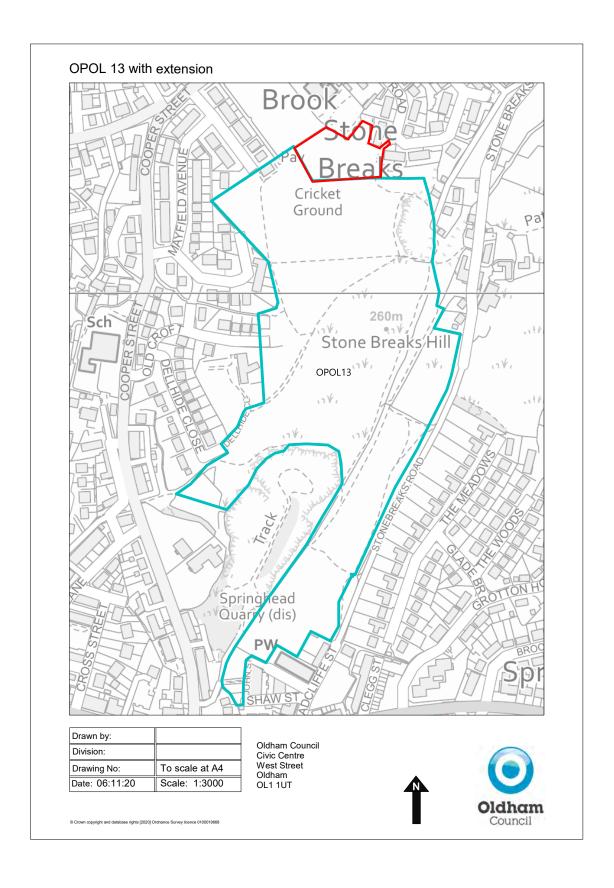




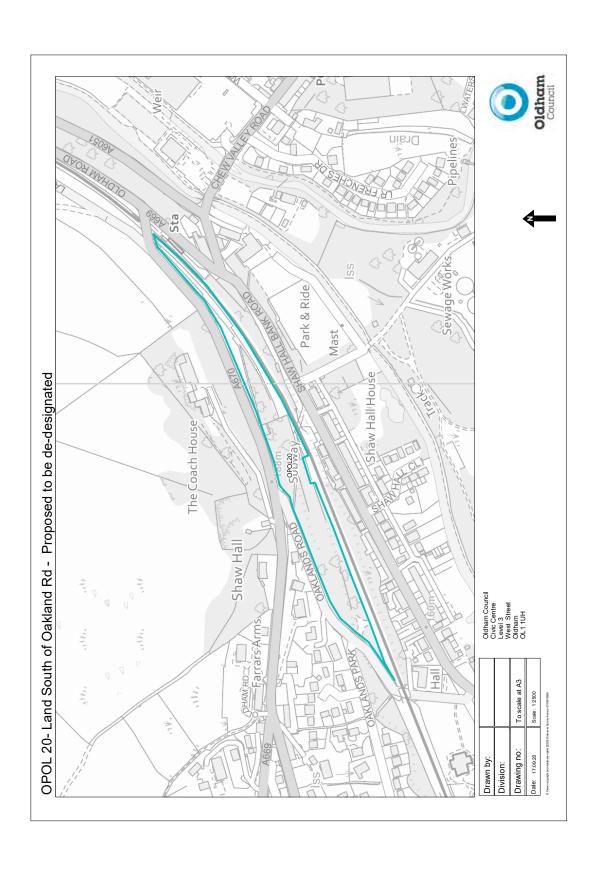


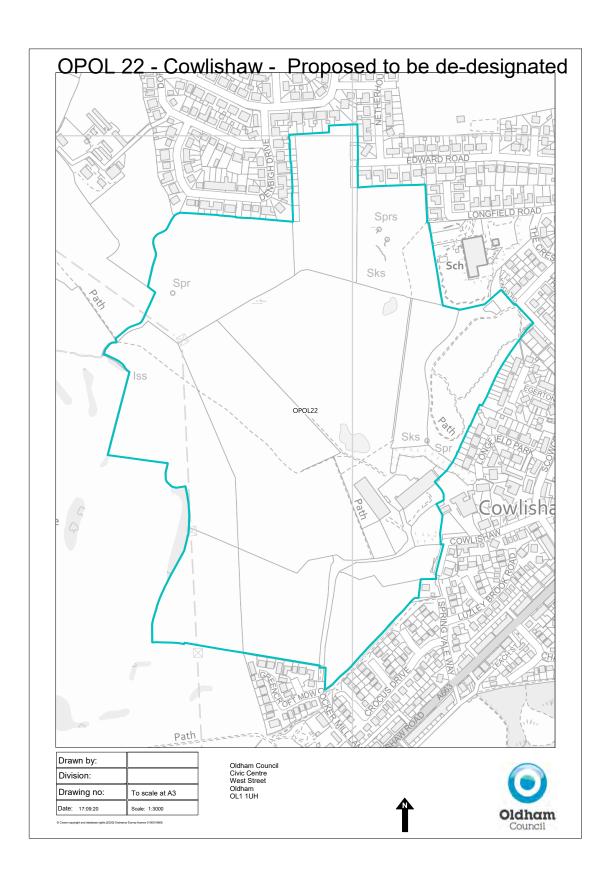


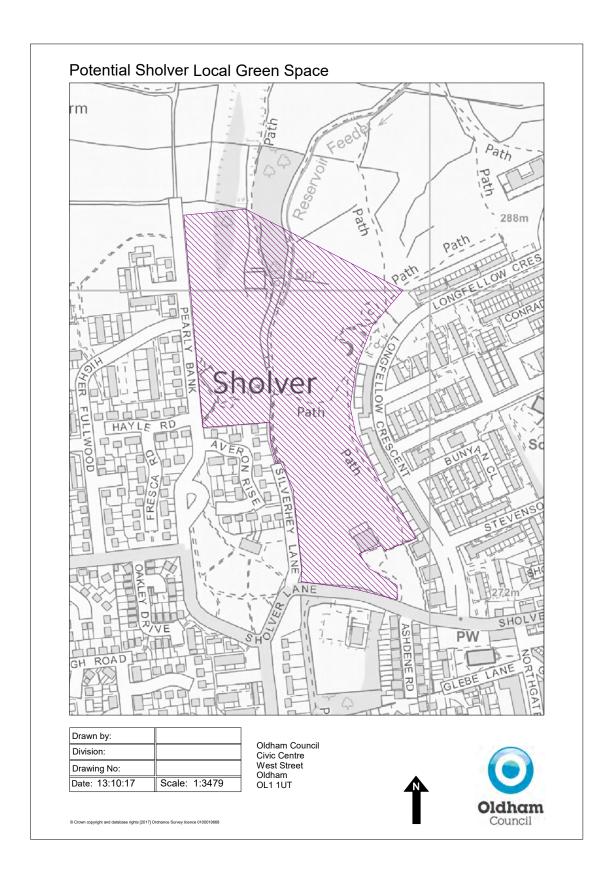












Appendix 13: Saved UDP Policy Protection of Trees

Oldham Metropolitan Borough Unitary Development Plan - Saved Policies

SAVED UPD POLICIES

Protection of Trees on Development Sites

- D1.5 In determining a planning application for development of a site containing existing trees, or adjoining a site containing trees, the Council will only permit a proposal where:
 - a. the development is designed, insofar as is reasonably practicable, to maximise the retention and continued health of the trees in question; and
 - development comprising residential accommodation is positioned in relation to retained trees so as to avoid an unacceptable degree of overshadowing of both internal accommodation and garden areas.

In those cases where it is agreed that trees will be lost to accommodate the development, adequate replacement planting will be required as a condition of planning permission for the development.

Where trees are to be lost to development, the Council will require, as a minimum, replacement at a ratio of three new native trees for each mature or semi-mature tree lost. Where possible the replacement trees should be accommodated on or immediately adjoining the development site. In exceptional circumstances (e.g. certain small infill sites), where it is agreed that on-site replacement planting is not practicable, arrangements must be made for the planting of replacement trees on a suitable site in the wider locality through a section 106 planning obligation.

- 3.51 Because of its industrial heritage and local geography, Oldham is home to relatively little woodland and, in many of the more wholly urbanised areas, very few trees. The Council's Woodland Strategy recommends that existing trees and woodland should be retained and properly managed wherever possible and this, together with a strong emphasis on further tree planting, is an important policy objective. The goals and objectives of the Pennine Edge Forest project, in which Oldham Council is a partner, also complement the objectives of this policy.
- 3.52 Where there is tree cover on prospective development land, the Council requires that planning applications include an accurate survey of the location, size, condition and species of all trees on the site. Where appropriate, indication should also be provided as to whether the trees are used by bats or breeding birds.
- 3.53 Where trees are to be retained on a development site, buildings must be located at a sufficient distance to preserve levels of amenity* for future users of the property, particularly in the case of residential development, and rear gardens must not be unduly overshadowed. It will be a planning requirement, secured by condition, that adequate measures are taken to

Oldham Metropolitan Borough Unitary Development Plan - Saved Policies

protect trees during the development period.

- 3.54 Planning conditions or, where appropriate, a section 106 planning obligation will be used to secure the planting of replacement trees at a ratio that acknowledges the scarcity value of trees in the Borough and the fact the new trees are likely to be smaller and of lesser habitat value than the original ones. The Council will prepare a supplementary planning document on planning obligations, expanding upon the role of planning obligations in implementing this policy.
- 3.55 When considering the allocation of land for development or development proposals for sites with significant tree cover, the Council will consider taking out a Tree Preservation Order to give statutory protection to the trees.
- 3.56 It is an offence to fell or carry out works to any tree that is covered by a tree preservation order without formal local authority consent. Anyone wishing to fell or prune a tree in a conservation area must give six weeks prior notice in writing to the Council, who will make a Tree Preservation Order if it considers the tree or trees in question to be important to the character or appearance of the area. Additionally, an application for a felling licence from the Forestry Commission may be necessary in certain instances under the provisions of the Forestry Act 1967 (as amended).
- 3.57 The mix of species to be included in any required scheme of replacement will be negotiated on a case by case basis but in most cases will predominantly comprise native species considered appropriate to the site and context and, where appropriate, having regard to the species of trees that are to be lost. Replacement trees should normally have a minimum girth of 10-12 centimetres measured 1 metre from ground level (i.e. standards).
- 3.58 For the purposes of this policy an existing tree is one having a minimum diameter of 75 millimetres as measured at a point 1.5 metres above ground level.
- 3.59 Further guidance on this policy is provided in the Council's supplementary planning guidance* *Trees on Development Sites*.

Appendix 14: Saved UDP Policy Telecommunications

Oldham Metropolitan Borough Unitary Development Plan - Saved Policies

Telecommunications

- D1.12 The Council will grant consent for applications for planning permission, or for prior approval of siting and design, for telecommunications apparatus where:
 - a. applicants have satisfactorily demonstrated a need for the proposed development;
 - the location, siting and design of the proposed development, including boundary treatments, access arrangements, colour schemes and landscaping, are such as to minimise its adverse impact on visual amenity, whilst having due regard to matters of operational need and efficiency;
 - c. in the case of proposed development within or adjoining an area of particular environmental importance, the applicant is able to demonstrate:
 - i) that there are no suitable alternative locations for the development outside of and not adjoining the area in question and, where it is established that there are no such locations;
 - ii) that the location, siting and design of the proposal is such as to minimise visual and/or other impact on the special interest or importance of the area in question and that this level of impact can be considered acceptable in terms of the relevant local and national policy objectives applying to such an area;
 - d. applicants have provided satisfactory evidence that they have explored the possibility of erecting apparatus on an existing site already occupied by telecommunications equipment, or on an existing building, mast or other structure, and that such options are either unavailable or impracticable;
 - e. applicants have provided satisfactory evidence that the emissions from the proposed apparatus will meet the latest Government approved guidelines for public exposure to radio waves from telecommunications equipment;
 - f. the proposal makes adequate provision to accommodate likely future need for network development and growth; and
 - g. the location and design of the access to the site has been designed to so as not to cause a highway hazard.
- 3.89 The Council accepts the economic and social benefits delivered by modern telecommunications systems and supports current Government policy to facilitate the growth of new and existing systems while attempting to minimise their inevitable impact on the environment.

- 3.90 It will look positively upon proposals for new telecommunications apparatus where there is clear and compelling evidence that it is needed. Technical constraints on the location and design of proposed telecommunications development will be taken into account alongside the need to minimise harm to the appearance of the area. Special consideration will be given to the need to protect the most sensitive and valuable environments like Green Belt and conservation areas and to the national and local policies that exist to protection them.
- 3.91 To protect the amenity of an area the Council will encourage mast and site sharing whenever possible. This could involve siting new masts alongside existing ones or attaching new antennae to existing masts, buildings or structures. Applicants will need to provide evidence in cases where this is not a practical option.
- 3.92 Where new sites or masts are proposed, the Council will assess proposals against the following general criteria:
 - a. the height of the site in relation to surrounding land;
 - b. topographical features and natural vegetation;
 - c. the effect on the skyline or horizon;
 - d. the prominence of the site when observed from any side, including from outside the Borough;
 - e. the site in relation to existing masts, structures, or buildings;
 - f. the site in relation to residential property; and
 - g. any other relevant considerations.
- 3.93 The reference to areas of particular environmental importance contained in the policy should be taken to mean conservation areas, listed buildings, scheduled ancient monuments, registered parks or gardens, archaeological sites recorded on the County Sites and Monuments Record, the Green Belt, Sites of Special Scientific Interest, tree preservation orders, Sites of Biological Importance, Special Areas for Conservation and Special Protection Areas for birds.
- 3.94 Other Plan policies relating to Green Belt, conservation areas and other environmentally sensitive areas may in some cases constitute material considerations. Planning Policy Guidance* note 8 *Telecommunications* (PPG8) states that telecommunications development within Green Belt that fails to preserve the openness of the area is likely to be inappropriate and should only proceed if very special circumstances perhaps the lack of a suitable alternative site that would meet the needs of network coverage or capacity can be demonstrated that outweigh the amount of harm done to the Green Belt. Similar considerations apply to conservation areas where the Council has a statutory duty to give special consideration to the preservation

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- or enhancement of their character or appearance, when exercising its development control powers.
- 3.95 Where the Council considers that visual amenity makes it preferable for mast developments in a particular area to be confined to a single site, it may wish to discuss with operators and landowners the feasibility of entering into a planning obligation under section 106 of the Town and Country Planning Act 1990. This would create a binding and enforceable requirement to make the mast site available for sharing in the future.
- 3.96 Government policy advice in PPG8 states that health considerations and public concern can in principle form material considerations in relation to applications for planning permission and prior approval. However, the Independent Expert Group's Report from May 2000, the Stewart Report, is clear that current evidence suggests mobile phone base stations do not represent a risk to public health.
- 3.97 In the light of these findings, PPG8 advises that where a proposed mobile phone base station meets the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines on public exposure to radio waves, no further consideration need be given to the health aspects of the proposal.
- 3.98 The term apparatus includes antennae, masts and all ancillary equipment such as cabins and mountings.

Appendix 15: Current Local Plan Policy 7 Sustainable Use of Resources - Waste Management

Policy 7 Sustainable Use of Resources - Waste Management

Oldham recognises the importance of sustainable waste management. The borough has to make an appropriate contribution towards enabling Greater Manchester to meet its waste management needs, including those requirements identified in the Greater Manchester Municipal Waste Management Strategy. Oldham Council is working with the other local authorities to prepare the Greater Manchester Joint Waste Development Plan Document (JWDPD). (36)

The council will:

- a. require all waste management facilities within Oldham to demonstrate consistency with the principles of the waste hierarchy; and
- b. work with other boroughs, through the JWDPD, to identify and safeguard sites for waste management in appropriate locations; and
- c. encourage the sustainable transport of waste, including by use of modes such as rail; and
- d. promote the use of site waste management plans in major construction projects within Oldham; and
- e. have regard to the environmental, social and economic impacts of new waste management facilities proposed within Oldham, including the scope for securing long-term benefits in improving the environment; and
- f. ensure that proposals for waste management facilities within Oldham do not prejudice the regeneration plans of an area identified by the council as being in need of investment.

The 2006 UDP policies on waste management⁽³⁷⁾ will be saved until they are replaced by the JWDPD

Linkages	
Main Issues and Key Challenges / Vision / Preferred Way Forward	This policy links to the main issues, the vision and the preferred way forward by addressing the prudent use and sustainable management of resources.
Objectives	SO1, SO4, SO5.
Sustainability Appraisal Objectives	ENV10, ENV11.

³⁶ AGMA and Greater Manchester Geological Unit. 2006-present.

72 Oldham Council - Joint Core Strategy and Development Management Policies Development Plan Document - Adopted 9 November 2011

³⁷ Oldham Metropolitan Borough Council Unitary Development Plan, Oldham Council, 2006.

Linkages	
Sustainable Community Strategy / Local Area Agreement	Economic Prosperity. Health and Well-being. Safe and Strong Communities. Sustainable Use of Resources.
Oldham Council Corporate Objectives	A confident place. Services of choice.
District Partnerships	East and West Oldham; Royton, Shaw and Crompton; Failsworth and Hollinwood; Chadderton; Saddleworth and Lees; and Oldham Town Centre.
Monitoring Indicators and Targets	34, 35.
Implementation	Oldham Council. Joint Waste DPD. Public Sector agencies. Private Sector.

Supporting Text

- 5.84 The policy links to the preferred way forward and the objectives generally by setting out how we will ensure the prudent use and sustainable management of our waste.
- 5.85 The Greater Manchester local authorities are signed up to a joint waste plan, the JWDPD, which is being prepared on our behalf by the Geological Unit. This will set out in detail how Greater Manchester will manage its waste. Policy 7 sets the strategic overview of waste management matters, with the detailed requirements set out in the JWDPD. Adoption of the JWDPD is planned for 2012. Details about the JWDPD can be viewed via: www.gmwastedpd.co.uk.
- 5.86 There is a need to recognise the importance of sustainable waste management and ensure that all facilities are developed in line with the principles of the waste hierarchy. Also there is a need, through the JWDPD, to identify and safeguard sites within appropriate locations for a range of waste management facilities, including disposal, to meet this need within acceptable environmental, economic and social parameters.
- 5.87 The Greater Manchester Waste Disposal Authority, which represents nine of the Greater Manchester local authorities including Oldham Council, has prepared the Municipal Waste Management Strategy (MWMS)⁽³⁸⁾ that sets out guidance and targets for reducing and managing municipal solid waste in the borough. The MWMS has targets to stem the increases in the amount of municipal sold waste and to reduce non-household waste alongside commitments to increasing recycling and composting. There is a need to ensure that all properties have adequate provision of facilities for the storage of both refuse and recycling.

³⁸ April 2007

Appendix 16: Current Local Plan Policy 8 Sustainable Use of Resources - Minerals

Policy 8 Sustainable Use of Resources - Minerals

The Greater Manchester local authorities are committed to preparing a joint minerals plan (the Joint Minerals DPD, ⁽³⁹⁾ or `JMDPD` for short) to address minerals. Minerals can only be worked where they occur. It is recognised that mineral working can impose environmental costs. It is important to protect mineral resources from inappropriate development. Proposals to work mineral resources must be justified in terms of need, the contribution it makes to meeting requirements for aggregates and the potential environmental impacts.

The council will promote the sustainable management of minerals through the prudent use, recycling, conservation and safeguarding of mineral resources. When determining planning applications the council will have regard to national minerals policies and guidance. The council will ensure an adequate and steady supply of minerals, having regard to known resources in the borough, that will contribute towards apportionment targets and maintenance of the landbank. Where appropriate, the movement of minerals will be achieved through the use of sustainable transport. The council will safeguard existing, planned and potential rail heads, wharfage and associated storage, handling and processing facilities. Proposals must include plans for the high quality restoration and aftercare of the minerals site.

The council will work with other boroughs, through the JMDPD, to identify sites and/or areas of search for minerals extraction and minerals safeguarding areas, and identify and safeguard sites for minerals storage, processing and transfer in appropriate locations.

The 2006 UDP policies on minerals⁽⁴⁰⁾ will be saved until they are replaced by the JMDPD.

Linkages	
Main Issues and Key Challenges / Vision / Preferred Way Forward	This policy links to the main issues, the vision and the preferred way forward by addressing the prudent use and sustainable management of resources.
Objectives	SO1, SO4, SO5
Sustainability Appraisal Objectives	ENV11
Sustainable Community Strategy / Local Area Agreement	Economic Prosperity. Sustainable Use of Resources.
Oldham Council Corporate Objectives	A confident place.

³⁹ AGMA and Greater Manchester Geological Unit, 2009-present.

⁴⁰ Oldham Metropolitan Borough Council Unitary Development Plan, Oldham Council, 2006.

⁷⁴ Oldham Council - Joint Core Strategy and Development Management Policies Development Plan Document - Adopted 9 November 2011

Linkages	
District Partnerships	East and West Oldham; Royton, Shaw and Crompton; Failsworth and Hollinwood; Chadderton; Saddleworth and Lees; and Oldham Town Centre Partnership.
Monitoring Indicators and Targets	32, 33.
Implementation	Oldham Council. Joint Minerals DPD. Public Sector agencies. Private Sector.

Supporting Text

- 5.88 The policy links to the preferred way forward and the objectives generally by setting out how we will ensure the prudent use and sustainable management of our minerals.
- 5.89 For minerals there is need to contribute towards maintaining an adequate landbank and steady supply of aggregates in order to meet targets, safeguarding areas for future minerals development and avoiding sterilisation of known resources where possible and identify sites for minerals storage, processing and transfer. Also there is a need to promote the use of recycled and secondary aggregates and the sustainable transport of minerals, and to ensure the effective restoration and aftercare of minerals sites, and ensure that minerals are extracted in line with sustainable development principles.
- 5.90 The 2006 UDP identified Mineral Resource Zones (MRZ) as a supplementary map to the proposals map. The MRZ should be regarded as no more than a geological overlay indicating the approximate limits of workable mineral reserves.
- 5.91 The Greater Manchester local authorities are working on producing a joint minerals plan, called the JMDPD. It is being prepared on our behalf by the Geological Unit, along similar lines to the joint waste plan, as a means of addressing minerals at the Greater Manchester level. The JMDPD will provide a sound planning policy framework that provides a clear guide to minerals operators and the public about the locations where mineral extraction may take place, the safeguarding of sensitive environmental features and of mineral resources with potential for future extraction, and all aspects of environmental and resource protection including the sustainable transportation of minerals. Adoption is scheduled for 2012. Further details can be viewed via www.gmmineralsplan.co.uk