

Report to CABINET

Approval of Draft Holcroft Moss Planning Obligations Supplementary Planning Document

Portfolio Holder: Cllr Elaine Taylor Cabinet Member for Decent Homes

Officer Contact: Paul Clifford, Director of Economy

Report Author: Elizabeth Dryden-Stuart
Ext. 1672

14 October 2024

Reason for Decision

To approve the draft Holcroft Moss Planning Obligations Supplementary Planning Document (SPD) (Appendix 1) and supporting documents (Appendices 2, 3 and 4) for a six-week public consultation commencing not earlier than 1 November 2024. This will enable stakeholders to have the opportunity to provide comments on the Holcroft Moss Planning Obligations SPD before it is formally adopted.

Executive Summary

N/A. Main body fewer than five sides in length.

Recommendations

- i. To approve the draft Holcroft Moss Planning Obligations Supplementary Planning Document (SPD) (Appendix 1) and supporting documents (Appendices 2, 3 and 4), as the basis for a six-week public consultation commencing no earlier than 1st November 2024.

-
- ii. To agree the provision to Warrington Metropolitan Borough Council (as the responsible authority for implementing a mitigation strategy for Holcroft Moss) as necessary and through an appropriate mechanism, with S106 funds collected in accordance with the Holcroft Moss Planning Obligations SPD.
 - iii. To delegate approval to the Assistant Director Planning, Transport and Housing Delivery to make minor, non-material modifications to the draft Holcroft Moss Planning Obligations SPD and supporting documents before consultation commences, subject to consultation and agreement with the eight other Places for Everyone authorities.

Approval of Draft Holcroft Moss Planning Obligations Supplementary Planning Document

1 Background

- 1.1 The Places for Everyone Plan (PfE Plan) is a joint development plan document of nine Greater Manchester authorities which was adopted on 21st March 2024.
- 1.2 The PfE Plan sets out a clear spatial strategy for delivering new homes and businesses along with infrastructure to support development and to protect and enhance our towns, cities and landscapes. It covers a timeframe up to 2039.
- 1.3 PfE Policy JP-C8 - Transport Requirements of New Development, seeks to ensure new development does not have an adverse impact on the protected habitats and species of Holcroft Moss, which is within the Manchester Mosses Special Area of Conservation (SAC). Where appropriate, housing and/or employment developments make a financial contribution to the provision of mitigation.
- 1.4 The need for, and amount of financial contribution to be secured, will be identified at the planning application stage. As set out in Policy JP-C8 of the PfE Plan, where planning applications are required to be accompanied by a Transport Assessment, they will need to consider air quality impacts on Holcroft Moss, within the Manchester Mosses Special Area of Conservation (SAC). Any proposals that would result in increased traffic flows on the M62 past Holcroft Moss of more than 100 vehicles per day or 20 Heavy Goods Vehicles (HGVs) per day must devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation, promote ultra-low emission vehicles, and provide a contribution towards restoration measures at Holcroft Moss.
- 1.5 Working with Natural England and Warrington Metropolitan Borough Council (WMBC), the nine PfE authorities have established the scope and estimated cost of the mitigation works. The cost of the mitigation works - including design and feasibility, land, capital costs, professional fees, monitoring, contingency and ongoing maintenance – has been estimated at approximately £880,000 (see statement of estimated project costs and required contributions, which is available alongside this SPD). Contributions will be sought on commencement of development to ensure the mitigation measures can be provided in a timely manner to offset the impacts. Individual legal agreements will specify timeframes for financial contribution(s) to be spent.
- 1.6 The exact scale of contributions for an individual site will depend upon the particular development proposed, and its impact upon Holcroft Moss, the proposed level of contributions is set out in the statement of estimated project costs and required contributions, which is available alongside the SPD. The nine PfE authorities and WMBC have agreed that the cost of the mitigation works will be apportioned between the two plans. The apportionment will be based on the potential impact on Holcroft Moss identified in the respective Plan's HRA. On this basis the PfE authorities will be responsible for 53% of the total costs and WMBC will be responsible for 47% of the total costs.
- 1.7 This Planning Obligations SPD has been prepared in the context and parameters of the PfE Viability Assessments which were undertaken as part of the preparation of the PfE Plan. It is therefore assumed that the requirements set out in the SPD are viable. If viability issues are encountered on a site-by-site basis, PfE Plan Policy JP-D2 states that the Local Planning

Authority will determine the weight to be given to a viability assessment alongside other material considerations, this will include, where necessary, the need to mitigate air quality impacts on Holcroft Moss from relevant development.

- 1.8 The financial contribution(s) secured via this mechanism will enable the nine PfE Plan authorities, in conjunction with WMBC, to fund mitigation works to address air quality impacts on Holcroft Moss from relevant development.
- 1.9 Each of the nine individual local planning authorities will monitor progress of individual developments to which this SPD applies. WMBC will monitor the implementation of the mitigation scheme, which will be funded by money secured by planning obligations in accordance with this SPD. Regular reporting will be provided by WMBC to the nine PfE authorities. The outcome of this monitoring which will be included in authority monitoring report(s) as necessary.
- 1.12 The SPD will link to the Council's Corporate Plan Priority for a clean and green future through protecting the integrity of the Holcroft Moss SAC.
- 1.13 The SPD therefore aims to have a positive impact on the environment. Other implications on the following will be limited:
 - (a) Community Cohesion Implications, including crime and disorder implications under Section 17 of the Crime and Disorder Act 1998.
 - (b) Risk Assessments
 - (c) Co-operative Implications, Human Resource Implications, IT implications, Property Implications, Procurement Implications and Health and Safety Implications – any development proposals on council assets that meet that are required to be accompanied by a Transport Assessment will need to consider air quality impacts on Holcroft Moss, within the Manchester Mosses SAC, in line with PfE Policy JP-C8 - Transport Requirements of New Development and guidance within this SPD.

2 **Current Position**

- 2.1 The Holcroft Moss SPD is being prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The Regulations set out that a draft SPD must be:
 - Screened to determine whether Strategic Environmental Assessment or Habitat Regulation Assessment is required. The outcomes of the screening opinion will be published alongside the draft SPD.
 - Made available for public consultation for a 4-week minimum period.
 - Made available for inspection, at a Council's principal office and at other places within its area as the local planning authority consider appropriate, during normal office hours.
 - Made available as an online copy.
- 2.7 The SPD will be prepared in accordance with these regulations and the council's Statement of Community Involvement (SCI). Relevant material will be made available for inspection on the GMCA's website, on behalf of the nine PfE authorities, including via a link from Oldham Council's web site. The documentation will also be made available for inspection at public libraries within Oldham.
- 2.8 Letters/emails will also be sent to stakeholders on Oldham Council's Local Plan mailing list. Oldham Council will publish a public notice in the Oldham Times and a press release will be

issued. Other forms of communication such as use of social media platforms may also be utilised.

- 2.9 Following consultation, the draft Holcroft Moss SPD will, if necessary, be amended before being brought back to Members seeking formal approval for the adoption of the document.

3 Options/Alternatives

- 3.1 Option 1 – To a). approve the draft Holcroft Moss Supplementary Planning Document (SPD), and supporting documents, for a six-week public consultation commencing no earlier than 1st November 2024; b). agree the provision to WMBC (as the responsible authority for implementing a mitigation strategy for Holcroft Moss) as necessary and through an appropriate mechanism, with S106 funds collected in accordance with the Holcroft Moss SPD; and c). delegate approval to the Assistant Director Planning, Transport and Housing Delivery to make minor, non-material modifications to the draft Holcroft Moss SPD, and supporting documents, before consultation commences, subject to consultation and agreement with the eight other Places for Everyone authorities. This will enable stakeholders to have the opportunity to provide comments on the draft Holcroft Moss SPD before it is formally adopted. There are no disadvantages to this option.
- 3.2 Option 2 - To not approve the draft Holcroft Moss SPD for consultation. This would prevent stakeholders commenting on the SPD. This would result in future adoption of the document being contrary to planning regulations and would significantly limit the ability of the PforE authorities to collect S106 monies, necessary to mitigate harm to Holcroft Moss.

4 Preferred Option

- 4.1 Option 1 – To a). approve the draft Holcroft Moss Supplementary Planning Document (SPD), and supporting documents, for a six-week public consultation commencing no earlier than 1st November 2024; b). agree the provision to WMBC (as the responsible authority for implementing a mitigation strategy for Holcroft Moss) as necessary and through an appropriate mechanism, with S106 funds collected in accordance with the Holcroft Moss SPD; and c). delegate approval to the Assistant Director Planning, Transport and Housing Delivery to make minor, non-material modifications to the draft Holcroft Moss SPD, and supporting documents, before consultation commences, subject to consultation and agreement with the eight other Places for Everyone authorities.

5 Consultation

- 5.1 The report is seeking approval for public consultation on the draft Holcroft Moss SPD and supporting documents.

6 Financial Implications

- 6.1 There are no finance implications for the scheme itself. However, there will be a charge of £700 as it is a requirement in our Statement of Community Involvement to publish a Public Notice when we go out to consultation on SPD's. This will be placed in the Oldham Times. (Mohammed Hussain)

7 Legal Implications

- 7.1 An SPD is defined in Regulation 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as a local development document which is not a local plan. A local plan is prescribed by the Regulations as a development plan document. Thus an SPD falls outside the category of town and country planning and development control documents

which cannot be approved by a local authority's executive, namely local development documents which are development plan documents.

- 7.2 Under the Council's scheme of delegation for the local development framework, approval of the draft SPD for public consultation lies with the Cabinet. It is a requirement of the Town and Country Planning (Local Planning) (England) Regulations 2012 that the Council must consult the public on the draft SPD for not less than 4 weeks. (A Evans)

8 Equality Impact, including implications for Children and Young People

- 8.1 Please see Appendix 5.

9 Key Decision

- 9.1 Yes

10 Key Decision Reference

- 11.1 ESR-11-24

12 Background Papers

- 12.1 Places for Everyone Joint Development Plan Document, available to view online at <https://www.greatermanchester-ca.gov.uk/media/9578/places-for-everyone-joint-development-plan-document.pdf>

13 Appendices

- 13.1 Appendix 1 – Draft Holcroft Moss SPD
- 13.2 Appendix 2 - Statement of estimated project costs and required contributions
- 13.3 Appendix 3 – Strategic Environmental Assessment SEA screening statement
- 13.4 Appendix 4 – Habitats Regulations Assessment Screening Statement
- 13.5 Appendix 5 – Oldham Impact Assessment Tool