Oldham Council Saddleworth Neighbourhood Plan: Determination Statement March 2024

Introduction

Purpose of screening report

To be 'made', a Neighbourhood Plan must meet certain Basic Conditions. These include that the making of the plan "does not breach, and is otherwise compatible with, assimilated obligations." One of these obligations relates to Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'.

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

The Directive requires the Council to determine whether or not the plan is likely to have significant environmental effects. This is often referred to as the strategic environmental assessment (SEA) Directive.

The SEA Directive seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes. The SEA Directive is transposed into English law through the Environmental Assessment of Plans and Programmes Regulations (the 'SEA Regulations')¹ and it is these regulations that the plan will need to be compatible with.

The Neighbourhood Plan is a land use plan and will set the policy framework for future development consent within the designated area (which could fall within Annex I or II to Council Directive 85/337/EEC as amended by 97/11/EC(1). The plan contains a vision, plan objectives and planning policies to guide development.

A key stage in the neighbourhood planning process is determining whether or not SEA is required. The process for deciding whether or not an SEA is necessary is referred to as 'screening'.

Overview of requirements of the SEA Regulations in regard to Neighbourhood Plans

The basis for SEA legislation is European Union Directive 2001/42/EC which requires a Strategic Environmental Assessment to be undertaken for certain types of plans or programmes that would have a significant environmental effect. This was transposed into English law by The Environmental Assessment of Plans and Programmes Regulations 2004, commonly referred to as the SEA Regulations.

In accordance with the provisions of the SEA Directive and The Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), the Council must determine if a plan requires an environmental assessment. Where the Council determines that SEA is not required, then the Council must, under Regulation 9(3), prepare a statement setting out the reasons for this

¹ Environmental Assessment of Plans and Programmes Regulations 2004 (S.I. 2004/1633)

determination.

Whether a neighbourhood plan requires an SEA, and if so, the level of detail needed, will depend on what is proposed in the draft neighbourhood plan (see Planning Practice Guidance (PPG) Paragraph 046).

The PPG suggests that SEA may be required, for example, where:

- a neighbourhood plan allocates sites for development;
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; and
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan or other strategic policies for the area.

Saddleworth Parish Council (the qualifying body) has requested Oldham Council in consultation with the Peak District National Park Authority, consider whether an environmental assessment of the emerging Neighbourhood Plan is required due to significant environmental effects.

Description of the responsibilities for the screening process

PPG highlights that it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan submitted to it have been met. The local planning authority must decide whether the neighbourhood plan proposal is compatible with relevant legal obligations including the Strategic Environmental Assessment Directive:

- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
- when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).

To support this process, it is helpful for the qualifying body to make its own assessment of whether the draft neighbourhood plan that it intends to submit to the local planning authority:

- meets each of the basic conditions
- has been prepared in accordance with the correct process and all those required to be consulted have been
- is accompanied by all the required documents

To assess whether an SEA is required, a screening process must be undertaken based on a standard set of criteria specified in Schedule 1 of the Regulations.

Before making a final determination the following three statutory consultation bodies must be consulted:

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

Under Regulation 11 (1) the responsible body (Oldham Council) will send to each of the three consultation bodies a copy of the final determination within 28 days of making a determination and under Regulation 11 (2) the responsible body will publish the determination and any accompanying statement of reasons on the Council's website at which the documents may be viewed and downloaded and will within 28 days of making a determination take appropriate steps to bring to the attention of the public: the title of the plan to which the direction relates; that the responsible authority has determined that the plan is or is not likely to have significant environmental effects (as the case may be) and, accordingly, that an environmental assessment is or is not required in respect of the plan; the address of the website, the determination and any accompanying statement of reasons may be viewed and downloaded free of charge; the fact that a copy of those documents may be obtained by email or post from the responsible authority; the address, email address and telephone number for the purpose of requesting a copy of those documents, either by email or by post; whether a charge will be made for copies of those documents provided by post, and the amount of any charge; and the telephone number which can be used to contact the responsible authority for enquiries in relation to those documents.

Saddleworth Neighbourhood Plan and neighbourhood area:

Local Plan context for the Neighbourhood Plan

Once adopted the Saddleworth Neighbourhood Plan would become part of the statutory development plan and be used to determine planning applications (alongside plans such as Places for Everyone (PfE)², the Oldham Local Plan³ and the Peak District National Park Local Plan⁴) for the designated neighbourhood area.

It will be important that the Saddleworth Neighbourhood Plan is positively prepared and is broadly consistent with strategic policies which form part of the planning framework for the area.

Key environmental constraints in the neighbourhood area

Within the designated neighbourhood area of Saddleworth the following constraints are noted:

- the Peak District National Park;
- South Pennine Moors Special Protection Area and Special Area of Conservation;
- Sites of Special Scientific Interest; and
- Sites of Biological Importance.

A large proportion of the area is designated as Green Belt and for this area in Oldham Landscape Character types are identified. Minerals Safeguarding Areas are also identified.

Areas of flood zones 2 and 3 are contained within the area, as well as other forms of flood risk. In relation to water quality the watercourses within this area are moderate.

In terms of the historic environment Saddleworth contains two scheduled monuments, twenty two conservation areas and a significant number of designated and non-designated heritage assets including textile mills.

Vision and objectives of the Saddleworth Neighbourhood Plan

The vision of the Saddleworth Neighbourhood Plan is: "Our vision is that Saddleworth will be made up of many thriving communities, each a place with its own strong identity, each one offering great opportunities for people to make their homes, to work, and to spend their leisure time. Many of local people's needs for services, such as for shops, education, and healthcare will be effectively met within Saddleworth. New developments will be accommodated but will be located and designed with sensitivity and with investment in the necessary supporting infrastructure. Saddleworth will be known for the quality of its countryside and the care with which landowners manage it."

² Places for Everyone website can be found at https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/

³ The Oldham Local Plan can be found here https://www.oldham.gov.uk/info/200585/planning policy

⁴ The adopted Peak District Core Strategy is available at: https://www.peakdistrict.gov.uk/planning/policies-and-guides/core-strategy

The draft plan objectives and an outline of the plan policies within the draft Saddleworth Neighbourhood Plan (version 1.13) are listed in Appendix 1.

Saddleworth Neighbourhood Plan is not proposing to allocate any sites for development.

Determination of the likeliness of significant effects of Saddleworth Neighbourhood Plan

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

Table 1: Schedule 1 - Criteria for determining the likely significant effects on the environment

Criteria for determining the likely significant effects on the environment	Justification	Likeliness of significant environmental effects
1. The characteristics of plans and programmes, having regard, in particular, to -		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The Saddleworth Neighbourhood Plan sets the framework for planning decisions for the designated area (Saddleworth Parish) in terms of policy detail. The plan, once made, would be used to help determine planning applications for that area, in addition to the Oldham Local Plan, Places for Everyone and the Peak District National Park Local Plan and plans for waste and minerals. The neighbourhood plan sits within a wider framework set by the National Planning Policy Framework (NPPF) and must be in general	Not likely
	and must be in general conformity with the strategic policies within the above plans. Therefore, the neigbourhood plan will provide additional local detail to be considered when determining planning applications for development for the designated area. The plan does not allocate sites for development.	
(b) the degree to which the plan or programme influences other plans and	The Saddleworth Neighbourhood Plan is unlikely to influence other plans and programmes as it	Not likely

programmes including those in a hierarchy;	sits beneath the Oldham Local Plan, Places for Everyone, the Peak District National Park Local Plan and plans for waste and minerals in terms of plan hierarchy. The Saddleworth Neighbourhood Plan will influence instead how development proposals are developed and come forward at planning application stage and their determination.	
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	For the Saddleworth Neighbourhood Plan to proceed to referendum it must meet the basic conditions. Condition d) of the basic conditions is that the Saddleworth Neighbourhood Plan contributes to the achievement of sustainable development. Oldham Council and the Peak District National Park Authority are advising and assisting on the Saddleworth Neighbourhood Plan and are providing constructive comments on the emerging plan, with the basic conditions in mind. The Saddleworth Neighbourhood Plan draft vision states that "The fundamental principle which underpins our vision and the policies in this plan is that of sustainable development."	Not likely
(d) environmental problems	More detail on the draft plan objectives and policies is set out in Appendix 1. The draft Saddleworth	Not likely
relevant to the plan or programme; and	Neighbourhood Plan sets out issues that the Neighbourhood Plan seeks to address such as those covering SEA topics on landscape, cultural heritage including architectural and	. Tot intoly

	archaeological heritage, air,	
	water and climatic factors.	
	The Neighbourhood Plan	
	seeks to protect and	
	enhance these matters.	
(e) the relevance of the	Once adopted the	Not likely
plan or programme for the	Saddleworth Neighbourhood	
implementation of retained	Plan would become part of	
EU law on the environment	the statutory development	
(for example, plans and	plan and be used to	
programmes linked to waste management or	determine planning applications (alongside the	
waste management of water protection).	Greater Manchester Waste	
mater protestion,	Plan, Greater Manchester	
	Minerals Plan, Places for	
	Everyone (PfE) Oldham	
	Local Plan, and the Peak	
	District National Park Local Plan and other relevant	
	development plans) for the	
	designated neighbourhood	
	area.	
	These plans, which the	
	Saddleworth Neighbourhood	
	Plan must be consistent with, all take into consideration	
	other plans and programmes	
	as part of their preparation,	
	including through their	
	associated SEAs and Habitat	
	Regulation Assessments	
	(HRA) that underpin the adopted and emerging plans.	
	Lacoptod and officiging plans.	
2. Characteristics of the		
effects and of the area		
likely to be affected, having regard, in		
particular, to -		
(a) the probability, duration,	The Neighbourhood Plan is a	Not likely
frequency and reversibility	long-term plan up to 2042. It	
of the effects;	does not seek to allocate	
	sites for growth.	
	The plan seeks to provide	
	additional local policy detail	
	in addition to that set out	
	through higher tier local	
	plans which have in	
	themselves been subject to	
	SEA.	

(b) the cumulative nature of the effects;	The Saddleworth Neighbourhood Plan does not seek to allocate sites for growth.	Not likely
	The plan seeks to provide additional local policy detail in addition to that set out through higher tier local plans which have in themselves been subject to SEA / HRA, taking into account cumulative effects.	
	It is not considered that the Saddleworth Neighbourhood Plan would in itself generate further cumulative effects that would need to be mitigated, particularly once the HRA advice is incorporated.	
(c) the transboundary nature of the effects;	The Saddleworth Neighbourhood Plan will guide development within the designated Saddleworth Neighbourhood Plan area within Oldham Borough and which includes part of the Peak District National Park Authority (PDNPA). Beyond this area the plan is unlikely to have effects on a transboundary nature.	Not likely
(d) the risks to human health or the environment (for example, due to accidents);	The Neighbourhood Plan is unlikely to produce any significant effects as it is not allocating sites for development.	Not likely
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The Saddleworth Neighbourhood Plan covers the designated area of Saddleworth with a population of around 26,000 people.	Not likely
(f) the value and vulnerability of the area	Saddleworth has a hierarchy of nature designations from European to local level.	Not likely

likely to be affected due to – (i) special natural characteristics or cultural heritage;	However, the neighbourhood plan is not allocating sites for development and the Oldham Local Plan, alongside other plans (such as PfE) would be used to determine planning applications and provide the plan policy for the protection of nature. A HRA Screening Opinion has been carried out which has made recommendations to incorporate a policy or part of a policy outlining the need for assessment of any future proposals facilitating tourism or tree planting. Provided the recommendations are implemented into the neighbourhood plan the significant effects would be considered not nugatory and any risk only hypothetical.	
(f) the value and vulnerability of the area likely to be affected due to — (ii) exceeded environmental quality standards or limit values; or	The Saddleworth Neighbourhood Plan is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality as it is not allocating sites and will be read	Not likely
(f) the value and vulnerability of the area likely to be affected due to – (iii) intensive land-use; and	alongside other plans. The Neighbourhood Plan is unlikely to bring forward development of an extent that would result in a significant intensification of local land use.	Not likely
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The Peak District National Park falls within the designated neighbourhood plan area. The PDNPA is advising and assisting on the Saddleworth Neighbourhood Plan, including advice on ensuring the basic conditions are met and this will ensure that the	Not likely

valued characteristics of the National Park, as referenced at paragraph 9.15 of the adopted Core Strategy which link to the Peak District's Landscape Strategy are not compromised.

The emerging Oldham Local Plan also has a draft policy on The Peak District National Park (Policy OL1) which seeks to ensure development does not conflict with the purposes of the PDNP.

These plans would be used in determining planning applications for the designated area alongside Saddleworth Neighbourhood Plan.

Conclusion of the screening process

Oldham Council, in consultation with the Peak District National Park Authority, considers that after having regard to the Environmental Assessment of Plans and Programmes Regulations 2004 the Saddleworth Neighbourhood Plan does not require a Strategic Environmental Assessment (SEA) provided that the recommendations from the Habitats Regulations Assessment are incorporated.

Oldham Council, in consultation with the PDNPA has come to this view as:

- The neighbourhood plan sits beneath a hierarchy of plans which provide a
 policy framework for the location, nature and scale of growth and link to
 retained EU law. These plans have been through the SEA process and any
 required mitigation is already identified;
- The neighbourhood plan is not allocating sites for development;
- The neighbourhood plan seeks to achieve sustainable development and will be tested to ensure that it meets the 'basic conditions'.

The Environment Agency, Natural England and Historic England were consulted on the draft screening between 31 January 2024 and 23 February 2024. The statutory consultation bodies have agreed with the conclusion that, based on the information received, the neighbourhood plan does not require a SEA.

Natural England stated significant effects on statutorily designated nature conservation sites or landscapes are unlikely.

The Environment Agency stated they agree with the environmental issues that have been included and do not have any further comments to make.

Historic England stated that the plan is unlikely to have significant environmental effects upon the historic environment, and so Historic England concur with the conclusion that SEA is not required.

Appendix 1 Draft Saddleworth Neighbourhood Plan

Draft Plan Objectives:

The following plan objectives were listed in version 1.13

OBJECTIVE 1: To ensure that development prioritises brownfield sites and their best use, and maintains green belt purposes and protects and enhances green spaces.

To protect and enhance recreation and nature conservation corridors, local green spaces and green belt.

OBJECTIVE 2: To protect and enhance the environment, and ensure that development adequately addresses flood risk, minimises energy use, and promotes sustainability.

To have clear information about watercourses for the purposes of risk assessment and response.

OBJECTIVE 3: To promote and encourage the stewardship and conservation of a beautiful and locally distinctive rural landscape in a period of changing climatic and economic conditions.

OBJECTIVE 4: To ensure that existing heritage assets across the Saddleworth Neighbourhood Plan Area are preserved and enhanced, for the benefit of both residents and visitors, and to ensure that new developments are, wherever possible, of a high enough standard to create new heritage assets for the Parish in the future.

OBJECTIVE 5: To ensure the sustainable design and construction of all new development is built sustainably.

To support opportunities for energy generation and the minimisation of energy use.

OBJECTIVE 6: To conserve and enhance historic assets, and ensure that where possible, traditional, unused heritage assets are brought back into new use.

Development must maintain or improve the unique local vernacular, with particular respect paid to historical design and methods of construction.

OBJECTIVE 7: To ensure developments, including public realm are designed to promote physical and mental health and wellbeing.

To design with public safety in mind, ensuring that the public realm has considered design which minimises risk from, and reduces the likelihood of, antisocial behaviour.

OBJECTIVE 8: Ensure that key infrastructure needs are supported by any development, in particular ensuring that there are sufficient places at schools and health centres.

OBJECTIVE 9: To address under-provided housing needs, in particular, suitably affordable (including social) housing stock for first time entrants in to the market looking to stay in the area, or for pensioners to move into appropriate and easily

maintained homes. In particular, this would include 1- and 2-bedroom homes, as indicated by the current housing needs analysis and surveys carried out for this Neighbourhood Plan.

To help facilitate appropriate housing in Saddleworth, and the means of providing it (which could include such options as a community land trust with Parish Council involvement, or Parish-Council supported development).

OBJECTIVE 10: Retain employment sites, to support existing traditional industries, take advantage of the highly-qualified workforce, and to develop opportunities in emerging and future technologies and business.

To ensure that there is adequate infrastructure and support both for people who access Manchester, West Yorkshire and Oldham for work, and those who work within Saddleworth.

Ensure the provision of sporting, leisure and recreational facilities and spaces for the population.

OBJECTIVE 11: To ensure sufficient infrastructure, including communications, to allow residents to work from home with a view to encouraging entrepreneurial development, and to ensure that growing businesses can remain in the area.

OBJECTIVE 12: To support tourism with a view to strengthening the local economy, while minimising any negative impacts, in particular where tourist activity accentuates local pinch points for traffic and infrastructure.

OBJECTIVE 13: To recognise the importance of farming to the economy of Saddleworth, and to ensure that it continues to contribute to and improve the economy and the local environment.

OBJECTIVE 14: To ensure that each village retains or maximises a core set of services, such as banking, post offices, local shops and community facilities.

OBJECTIVE 15: To address the under-provision of parking across the area, and to ensure that on street parking is used appropriately, and make parking available for specific uses.

OBJECTIVE 16: Ensuring safe and accessible cycling and pedestrian routes, and to enhance the construction of Bee Network routes across the area.

Reduce existing congestion on the local and key route network running through Saddleworth by ensuring that new developments are located so that they contribute to a reduction in the need for private car journeys (unless using renewable technology).

OBJECTIVE 17: To ensure quality public transport infrastructure, including connections between villages, as well as to the rest of the borough and beyond. Connections to healthcare provision and leisure facilities should be a particular priority for local connections, and transport for work as a priority for wider connections.

To minimise the reliance on private transport across the district.

To promote local representation on the development of local transport plans for Saddleworth.

To maximise accessibility for those with mobility and health needs throughout the Parish, especially in rural areas.

OBJECTIVE 18: To improve air quality, particularly near vulnerable groups. This would include monitoring and improving air quality across the area, as well as other criteria such as sound and vibration.

To reduce risks to buildings from additional heavy traffic.

Plan Policies (Summary):

Below is a summary of the draft policies in the neighbourhood plan screened. Not all policies will apply to the designated area that falls within the PDNP. Where this is the case, this has been stated within the draft policies.

POLICY 1: GREEN INFRATSRUCTURE

Policy aims for developments to deliver appropriate provision of open/green spaces; integrate with natural features; protect and enhance any existing wildlife; support wildlife movement and foraging. Development must respect the need for increased tree coverage in the Saddleworth lowlands.

Policy sets out circumstances where development would not be supported such as where tree replacement policies in higher tier pans is not met.

The policy also includes text in relation to the South Pennine Moors SAC / SPA.

POLICY 2: EROSION AND FLOODING

Policy states support for developments which avoid flood risk and make use of natural techniques to minimise and mitigate flood risk.

POLICY 3: CHARACTER AND QUALITY OF LAND ADJACENT TO THE NATIONAL PARK

Policy sets out that development must respect the setting of the Peak District National Park.

POLICY 4: PROTECTION OF IMPORTANT VIEWS

Policy Seeks to protect important views and not support development which will detract or harm a valued viewpoint.

POLICY 5: CONVERSION OF AGRICULTURAL BUILDINGS (BARN CONVERSIONS

A proposal for change of use of agricultural buildings or stables will be supported if it is deemed to have no detrimental impact on the agricultural economy, nor on the openness and people's enjoyment of the Green Belt. Policy sets out further criteria to be considered.

POLICY 6: SUSTAINABLE CONSTRUCTION

Developments must aim to deliver:

- modern standards of design and construction, where appropriate, to minimise the environmental impact of the construction process.
- meeting or exceeding national environmental guidelines and recommendations for zero-carbon homes set out in Places for Everyone; and
- the inclusion, where appropriate, of small-scale and/ or district energy provision, including solar power and hydropower.

POLICY 7: DESIGN, CHARACTER AND HERITAGE

Development that enhances or preserves Conservation Areas and heritage assets in the area...will be supported. Development should be of high-quality design. Policy sets out criteria in relation to design.

POLICY 8: DESIGN MASTERPLANS

Policy requires that large redevelopment sites (100+ houses) provide a comprehensive masterplan with an indication of how the development should be phased.

POLICY 9: SAFETY AND WELLBEING

Policy encourages major developments to deliver:

- new and/or enhanced spaces that deliver routes for active travel; and
- public realm which is conducive to public use, while minimising the risk of anti-social behaviour.

POLICY 10: HEALTH AND EDUCATION SERVICES

Development of new health and education services will be supported, where it also meets other planning policies. Policy sets out criteria to be considered and requires that major development provide information on infrastructure.

POLICY 11: HOUSING

Policy states that development will be supported which delivers a range of housing types, with specific focus on the provision of affordable, social and intermediate housing

Housing objectives appear to be aimed at maintaining existing populations by providing affordable homes for younger people and smaller homes for older people, rather than substantively increasing local populations overall.

POLICY 12: INFRASTRUCTURE

States major developments should aim to deliver appropriate commercial or public provision as part of the development.

POLICY 13: CONSULTATION

Policy requests that major developments should have as a condition of their approval, the formation of a consultation group with local residents and groups, to discuss the development between planning approval and completion.

POLICY 14: DERELICT AND EMPTY PROPERTIES AND SITES

Developments will be supported which bring derelict/ empty properties back into use.

The Local Plan for Oldham has a specific policy to make the most efficient use of brownfield land, which is strongly supported for development in Saddleworth.

POLICY 15: COMMUNITY AND SELF BUILD

Developments will be particularly supported which are for individual self-build or community led projects where they meet the criteria stated.

POLICY 16: RETAIL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT

Broad and wide-ranging policy setting criteria for development proposals to meet in relation to office, retail and commercial development

POLICY 17: HOMEWORKING AND CONNECTIVITY

Policy relating to provision for homework and high-quality broadband connectivity.

POLICY 18: TOURISM AND LEISURE

Broad and wide-ranging policy setting criteria relating to tourism, community, leisure and sports facilities.

POLICY 19: AGRICULTURAL LAND

Policy states there will be a strong presumption against the loss of agricultural land or land that provides future potential agricultural opportunities.

POLICY 20: SERVICES

Policy states developments will be supported which make provision for or allow for the retention of key services within individual village centres, in particular supporting the model of 20-minute neighbourhoods.

POLICY 21: PARKING STANDARDS FOR HOUSING

Policy sets out car parking standards for new housing to deliver.

POLICY 22: CYCLING, PEDESTRIAN AND LEISURE INFRASTRUCTURE

Broad policy relating to the provision of cycle and pedestrian access as well as facilities within commercial development and diversion of rights of way

POLICY 23: ACCESSIBILITY TO TRANSPORT

Development will be supported which delivers:

- easy access to existing public transport
- high-quality pedestrian and cycle access design for major developments.
- safe, accessible, secure cycle storage and facilities
- improved accessibility for walking, wheeling and cycling.

POLICY 24: PUBLIC TRANSPORT

Broad and wide-ranging policy relating to various aspects of public transport provision.

POLICY 25: CLEAN FUEL VEHICLES

Policy states development will be supported which delivers provision of electric charging (or alternative renewable provision) as standard.