

**Report to CABINET**

# **Places for Everyone Plan: A Joint Development Plan Document for 9 Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) - Proposed Modifications Consultation**

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## **Reason for Decision**

To update members on the progress of Places for Everyone Plan: A Joint Development Plan Document for 9 Greater Manchester Local Authorities (Places for Everyone Plan) and to seek approval for proposed modifications to the plan.

## **Executive Summary**

This report provides an update on the Places for Everyone (PfE) Plan and its independent examination. It seeks approval for the PfE modifications (Main, Additional and those relating to the policies map), and associated supporting background documents, to be subject to a period of representations for 8 weeks commencing no earlier than 9 October 2023. A summary of what the modifications means for the overall aims of the Plan and Oldham is included within the report. Following the conclusion of the consultation, the Inspectors will consider all the representations made on the proposed Main Modifications (MM's) before finalising the examination report and the schedule of recommended MMs.

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## **Recommendations**

Cabinet is recommended to:

1. Note progress made in respect of the Places for Everyone Plan (PfE);
2. Agree that the PfE modifications (Main, Additional and those relating to the policies map), and associated supporting background documents, be subject to a period of representations for a period of 8 weeks commencing no earlier than 9 October 2023; and
3. Agree the next steps for the production of the PfE Plan (paragraphs 2.77 to 2.80).

## **Places for Everyone Plan: A Joint Development Plan Document for 9 Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) - Proposed Modifications Consultation**

### **1 Background**

- 1.1 Up until December 2020 a joint development plan document (DPD) of the ten Greater Manchester local authorities was being prepared, Greater Manchester's Plan for Jobs, Homes & the Environment (known as the "GMSF"). The GMSF 2020 had reached the Regulation 19 (Publication) stage of the process, however, decisions taken by Stockport Council in December 2020 signaled the end of the joint plan of the 10. Following that decision, the remaining nine GM authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) decided to progress a joint plan of the nine and this became known as "Places for Everyone" (PfE).
- 1.2 At its meeting on the 20th July 2021, members of the Places for Everyone (PfE) Joint Committee recommended the PfE plan (and its supporting background documents) to the nine authorities for "Publication", pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for an 8 week period for representations.
- 1.3 The "Publication" stage is a formal consultation on the draft joint DPD pursuant to Reg. 19 of the Local Planning Regulations. It is a statutory stage that provides an opportunity for organisations and individuals to submit their views on the content of the plan.
- 1.4 On 26 July, the "Publication" Places for Everyone was subsequently approved by Oldham's Cabinet and consultation ran from August 9, 2021, for 8 weeks, ending on October 3, 2021. Over 15,000 representations were duly made, by over 3,800 individuals and organisations during that consultation stage.
- 1.5 All duly made representations, together with the Regulation 19 PfE plan, supporting background documents and a number of reports (including details of the consultation that took place, summaries of the main issues raised and the nine authorities' responses to those issues) were submitted to the Secretary of State on February 14, 2022, pursuant to Regulation 22 of the Local Planning Regulations. This is called the "Submission" stage and marked the beginning of the independent examination into the plan.

### **2 Current Position**

#### Places for Everyone Examination

- 2.1 The examination is the final stage in the plan making process before potential adoption. The legislative requirements for the examination are contained in the Planning and Compulsory Purchase Act 2004 (as amended) [PCPA] and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

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[the Regulations]. Some guidance on procedure is also provided in the National Planning Practice Guidance (PPG) chapter on Plan-making. However, many of the detailed procedural aspects of the examination are not prescribed in legislation, allowing the Inspector a degree of flexibility in conducting the examination. This enables the Inspector to adapt the procedures to deal with situations as they arise, so as to achieve positive outcomes in a range of different circumstances.

- 2.2 Following submission of a plan, the Inspector(s) take control of the examination process from start to finish. The Inspectors' role is to examine whether the submitted plan meets the tests of soundness defined in the National Planning Policy Framework (NPPF)<sup>1</sup> and meets all the relevant legislative requirements, including the duty to co-operate<sup>2</sup>. The PfE examination therefore concentrated on the issues that affect the plan's soundness and legal compliance and did not delve into other matters.
- 2.3 Three inspectors were appointed by the Planning Inspectorate (PINS) to hold an independent examination into PfE: William Fieldhouse, Louise Gibbons and Steven Lee. All three are very experienced planning Inspectors and conducted the examination in a very thorough and professional way throughout.
- 2.4 The Examination officially began at the point of "Submission" (February 2022), however the hearing sessions did not start until the beginning of November 2022. In the early stages of the Examination, the Inspectors raised a number of Preliminary Questions (PQs) and Matters, Issues, and Questions (MIQs) that were prompted by their review of the plan. These probed issues of soundness and specific issues raised through consultation on the plan. The PfE authorities responded to the PQs and (together with other stakeholders) to the MIQs. In response to some of the MIQs, the PfE Team, proposed modifications to the PfE authorities to address issues raised.
- 2.5 The examination hearings sat for 12 weeks in total, including a final session at the beginning of July 2023. The sessions before Christmas considered the Spatial Strategy and thematic policies and the sessions in 2023 focused on the strategic allocations, Green Belt Additions and Monitoring. The additional session in July related to five specific proposed allocations (JPA1.1 Heywood/Pilsworth; JPA28 North of Irlam Station; JPA29 Port Salford Extension; JPA30 Ashton Moss; and JPA33 New Carrington) which include land that has been identified on the Natural England map of deep peaty soils.
- 2.6 The PfE authorities were represented by Christopher Katkowski KC throughout, with staff from the GMCA, all nine authorities and TfGM providing expert witnesses.
- 2.7 The Examination hearing sessions took place at the former Manchester Fire and Rescue Training and Development Centre in Manchester City centre. It ran very smoothly, with the Inspectors and participants alike commenting on how well

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<sup>1</sup> The tests of soundness in paragraph 35 of the NPPF require that the plan is positively prepared, justified, effective and consistent with national policy.

<sup>2</sup> Paragraph 24 of the NPPF requires that local planning authorities cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.

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organised it was. The livestreaming worked well and all the sessions remain available to view via the CA website.

- 2.8 In addition to the PQs and MIQs, the Inspectors issued ‘Action Points’ (APs) regularly throughout the duration of the sitting weeks. In these they asked the PfE authorities to prepare modifications to policies, which related to the detailed wording of the policies, and in respect of the allocations, also involved clarification of how the allocation policies link to the thematic (sustainable, housing, greener etc) policies in the plan. With the exception of two sites, one in Salford (JPA28 – North of Irlam Station) and one in Manchester, close to the Airport (JPA10 – Global Logistics), the Inspectors did not recommend the removal of any allocations although, in a small number of cases, they did recommend the amendment of allocation boundaries. In Oldham this was a Green Belt boundary change to JPA14 Broadbent Moss (see paragraph 2.42) and an allocation boundary change to JPA18 South of Rosary Road (see paragraph 2.46).
- 2.9 Within their APs, the inspectors made it clear that they considered the modifications to be necessary at that stage of the examination to inform their consideration of whether the Plan is sound and/or how it could be made sound and/or legally compliant by main modifications. They also made it clear when they published their action points that they may decide that other or different main modifications are required.
- 2.10 The PfE authorities submitted Responses to the Inspectors’ APs with modifications proposed to the policies where these were considered necessary to make the plan sound. The responses to the individual PQs, MIQs and APs are available on the Examination website. As requested by the Inspectors, all the proposed main modifications were compiled into a main modifications schedule which was first published in July 2022 with subsequent editions being published in October and November 2022 and January, May, June and August 2023. Since November 2022 iterations of a composite plan have also been published on the Examination website, alongside the proposed main modifications’ schedules, to aid the readers understanding by identifying the proposed modifications in-situ within the plan.

### PfE Proposed Modifications

- 2.11 It is very normal for the outcome of a local plan examination to be that the Inspectors(s) recommend main modifications [MMs] to the plan, where necessary to make the plan sound and legally compliant.
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- 2.12 As a matter of law a “main modification” can only be made if it is necessary in order to make the Plan “sound”. The tests which are applied to determine whether a Plan is “sound” are those set out in the National Planning Policy Framework (NPPF). Therefore, legislation enables the Inspector to recommend a MM only if the plan would otherwise be unsound or legally non-compliant. The Inspector has no power to recommend other changes, even if they would improve the plan.
- 2.13 The Inspector agrees the text of the proposed MMs with the Local Planning Authority (LPA), based in most cases on discussion at the hearing sessions. This was done through the process of Action Points outlined above and it was the responses to these, the various iterations of the proposed MMs’ schedules and

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composite plan which informed the Inspectors' consideration of whether the PfE 2021 Plan was sound and/or how it could be made sound and/or legally compliant by MMs.

- 2.14 The Inspectors' post hearing letter (IN38) was published on the examination website on 11 August 2023 and followed by IN39 in September 2023. The Inspectors' post hearings' letter is based on a consideration of all the evidence and on the application of professional expertise and judgment. In that letter, the Inspectors state that they are now satisfied, at this stage of the examination, that all of the proposed main modifications are necessary to make the Plan sound and would be effective in that regard. This conclusion is, however, without prejudice to their final conclusions that they will reach following consideration of responses to the public consultation to be carried out on the main modifications and which are the subject of this report.
- 2.15 Additional modifications (sometimes also referred to as "minor modifications") are changes which do not materially affect the policies in the Plan. They may be made to the PfE Plan, but do not fall within the scope of the examination. A separate schedule of additional modifications has been prepared which will sit alongside the Main Modifications' schedule during the consultation period. It should be noted that these have been prepared at this point in time to make the modified plan more readable, but the Inspectors will not consider responses made in respect of these additional modifications, as they do not fall within the scope of the Examination.
- 2.16 Whilst the consultation is only about the proposed main modifications and the policy map changes associated with these main modifications, a schedule of additional modifications and a composite plan illustrating all the proposed modifications in situ have been prepared and are available alongside this report. All documents will be made available at the time of the consultation, to assist the reader, but only representations on the main modifications are considered by the inspectors.
- 2.17 The following sections of this report set out what they mean in terms of the overall aims of the plan and also for Oldham specifically.

#### What do the Modifications mean for the overall aims of the Plan

- 2.18 Whilst there are a large number of proposed modifications, including amending the plan period from 2020 to 2037 to 2022 to 2039, they do not change the overall Vision, Objectives and Spatial Strategy of the plan. The Inspectors consider that the proposed modification to the Plan period is necessary to make the plan sound to ensure that, in line with Government Policy in the NPPF (paragraph 22), the PfE strategic policies look ahead over a minimum 15-year period from adoption and thus provide sufficient policy framework for the individual local plans which will follow on from the PfE's adoption.

#### *Spatial Strategy*

- 2.19 The spatial strategy remains to deliver sustainable, inclusive growth with the following spatial elements:
- Significant growth in jobs and housing at the core – continuing development in the 'core growth area' encompassing the city centre and beyond to the Etihad in

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the east, through to the Quays, Trafford Park and Port Salford in the west. The majority of commercial employment growth is proposed in this area and around 50% of the overall housing supply is found here and, in the wards, immediately surrounding it (inner areas).

- Boosting northern competitiveness – provision of significant new employment opportunities, including JPA12 Stakehill (see paragraph 2.42) and supporting infrastructure and a commitment that collectively the northern districts meet their own local housing need, including through JPA12 Beal Valley, JPA13 Bottom Field Farm, JPA14 Broadbent Moss, JPA15 Chew Brook Vale, JPA16 Cowlshaw, JPA17 Land south of Coal Pit Lane and JPA18 South of Rosary Road.
- Sustaining southern competitiveness – supporting key economic drivers, for example around Wythenshawe hospital and the Airport, realising the opportunities offered by national infrastructure investment, e.g. HS2, whilst recognising the important green infrastructure assets in the area.

### *Jobs*

- 2.20 Economic prosperity remains central to the overall strategy. It is essential to raising incomes, improving health and quality of life, and providing the finances to deliver better infrastructure, services and facilities. PfE continues the approach of attracting investment in our city and town centres alongside recognising the importance of investing in strengthening existing and creating new employment locations, so that all communities are able to contribute to, and benefit from, growth.
- 2.21 In order to achieve GM's economic growth potential, the plan sets a global target for the nine authorities of just over 2 million sqm of new office floorspace and just over 3,500,000 sqm of industrial and warehousing floorspace over the plan period. These figures have been modified to reflect the revised plan period and will inform the preparation of each district's own local plans.

### *Homes*

- 2.22 Greater Manchester is facing a housing crisis. Although the Greater Manchester authorities have built more houses in recent years, wages have not been keeping pace with property price increases and affordability issues have intensified. In addition, some districts have imbalance in their housing offer which can only be addressed through increasing the supply larger homes in order to support economic growth. To address the supply side, the Government's planning practice guidance policy sets out a standard methodology for calculating local housing needs to provide local authorities with a clear and consistent understanding of the number of new homes needed in an area.
- 2.23 This standard methodology remains Government policy and the Inspectors did not consider there were exceptional circumstances to deviate from using it, in the case of the PfE Plan. Therefore, the PfE still identifies that around 10,300 (10,305) homes are required per annum. However, as a result of the change to the Plan period, the number of homes to be delivered over the lifetime of the plan has increased from just under 165,000 to just over 175,000 (175,185) new homes. The plan also continues to support Greater Manchester's commitment to deliver more affordable housing including ones for social or affordable rent. Local plans will set

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targets for the provision of affordable housing based on evidence relating to need and viability.

### *Environment*

- 2.24 The Plan is not solely concerned with accommodating development. It also includes a range of policies designed to protect and enhance our many and varied green spaces and features which are used in many different ways and afforded many different values by the people who live, work or visit the city-region.
- 2.25 The Plan supports the important role of our natural assets by:
- Taking a landscape scale approach to nature restoration;
  - Seeking to protect and enhance our network of green and blue infrastructure;
  - Seeking a significant overall enhancement of biodiversity and geodiversity; and
  - Seeking to maintain a new and defensible Green Belt.
- 2.26 Furthermore, the plan supports wider strategies around clean air, walking and cycling and underpins Greater Manchester's ambition to be a carbon neutral city-region by 2038. A key element of this remains that there is an expectation that all new development to be net zero carbon by 2028.

### *Brownfield land preference*

- 2.27 There remains a strong focus in the Plan on directing new development towards sites within the existing urban area, which are often in sustainable locations, close to facilities and served by existing infrastructure. Maximising the use of land in the urban area enables us to minimise the release of greenfield and Green Belt land for development.
- 2.28 The land supply identified for development in the plan is largely within the urban area:
- Offices - 98%
  - Industry and Warehousing- 51%
  - Housing - 90%
- 2.29 There are significant viability issues in parts of the conurbation and there is a need to continue to press Government for support to remediate contaminated land, to provide funding for infrastructure and to support alternative models of housing delivery. The Brownfield Housing Fund is targeted at Combined Authorities and begins to help to address viability issues, but it is not enough to enable the full potential of our brownfield land supply to be realised.

### *Green Belt*

- 2.30 The PfE Plan includes a limited release of Green Belt for both housing and employment. The net loss of Green Belt proposed is 2,213 hectares spread across the nine authorities. This compares to a net loss of 1,754 hectares in the PfE 2021 Plan that was submitted for examination.
- 2.31 Although the net loss is higher than that in the PfE 2021 Plan, this is not as a result of more land being proposed for release by the introduction of further development



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allocations. Instead, it is due to the fact that the Inspectors concluded that exceptional circumstances (i.e. the test for adding new land to the Green Belt in paragraph 139 of the NPPF) existed to justify only 18 of the 49 proposed Green Belt Additions and therefore only those 18 Green Belt Additions could remain in the Plan and thereby contribute to the area covered by Green Belt. The Green Belt additions to be removed from the plan (those where the Inspectors concluded that exceptional circumstances did not exist to support their inclusion in the Green Belt) include GBA17 - Land behind Denshaw Village Hall (see paragraph 2.50).

- 2.32 In concluding that exceptional circumstances had not been fully evidenced and justified for each of the other 31 proposed Green Belt Additions, including one which is almost 200 hectares in size, the overall net let loss of Green Belt, taking account of the Green Belt releases and additions, compared against the previously adopted Green Belt boundary is greater than it would have been had the inspectors concluded that all 49 Green Belt Additions were fully evidenced and justified. The reduction in the Green Belt Additions as proposed by the Inspectors does not, however, impact on the delivery of the overall Vision, Spatial Strategy and Strategic Objectives of the Plan. Further, the reasons that some proposed Green Belt additions did not meet the necessary tests included, in some cases, that the existing policy framework was already adequate to protect land from development.
- 2.33 The Policies in the Plan would result in the overall extent of the nine authorities' Green Belt reducing by 4.1%. The previously adopted Green Belt covers almost 47% of the land covered by the nine authorities. The Policies in the PfE Plan would reduce this to just under 45% of the PfE authorities land area remaining as designated Green Belt. For Oldham specifically, the existing Green Belt makes up 56.1% of the borough (when excluding the area covered by Peak District National Park); under PfE this would be reduced to 54.7% of the borough.

### What do the modifications mean for Oldham Council

#### *Peak District National Park*

- 2.34 Modifications have been proposed to both the Plan and the Policies Map to clarify that part of Oldham Borough is within the Peak District National Park and that this area is not subject to policies in the PfE Plan, but subject to development plan documents prepared by the Peak District National Park Authority.

#### *Spatial Strategy*

- 2.35 Policy JP-Strat 7: North East Growth Corridor of the PfE 2021 Plan identified the potential opportunity for further expansion of the economic and residential offer in the eastern most part of the corridor – the High Crompton Broad Location. The purpose of the Broad Location was to signal the potential opportunity. The land would remain in the Green Belt until such a time that a review of the PfE Plan, or Oldham's Local Plan, demonstrated that it was necessary for the land to be released.
- 2.36 Following the hearings the Inspectors proposed to delete High Crompton Broad Location and any references to it from within the Plan.

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## *Jobs and Homes*

2.37 As set out in paragraphs 2.20 to 2.22 above, as a result of the change to the Plan period the amount of office and industry and warehousing floorspace and the number of new homes to be delivered have been modified. In relation to the number of homes Oldham's annual average housing requirement remains the same at 680 homes a year with the total over the whole plan period increasing to 11,560 homes. The number of new homes to be delivered through the stepped requirement have been modified to 404 homes a year from 2022-25; 680 homes a year from 2025-30; and 772 a year from 2030-39.

## *Allocations*

2.38 Modifications have been proposed to all the Oldham allocations as a result of discussions at the Examination in Public and in response to action points received from the Inspectors. These modifications do not substantively change the overall objectives of the proposed allocation policies.

2.39 Modifications have been mainly proposed to the Oldham allocations for the following reasons:

- To clarify policy requirements and improve the effectiveness of the policy and Plan as a whole;
- To ensure consistency and avoid unnecessary duplication with thematic policy requirements elsewhere in the Plan; and
- Consequential changes, particularly in relation to the reasoned justification, resulting from modifications proposed to policy requirements.

2.40 Boundary changes have been proposed to two Oldham allocations – JPA14 Broadbent Moss and JPA18 South of Rosary Road. Further details regarding these can be found below under the respective allocations.

2.41 A summary of modifications proposed to each of the allocations in Oldham is provided below. Please note, this is not an exhaustive list of all the modifications proposed. Full details can be found in the Composite PfE Plan (see appendices).

2.42 JPA2 Stakehill:

- Criterion 1 has been modified to clarify that the allocation will deliver industrial and warehousing employment floorspace.
- Criterion 3 has been modified to include the need for an infrastructure phasing and delivery strategy.
- Amendments have been made to those criteria relating to affordable housing; the historic environment; landscape; compensatory improvements to the Green Belt; the provision of new and improved sustainable transport and highways infrastructure; biodiversity; education facilities; and social infrastructure.
- New criteria have been added relating to a) the need to define and/or strengthen the boundaries of the Green Belt around the site; and b) mineral safeguarding areas.
- Consequential changes have been proposed to the reasoned justification to reflect the above.

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#### 2.43 JPA12 Beal Valley:

- Criterion 1 has been modified to include the need for an infrastructure phasing and delivery strategy.
- Criteria 4 and 5 have been modified to clarify that main point of access will be from Oldham Road (directly into the allocation) and that any development would be required to safeguard an accessible route for walking and cycling connections through to Shaw centre.
- Criterion 7 has been modified to require any development to provide a proportionate and evidence-based contribution to the delivery of the new Metrolink stop and new park and ride facility.
- Amendments have been made to those criteria relating to affordable housing; the provision of sustainable transport and highways infrastructure; green infrastructure; landscape; compensatory improvements to the Green Belt; biodiversity; water quality of River Beal; open space provision; education facilities; and the historic environment.
- New criteria have been added relating to a) the need for any development to mitigate the recreation disturbance impacts on the South Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA); and b) minerals safeguarding areas.
- Criteria relating to the following have been deleted as it was felt that these are adequately covered by the respective thematic policies – requirement for further phase 1 habitat surveys (JP-G9); health and community facilities (JP-P6); and flooding (JP-S5).
- Consequential changes have been proposed to the reasoned justification to reflect the above.

#### 2.44 JPA13 Bottom Field Farm:

- Amendments have been made to those criteria relating to affordable housing; the provision of sustainable transport and highways infrastructure; landscape; the need to define and/or strengthen the boundaries of the Green Belt around the site; compensatory improvements to the Green Belt; and education facilities.
- A new criterion has been added relating to minerals safeguarding areas.
- Criteria relating to the following have been deleted as it was felt that these are adequately covered by the respective thematic policies – green infrastructure (JP-G2); biodiversity (JP-G9); requirement for further phase 1 habitat surveys (JP-G9); open space provision (JP-P7); health and community facilities (JP-P6); historic environment (JP-P2); and flooding (JP-S5).
- Consequential changes have been proposed to the reasoned justification to reflect the above.

#### 2.45 JPA14 Broadbent Moss:

- A modification is proposed to the Green Belt boundary to facilitate delivery of access onto Ripponden Road. The modification proposed minimises the loss of Green Belt whilst ensuring that the revised Green Belt boundary, to facilitate the access road up to Ripponden Road, can still be accommodated. The proposed modification would allow for the create a clearly defined Green Belt boundary in that part of the site as the spine road, when constructed, would be a readily recognisable physical feature that is likely to be permanent. Further details can be found in GMCA81 – a note relating to JPA14 Broadbent Moss

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and proposed boundary change ([JPA14-Broadbent-Moss-Green-Belt-Boundary-Change\\_ISSUED.pdf](#) ([hwa.uk.com](#))). In the PfE 2021 Plan the allocation was split into two parcels by the Metrolink line. A further modification to the boundary is proposed to join these two parcels together so that there is just one red line boundary for the whole allocation.

- Criterion 1 has been modified to include the need for an infrastructure phasing and delivery strategy.
- Criterion 4 has been modified to refer to the delivery of industrial and warehouse floorspace.
- Criterion 5 has been modified to clarify the main points of access.
- Criterion 7 has been modified to require any development to safeguard land for, and provide a proportionate and evidence-based contribution towards, the delivery of the new Metrolink stop and new park and ride facility.
- Amendments have been made to those criteria relating to affordable housing; the provision of sustainable transport and highways infrastructure; provision of a local centre; green infrastructure; landscape; the need to define and/or strengthen the boundaries of the Green Belt around the site; compensatory improvements to the Green Belt; biodiversity; water quality of the River Beal; and education facilities.
- New criteria have been added relating a) the need for any development to mitigate the recreation disturbance impacts on the South Pennine Moors SAC and SPA; and c) minerals safeguarding areas.
- Criteria relating to the following have been deleted as it was felt that these are adequately covered by the respective thematic policies – open space provision (JP-P7); requirement for further phase 1 habitat surveys (JP-G9); health and community facilities (JP-P6); and historic environment (JP-P2).
- Consequential changes have been proposed to the reasoned justification to reflect the above.

#### 2.46 JPA15 Chew Brook Vale:

- The residential capacity has been increased from around 90 to around 138 homes and the amount of commercial, leisure and retail facilities to be provided has been reduced to ‘up to 3,000sqm’ from ‘up to 6,000sqm’.
- Criterion 1 has been modified to include the need for an infrastructure phasing and delivery strategy.
- Amendments have been made to those criteria relating to affordable housing and housing mix; the provision of sustainable transport and highways infrastructure; green infrastructure; landscape; biodiversity; Chew Brook; compensatory improvements to the Green Belt; the need to define and/or strengthen the boundaries of the Green Belt around the site; education facilities; historic environment; and flooding.
- A new criterion has been added relating to the need for any development to mitigate the recreation disturbance impacts on the South Pennine Moors SAC and SPA.
- Criteria relating to the following have been deleted as it was felt that these are adequately covered by the respective thematic policies – requirement for further phase 1 habitat surveys (JP-G9); open space provision (JP-P7); health and community facilities (JP-P6); and design (JP-P1).
- The requirement for any development to be informed by, and deliver the recommendations of, an appropriate visitor management plan has been

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deleted and reference to the need to have regard to the duty to care for the Peak District National Park under Section 62(2) of the Environment Act 1995 moved to the reasoned justification.

- Consequential changes have been proposed to the reasoned justification to reflect the above.

#### 2.47 JPA16 Cowlshaw:

- Amendments have been made to those criteria relating to affordable housing; access; the provision of sustainable transport and highways infrastructure; green infrastructure, landscape and biodiversity; open space provision; and education facilities.
- New criteria have been added relating the need for any development to mitigate the recreation disturbance impacts on the South Pennine Moors SAC and SPA.
- Criteria relating to the following have been deleted as it was felt that these are adequately covered by the respective thematic policies – requirement for further phase 1 habitat surveys (JP-G9); health and community facilities (JP-P6); historic environment (JP-P2); and flooding (JP-S5).
- Consequential changes have been proposed to the reasoned justification to reflect the above.

#### 2.48 JPA17 Land south of Coal Pit Lane:

- Criterion 1 has been modified to include the need for an infrastructure phasing and delivery strategy.
- Amendments have been made to those criteria relating to affordable housing; access; the provision of sustainable transport and highways infrastructure; green infrastructure, landscape and biodiversity; the need to define and/or strengthen the boundaries of the Green Belt around the site; compensatory improvements to the Green Belt; education facilities; and site remediation.
- A new criterion has been added relating minerals safeguarding areas.
- Criteria relating to the following have been deleted as it was felt that these are adequately covered by the respective thematic policies – requirement for further phase 1 habitat surveys (JP-G9); open space provision (JP-P7); health and community facilities (JP-P6); historic environment (JP-P2); and flooding (JP-S5).
- Consequential changes have been proposed to the reasoned justification to reflect the above.

#### 2.49 JPA18 South of Rosary Road

- JPA18 South of Rosary Road – a modification is proposed to the Green Belt boundary so that the area of Green Belt in which Bankfield Clough SBI falls sits outside the allocation red line boundary.
- Amendments have been made to those criteria relating to access; the provision of sustainable transport and highways infrastructure; green infrastructure, landscape and biodiversity; the need to define and/or strengthen the boundaries of the Green Belt around the site; compensatory improvements to the Green Belt; education facilities; and the historic environment.
- A new criterion has been added relating minerals safeguarding areas.
- Criteria relating to the following have been deleted as it was felt that these are adequately covered by the respective thematic policies – requirement for further

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phase 1 habitat surveys (JP-G9); open space provision (JP-P7); health and community facilities (JP-P6); and flooding (JP-S5).

- The requirement (criterion 15) to ensure that an appropriate access for United Utilities is maintained has been deleted.
- Consequential changes have been proposed to the reasoned justification to reflect the above.

2.50 Green Belt addition GBA17 - Land behind Denshaw Village Hall

- GBA17 is proposed for deletion following the inspectors conclusions that there was insufficient evidence to demonstrate exceptional circumstances in line with national policy and case law (see paragraph 2.29).

### Relationship with the Oldham Local Plan

2.51 The Places for Everyone Plan is the strategic spatial plan for the nine constituent boroughs and as such sets out a collective planning policy framework. All policies within the Plan are "strategic policies". It is being prepared as a Joint Development Plan Document of the nine local planning authorities. As stated above at paragraph 2.34 the Places for Everyone Plan will cover the whole of the borough of Oldham except that part which falls within the Peak District National Park.

2.52 Once the Places for Everyone Plan is adopted it will form part of Oldham's development plan. As such Oldham's local plan will need to be consistent with it and neighbourhood plans will need to be in general conformity with the strategic policies.

2.53 The evidence that underpins the Places for Everyone Plan will also inform Oldham's local plan but, as a strategic plan, it does not cover everything that Oldham's local plan would. Therefore, Oldham's local plan will set out more detailed policies including both strategic and non-strategic policies, as appropriate, reflecting local circumstances. Appendix A of the PfE plan sets out the policies in the relevant adopted GM district local plans which will be replaced by the Places for Everyone Plan. Remaining current Local Plan policies will need to be read in conjunction with the relevant PfE plan policies.

2.54 Oldham's Local Plan will be expected to look ahead a minimum period of 15 years from its adoption, in line with national policy. In amending the plan period from 2020 to 2037, to 2022 to 2039 the PfE Plan should provide an appropriate strategic policy framework for Oldham's new local plan which will be produced, following its adoption. However, in the event that Oldham's local plan looks beyond 2039, the minimum requirement figures set out in Policies JP-J3, JP-J4 and JP-H1 should be used to inform local plan target(s).

### Integrated Assessment and Habitat Regulations Assessment

2.55 As part of the development of the PfE Plan, an Integrated Assessment (IA) was undertaken incorporating the requirements of:

- Sustainability Appraisal (SA): mandatory under section 19 (5) of the Planning and Compulsory Purchase Act 2004.

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- Strategic Environmental Assessment (SEA): mandatory under the Environmental Assessment of Plans and Programmes Regulations 2004 (which transpose the European Directive 2001/42/EC into English law).
  - Equality Impact Assessment (EqIA): required to be undertaken for plans, policies and strategies by the Equality Act 2010.
  - Health Impact Assessment (HIA): there is no statutory requirement to undertake HIA, however it has been included to add value and depth to the assessment process.
- 2.56 The IA contributed to the development of the PfE Plan through an iterative assessment, which reviews the draft policies and the discrete site allocations against the IA framework.
- 2.57 A Habitats Regulations Assessment (HRA) refers to several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it.
- 2.58 All plans and projects (including planning applications) which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. If a proposed plan or project is considered likely to have a significant effect on a protected habitats site (either individually or in combination with other plans or projects) then an Appropriate Assessment of the implications for the site is required.
- 2.59 The PfE2021 was assessed as a Plan which was considered likely to have significant effect on one or more European protected site and was therefore informed (and accompanied) by an HRA with mitigation measures identified as appropriate. Through the examination process a need has been identified to provide further planning guidance as to how potential impacts upon the South Pennine Moors Special Area of Conservation (SAC) may be mitigated. It has been proposed that this need would be addressed through a Supplementary Planning Document that will be jointly prepared by the boroughs of Rochdale, Oldham and Tameside to provide further guidance to relevant future applications for planning permission where the development would have an impact on the South Pennine Moors SAC. In addition, within Oldham, the proposed allocations at JPA12 Beal Valley, JPA14 Broadbent Moss, JPA15 Chew Brook Vale and JPA16 Cowlshaw, now include a proposed modification that requires mitigation of the recreation disturbance impacts on the South Pennine Moors in this way.
- 2.60 The Inspectors have made it clear that the modifications they have decided should be made to the Plan should be subject to sustainability appraisal and Habitat Regulations Assessment as appropriate. Furthermore, the Inspectors have made it clear that the sustainability appraisal and Habitat Regulation Assessment reports will be subject to public consultation, alongside the modifications, before the end of the examination. Accordingly, addendums have been produced for both the IA (incorporating the sustainability appraisal) and the HRA, assessing the impact of the modifications.
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- 2.61 With respect to the sustainability appraisal, where individual policy scores have moved from positive to uncertain or neutral, the SA acknowledges that when the plan is read as a whole, the topic is covered in other relevant policies and therefore no residual impacts have been recommended.
- 2.62 The outcome of the HRA screening assessment is that there are no “Likely Significant Effects” on European sites, other than those identified in the Submission version HRA. Therefore, it has not been necessary to amend the PfE Appropriate Assessment as a result of the proposed main modifications.
- 2.63 The IA and HRA addendum reports are available alongside this report and will be published alongside the main modifications schedule.

### Evidence Base

- 2.64 A comprehensive evidence base was assembled to support the policies and proposals in the PfE Plan which was made available for consultation in 2021. This evidence was submitted alongside the PfE Plan in February 2022 and has remained available on the GMCA’s website since then and throughout the examination. As one of the tests of soundness is whether a plan is “justified – ...based on proportionate evidence”, the Inspectors considered this evidence as part of their Examination into whether, or not, the PfE Plan is “sound”.
- 2.65 As detailed above, relevant parts of this evidence base will also be used to inform Oldham’s Local Plan, albeit further detailed or more up to date evidence will also be required to support the Local Plan production.

### Status of NPPF Proposed Changes

- 2.66 In December 2022 the Government consulted upon changes to the National Planning Policy Framework (NPPF). The consultation ran from 22 December 2022 to 2 March 2023. The consultation sought views on a proposed approach to updating NPPF whilst at the same time seeking views on proposals to prepare National Development Management Policies, how policy could be developed to support levelling up, and how national planning policy is currently accessed by users.
- 2.67 The Inspectors made a statement that in light of the transitional arrangements (contained within the draft NPPF changes), they would carry on with the examination as programmed in the context of the tests of soundness set out in current NPPF, published in 2021.
- 2.68 The Government is still analysing the feedback, therefore the draft (as proposed to be changed) version of the NPPF cannot be used to determine whether a Plan is “sound”. Accordingly, it would be unlawful to propose any “main modification” to PfE and/or withdraw from PfE, on the basis of the draft proposed changes to the NPPF. This is especially the case given that the PfE Plan is at such an advanced stage of preparation.
- 2.69 As the Department for Levelling Up, Housing, and Communities is currently analysing the feedback to the consultation and no changes to the NPPF have yet



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been published, the examination progressed through its scheduled programme of sessions on the basis of the current NPPF. The Inspectors duly issued their post hearings' letter with the schedule of proposed main modifications that they consider are necessary to make the plan sound and/or legally compliant and which should therefore be made available for a period of public consultation.

- 2.70 The schedule of main modifications, which is available alongside this report, represents those changes to the plan that the inspectors consider are necessary to make the PfE Plan sound. They do not include any modifications on the basis of the draft proposed changes to the NPPF. To make further changes to the schedule, e.g. amending overall development targets, removing additional sites which PfE proposes to take out of the Green Belt and/or amending the Green Belt Addition sites, on the basis of the consultation draft NPPF would not be lawful.

### Previous consultation

- 2.71 Five consultations have taken place in relation to the plan, the first four in relation to the GMSF and the fifth one being in relation to the PfE Plan. The first, in November 2014 was on the scope of the plan and the initial evidence base, the second in November 2015, was on the vision, strategy and strategic growth options, and the third, on a Draft Plan in October 2016. The fourth consultation was on The Greater Manchester Plan for Homes, Jobs and the Environment: the Greater Manchester Spatial Framework Revised Draft 2019 (GMSF 2019) and took place in 2019. It received over 17,000 responses. The responses received informed the production of GMSF 2020. The withdrawal of Stockport Council in December 2020 prevented GMSF 2020 proceeding to Regulation 19 Publication stage and instead work was undertaken to prepare PfE 2021. Therefore, the responses to GMSF 2019 were used to inform the production of the PfE Plan instead. The fifth consultation ran from August 9, 2021, for 8 weeks, ending on October 3, 2021. It related to publication of the plan and over 15,000 representations were duly made, by over 3,800 individuals and organisations.

### PfE Modifications consultation

- 2.72 At this modifications' consultation stage, whilst anyone can make a representation, the PINS Procedure Guide for Local Plan Examinations (<https://www.gov.uk/government/publications/examining-local-plans-procedural-practice/procedure-guide-for-local-plan-examinations>) makes it clear (at section 6) that the consultation is only about the proposed main modifications and any policies map changes and no other aspect of the plan.
- 2.73 Whilst it is only necessary to consult on the Main Modifications and any related policy map changes, it is proposed to also consult on all modifications (including the Additional Modifications that have been identified) so that the overall proposed changes to the Plan are clear. The Inspectors will, however, only consider comments received to the Main Modifications; the nine PfE authorities will consider those comments relating to the additional modifications.
- 2.74 As with the Regulation 19 consultation, the consultation will be hosted by the GMCA with the consultation being carried out in line with the requirements of the relevant authority's Statements of Community Involvement (SCI) and the guidance

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contained in the above mentioned PINS procedure guide. The procedure guide states that “the nature and duration of the consultation should reflect that of the consultation held at Regulation 19 stage, where appropriate”. This means it should last at least six weeks. However, as the Regulation 19 consultation ran for eight weeks, it is considered appropriate to reflect that in the duration of the modifications’ consultation. Therefore, it is proposed that the consultation would run for a period of eight weeks.

- 2.75 There is no specific reference to main modifications consultation within Oldham’s SCI. However, in line with paragraph 4.65 of Oldham’s SCI, adopted 28 July 2021, Oldham Council will as a minimum use the following approaches to community notification and engagement:
- a) Public notice
  - b) Press release
  - c) The appropriate Local Plan documents (see paragraph 2.69) will be published on the council’s website
  - d) The appropriate Local Plan documents will be made available at Oldham’s public libraries and the council’s principal office
  - e) A letter or email will be sent to those relevant parties on the Local Plan mailing list, including statutory consultees, Oldham Partnership and Oldham Councillors.
- 2.76 In addition to those methods listed in paragraph 2.75 above, Oldham Council also propose to use the following forms of community engagement, which were used at the Regulation 19 stage:
- Oldham Council website and social media channels
  - Site notices, which will be placed in (where appropriate) and around the proposed allocations and Green Belt addition falling within the borough of Oldham
  - Posters, leaflets and distribution networks may also be used as appropriate

### Next steps

- 2.77 Following the conclusion of the consultation, the representations received will be forwarded to the Programme Officer along with a report listing all of the representations; a summary of the main issues raised; and a brief response, on behalf of the nine districts, to those main issues.
- 2.78 The Inspectors will consider all the representations made on the proposed MMs before finalising the examination report and the schedule of recommended MMs. Further hearing sessions will not usually be held, unless the Inspectors consider them essential to deal with substantial issues raised in the representations, or to ensure fairness.
- 2.79 When deciding whether or not to recommend that the local planning authorities should make the MMs, the Inspectors will normally consider them in the form in which they were published for consultation. However, in some limited circumstances, the responses to the consultation may lead the Inspector to

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consider that a new MM, or an amendment to one that has already been consulted on, is also necessary to make the plan sound or legally compliant; or that a proposed MM is not in fact necessary for soundness and should not be recommended. The Inspectors may only recommend such changes to the MMs without further consultation if they are satisfied that no party would be prejudiced as a result. For example, the consultation already undertaken on the MMs might have adequately addressed the point, or the amendment might be a very minor one. Should further consultation be necessary a further report will be presented to the nine authorities for approval.

- 2.80 Alternatively, if the Inspectors consider that no further consultation is necessary following the modifications' consultation (which is the subject of this report), the ultimate decision to adopt must be taken by each of the Full Councils of the nine participating local authorities. This will be the subject of a further report at the appropriate time.

### **3 Options/Alternatives**

- 3.1 Option 1 - To approve and publish, in line with recommendations at the front of this report, the proposed modifications to the Places for Everyone Plan for consultation. Consultation on the proposed modifications is the next stage in the independent examination of the Places for Everyone Plan. There are no disadvantages to Option 1.
- 3.2 Option 2 - Not to approve and publish the proposed modifications to the Places for Everyone Plan for consultation as per the recommendations at the front of this report. The Places for Everyone Plan would be unable to progress to the next stage in the independent examination, nor through to adoption – signaling the end of the Places for Everyone Plan of the nine districts. As such, Oldham would not have an up-to-date plan for a significant number of years.

### **4 Preferred Option**

- 4.1 Option 1 - To approve and publish, in line with recommendations at the front of this report, the proposed modifications to the Places for Everyone Plan for consultation.

### **5 Consultation**

- 5.1 Consultation has been carried out on previous versions of the GMSF (now Places for Everyone), the last one being the 'Publication stage', which was a formal consultation on the draft joint DPD pursuant to Regulation 19 of the Local Planning Regulations. This next stage of consultation will provide an opportunity, for those who wish to do so, to comment on the modifications proposed to the PfE Plan. Details regarding the consultation proposed can be found at paragraphs 2.72 to 2.76 above.

### **6 Financial Implications**

- 6.1 The preparation and examination of the Places for Everyone Publication Plan 2021 generated a revenue cost for the 9 local authorities. A substantial evidence

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base was assembled to support the plan which involved the commissioning of specialist and independent experts. Following the submission of PFE to the Secretary of State, the independent examination began (and remains open until the Inspectors issue their final report). Further revenue costs associated with the examination process, have included the appointment of Programme Officers, and the cost of the examination itself, including the procurement of the venue, Planning Inspectors and legal advice / representation. Further reports will be provided to the Joint Committee / Cabinet as appropriate.

- 6.2 There will be a revenue commitment of up to £1k for Public Notices to detail the consultation that will need to be met from within the existing Planning Service revenue budget. (James Postle)

## 7 **Legal Services Comments**

- 7.1 The legislative and constitutional requirements for the preparation of a joint Development Plan Document (DPD) in the Planning and Compulsory Purchase Act 2004 (“2004 Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (“2012 Regulations”) have been complied with.
- 7.2 The joint DPD was submitted to the Secretary of State for independent examination (s20 of the 2004 Act) along with the documents prescribed by Regulation 22 of the 2012 Regulations. Prior to its submission to the Secretary of State, the joint DPD was published and representations were invited, pursuant to Regulation 19 and Regulation 20 of the 2012 Regulations. The Joint DPD is currently at the independent examination stage, as prescribed by section 20 of the Act; the modifications consultation stage falls within that stage of the plan preparation process.
- 7.3 If the joint DPD is not prepared in accordance with the 2004 Act and the 2012 Regulations, any subsequent attempt to adopt the plan would be susceptible to challenge.
- 7.4 In accordance with the Council’s local planning scheme of delegation, the Cabinet has delegated power to approve and publish modifications to the joint DPD as recommended at the independent inspection stage for public consultation. (A Evans)

## 8. **Co-operative Agenda**

- 8.1 The Places for Everyone Plan supports delivery of the council’s co-operative agenda and its ambitions in relation to delivering an inclusive economy and thriving communities. It will contribute to delivery of these ambitions through setting a strategic planning framework that will:
- help to meet our local housing need and diversify our housing stock;
  - create opportunities for our key growth sectors and for businesses to expand and locate to; and
  - protect and enhance our green infrastructure and natural environment, ensuring that communities have open spaces to enjoy and support their health and well-being.

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## 9 **Human Resources Comments**

9.1 Not applicable

## 10 **Risk Assessments**

10.1 The Places for Everyone document is a key document setting out where potential development is likely in the future. As such the risk of certain individuals not agreeing with aspects of the plan when it is both consulted upon and then agreed should not be discounted. (Mark Stenson)

## 11 **IT Implications**

11.1 Not applicable

## 12 **Property Implications**

12.1 The adoption of the Places for People Plan will potentially have some implications for some specific council assets which are part of two housing allocations, but these impacts are minor in nature and will be addressed as and when these developments come forward. Like any landowner seeking to develop their property assets, the Council will be subject to developing its land and assets in line with the relevant planning policy. (K Webster)

## 13 **Procurement Implications**

13.1 Not applicable

## 14 **Environmental and Health & Safety Implications**

14.1 The Places for Everyone Publication Plan will provide the strategic planning policy framework to support the nine districts in meeting Greater Manchester's ambition to be carbon neutral by 2038.

## 15 **Equality, community cohesion and crime implications**

15.1 The Places for Everyone Publication Plan is a statutory plan which seeks to contribute to the achievement of sustainable development, delivering economic, social and environmental benefits together in a mutually reinforcing way. It is informed by an Integrated Appraisal which includes an Equalities assessment.

## 16 **Oldham Impact Assessment Completed?**

16.1 No

16.2 As part of the preparation of the PfE Plan, an Integrated Assessment (IA) has been undertaken for each draft. In addition to meeting sustainability appraisal and strategic environmental assessment requirements, the IA process has included an Equality Impact Assessment (EqIA) and a Health Impact Assessment (HIA). The full IA can be found online at [Supporting Documents - Greater Manchester Combined Authority \(greatermanchester-ca.gov.uk\)](https://www.greatermanchester-ca.gov.uk/supporting-documents). The documents relating to the

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IA of the proposed main modifications can be found online at [Consultation Documents as presented to District Governance Meetings - Greater Manchester Combined Authority \(greatermanchester-ca.gov.uk\)](https://www.greatermanchester-ca.gov.uk/consultation-documents).

- 16.3 The purpose of the IA is to promote sustainable development, health and equality issues and ensure that they are considered as the plan is being prepared. The IA helps to guide the development of the PfE, by testing the policies at each stage, against an agreed list of objectives.
- 16.4 As the IA process considers many of the issues identified in the Oldham Impact Assessment it is not considered necessary to complete the tool in this instance.
- 16.5 With regards to the Corporate priorities, the PfE Plan will support all those identified: Healthy, safe and well-supported residents; A great start and skills for life; Better jobs and dynamic businesses; Quality homes for everyone; and A clean and green future.
- 16.6 With regards to the Future Oldham aims, the PfE Plan will support all those identified: A well-rounded, enriching, lifelong education; The opportunity to get a decent job that pays well and offers security and flexibility; Quick, cheap and easy transport to every part of the city region; A home that is affordable, well-maintained, and appropriate; Timely access to vital services to keep people healthy and safe; A clean, green and healthy environment; Diverse opportunities to get together, with regular activities to boost physical health, mental health and community spirit; and A local area that meets people's needs and makes them proud.

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 ESR-26-23

19 **Background Papers**

19.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

[Report to AGMA Executive Board - December 2020](#)

[Report to AGMA Executive Board - February 2021](#)

[Report to Places for Everyone Joint Committee - July, 2021](#)

[District Governance Meetings - July 2021](#)

[Places For Everyone - Documentation](#)

[Places For Everyone Joint DPD Examination Website](#)

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20 **Appendices**

20.1 The following documents are available at <https://www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/modifications/>

Schedule of Proposed Main Modifications

Schedule of Proposed Additional Modifications

Schedule of Proposed changes to the policies map, diagrams and pictures

Composite Plan 2023

Integrated Appraisal 2023 Addendum

Habitat Regulation Assessment 2023 Addendum