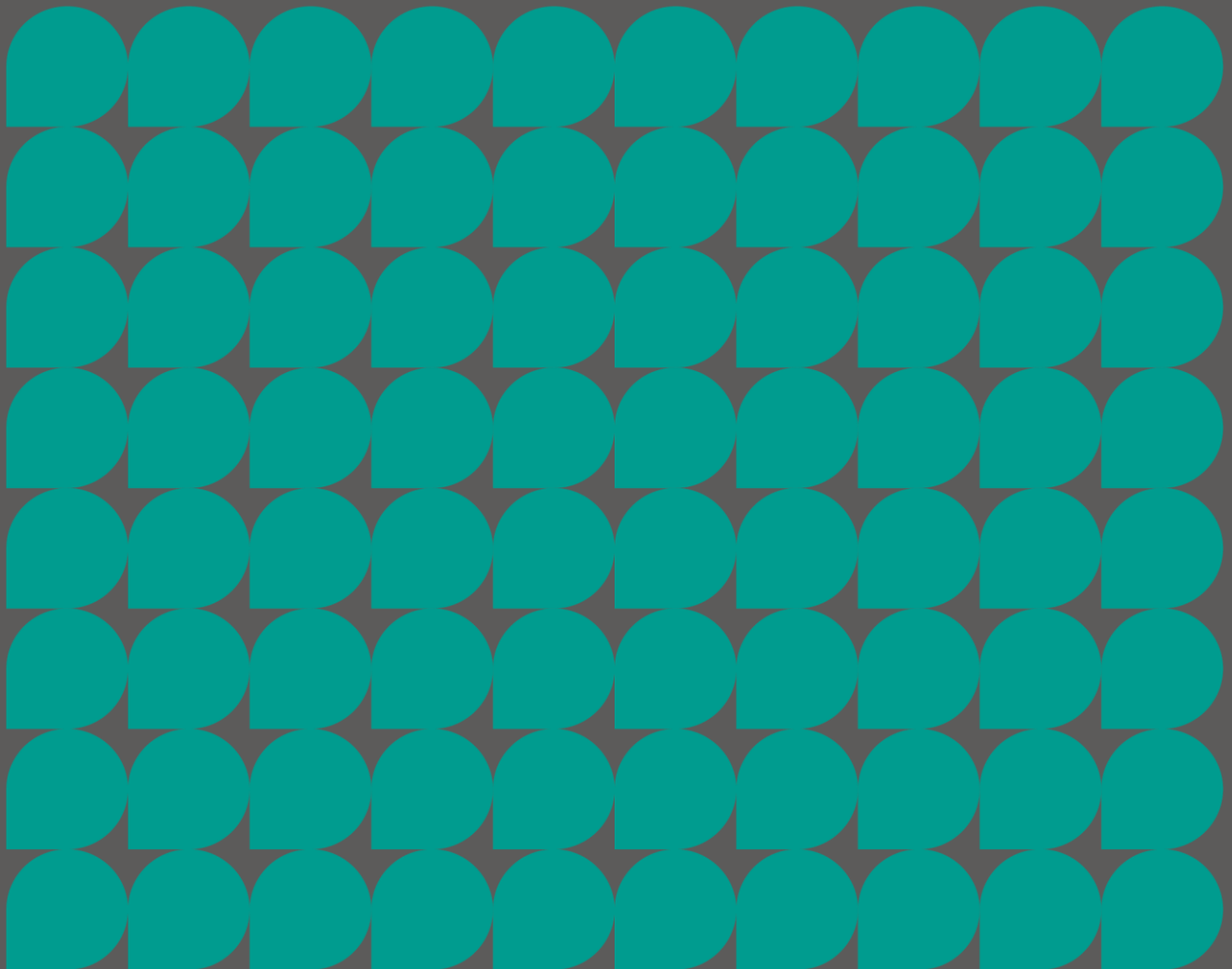


South Pennine Moors Special Area of Conservation (SAC) / Special Protection Areas (SPAs) Joint Supplementary Planning Document

Consultation Statement

January 2025



1.Introduction

1.1. This is the Consultation Statement for the South Pennine Moors Special Area of Conservation (SAC) / Special Protection Areas (SPAs) Joint Supplementary Planning Document, which has been prepared by Oldham Council, Rochdale Council and Tameside Council. It has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

1.2. The previous Consultation Statement that accompanied the Consultation Draft SPD is available to view on the Greater Manchester Combined Authority's [\(GMCA\) website](#).

2. Town and Country Planning Regulations (2012)

2.1. Before adoption of an SPD, Regulation 12 (a) requires a Local Planning Authority to prepare a Statement setting out: who has been consulted while preparing the SPD; a summary of the main issues raised; and how these issues have been addressed in the SPD.

2.2. Regulation 12(b) requires a Consultation Statement to be published as part of the formal consultation on the SPD, where formal representations are then invited under Regulation 13. Regulation 12(b) also requires SPDs to be published for a minimum 4 week consultation, specify the date when responses should be received, and identify the address to which responses should be sent.

2.3. Regulation 35 requires the consultation documents to be made available during the consultation period online and at the principal office in the local authority area and other place(s) within the area that are considered appropriate.

3. Statement of Community Involvement

3.1. Oldham Council, Rochdale Council and Tameside Council have produced individual Statements of Community Involvement (SCI). These documents

outline how each authority will consult and involve people in the preparation of Local Plans and other planning documents, including SPDs, such as this one. Consultation on the SPD was carried out in line with the principles of these documents.

4. Data Protection

- 4.1. In undertaking public consultation, we must act in accordance with the requirements of the general data protection regulations (UKGDPR). Consultation on the SPD was undertaken in accordance with our Privacy Policy available on [GMCA website](#) which advises on how we use, manage and store your data in line with the UKGDPR.

5. Consultation Undertaken in Preparing the SPD

- 5.1. During the preparation stages of the Draft SPD, engagement took place with key stakeholders and partners to inform the content of the SPD for formal consultation. This engagement included with the Greater Manchester Ecology Unit (GMEU) and Natural England.
- 5.2. In response to the engagement undertaken during preparation stages of the SPD, the scope and nature of the SPD was refined to ensure that effective and appropriate mitigation measures could be secured for the South Pennine Moors SAC/SPAs.
- 5.3. It should be noted that account was also taken of relevant evidence underpinning the Places for Everyone Plan, when developing the Draft SPD for consultation.

Consultation undertaken on the Draft SPD

- 5.4. A formal six-week public consultation was undertaken on the Draft SPD from 01 November to 12 December 2024. The GMCA managed the consultation on behalf Oldham Council, Rochdale Council and Tameside Council.
- 5.5. As part of the formal consultation Oldham Council, Rochdale Council and Tameside Council consulted widely with the following groups:

- Residents, organisations and other stakeholders registered on the local planning database in each authority
- Parish and Town Councils
- Elected Members
- Statutory Consultees
- Neighbouring Local Planning Authorities

Availability of Consultation Documents

5.6. During the consultation period the Draft SPD and supporting documentation were available to view on the [GMCA website](#).

5.7. They were also available to view electronically and/or in hard paper format at deposit points in the three authority areas as identified in the Consultation Statement and Representation Guidance Note for the Draft SPD available in the [GMCA website](#).

5.8. Representation to the SPD consultation were invited through the online consultation portal GM Consult, by email or by post. A Consultation and Representation Guidance Note was produced to help people respond to the consultation and a template response form could be used for email and postal responses if required.

5.9. Queries about the consultation could be made by email and by telephone to the GMCA's Planning and Housing Team.

SPD Consultation Publicity and Promotion

5.10. The GMCA, Oldham Council, Rochdale Council and Tameside Council publicised the consultation through a variety of methods including press releases, newsletter bulletins, social media posts and mailouts to people and organisations on each of the three authorities' local planning databases. A full list of the publicity and promotional activities is at Appendix 1 of this Statement.

6. Summary of main issues raised during the consultation

6.1. The GMCA received representations from 20 respondents to the SPD consultation. A summary of the issues raised during the consultation and how the three local authorities have responded to those issue in the preparation of the final SPD is shown in the table in Appendix 2. The table also indicates which organisation or individual made the comments.

6.2. From the main issues raised by organisations and individuals, the issues outlined below were the most relevant:

- Support of the SPD to protect designated species and habitats.
- Supplementary Policy SP-1 Urban Edge should include a definition of householder development.
- Support for Supplementary Policy SP-2 Functionally Linked Habitats, with some proposed minor amendments to the supplementary policy and supporting text to make it clearing on the requirements for habitat and bird surveys and on the types of habitats that could support foraging birds.
- Concerns that not implementing part 7c of PfE Policy JP-G5, based on the advice from Natural England, does not adequately respond the precautionary principle and known effects on the national park from recreation pressures, which conflicts with the approach taken by other authorities that are close to the national park to mitigate the impacts of recreation.

6.3. The support from the SPD was noted. It is proposed to make a minor amendment to the supporting text to Supplementary Policy SP-1 Urban Edge to define householder development. It is proposed that minor changes will be made to Supplementary Policy SP-2 Functionally Linked Habitats and the supporting text to: make it clearer that bird surveys should include breeding and winter bird surveys; that Lowland fen, and Lowland wet and dry heath and acid grassland could indicate the presence of foraging habitats; and

remove the reference to arable land as land use that would rule out foraging habitats on the site, as arable land could support foraging birds.

6.4. Regarding not implementing part 7c of PfE Policy JP-G5, it is proposed that no changes will be made to the final SPD as Oldham Council, Rochdale Council and Tameside Council agree with Natural England's advice contained in their letter in Appendix 2 of the SPD that advises that as far as Natural England are aware, there is no piece of ecological evidence showing impact to the bird species for the SPAs or the habitats the SAC is classified for. As such, Natural England go onto advise that without ecological evidence, the credible risk is not currently there and new development within the boundary of the Places for Everyone Plan does not need to provide mitigation towards the South Pennine Moors SAC/SPAs.

6.5. Further details about the issues raised outlined above and all other issues raised during the consultation and the responses to them are in the table Appendix 2 of the Statement. No other issues raised during the consultation warranted an amendment to the final SPD.

Appendix 1: SPD Consultation Publication and Promotion Activities

The table below lists the methods employed by the GMCA, Oldham Council, Rochdale Council and Tameside Council to publicise and promote the consultation on the Draft South Pennine Moors SAC/SPAs SPD.

Organisation	SPD consultation publication and promotion activities
GMCA	<ul style="list-style-type: none"> • Social Media posts shared on GMCA X, Facebook, Instagram and LinkedIn. • Social Media pack and newsletter text shared to GM Heads of Comms and added to GMCA website for partners • Press release shared with media outlets and added to news page of the GMCA website. Story featured in BBC News and Place North West websites. • Press release shared in fortnightly Equality Panel bulletin which goes to the 7 facilitating organisations of the GM Equality Panels. Also shared amongst GM engagement contacts. • Press release shared in GMCA stakeholder newsletter. This has a circulation of around 3,600 and an open rate of 60%.
Oldham Council	<ul style="list-style-type: none"> • Published a public notice for the SPD in the Oldham Times on 31 October 2024. • Sent emails / letters out to everyone on the Oldham local plan mailing list and to local councillors, district coordinators, planning officers and other internal officers, Oldham leadership board and Oldham housing management board. • Placed a copy of the consultation documents in all public libraries and in Oldham Council's principal office (spindles reception). • Placed information on the Oldham Council website directing to GMCA website.

Organisation	SPD consultation publication and promotion activities
	<ul style="list-style-type: none"> • Social media messages
Rochdale Council	<ul style="list-style-type: none"> • A link from our website Supplementary Planning Documents (SPDs) and guidance Planning briefs and Supplementary Planning Documents Rochdale Borough Council; • emails and letters to those on our consultation database; • emails to elected members; and • hard copies of the SPD and consultation statement placed in our four main libraries (Heywood, Littleborough, Middleton and Rochdale).
Tameside Council	<ul style="list-style-type: none"> • Posted consultation letters to notify contacts from the Tameside Local Plan consultation database. • Sent consultation emails to notify contacts from the Tameside Local Plan consultation database. • Updated the Council's SPD webpage with details and links for the SPD. • Placed printed copies of the consultation material in all of the Council's libraries for the duration of the consultation period. • Inclusion in Place Newsletter for Cllr and staff – 3 times throughout the period (8 Nov, 15 Nov, and 6 Dec); • Featured in the staff newsletter and weekly Communications network email to partners; • Featured in weekly business email once too; • Social Media Channels – and shared across partner channels – Be Well Tameside • Facebook – twice a week throughout the period https://www.facebook.com/share/p/qZvqYmites54WWUY/

Organisation	SPD consultation publication and promotion activities
	<ul style="list-style-type: none"> • LinkedIn – twice throughout the period and shared • Once a week on X https://x.com/TamesideCouncil/status/1867175086110753148

Appendix 2: Summary of main issues raised to the SPD consultation and summary of response to the issue raised

The table below summarises the main issues raised to the SPD consultation, how the issues have been addressed in preparing the final SPD and which organisation or individual made the comments.

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
Support for the SPD to protect habitats.	Support noted.	Jack Kirby Saddleworth Parish Council CPRE Lancashire, Liverpool City Region and Greater Manchester Mossley Town Council Sustrans + Trans Pennine Trail Lauren Crompton Lancashire Wildlife Trust
Natural England are satisfied that the requirements of paragraphs 7a and 7b of PfE policy JP-G5: Uplands are adequately reflected in the SPD. The only	Comments noted. Paragraph 7.1 of the SPD explains that the SAC and SPAs are European designated habitat sites which overlap each other and that when referring to all three	Natural England

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
minor comment we wish to make is that we consider that SP1 and SP2 should be explicit about the designated sites included in this requirement, namely South Pennine Moors SAC, Peak District Moors SPA and South Pennine Moors Phase 2 SPA.	designations together, the SPD refers to them as the 'South Pennine Moors SAC/SPAs'. It considered that this is an adequate explanation of names of the designated sites. No change is considered necessary.	
SP1 – Urban Edge. The definition of Householder Development should be included.	It is proposed to amend the SPD to include a definition of Householder Development.	CPRE Lancashire, Liverpool City Region and Greater Manchester
United Utilities own water and wastewater assets within 400m of the South Pennine Moors SAC/SPA. It might be necessary to invest in these assets in the future to meet future demand and environmental drivers and therefore the provision for non-residential exceptions in SP1-Urban Edge is welcome.	Comments and support noted.	United Utilities

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
<p>Where an adverse effect on a designated habitat site cannot be ruled out, the Habitat Regulations do allow for its consideration as a derogation where the proposal is capable of meeting the three defined legal tests.</p> <p>Greater reference to government guidance on Habitat Regulations, including the potential to consider a derogation where appropriate, should be included within the SPD to aid clarity and understanding of these matters.</p>	<p>The purpose of the SPD is to provide guidance on the implementation of Places for Everyone Plan Policy JP-G5, Criterion 7, parts a and b. Providing guidance on the application of the derogation process in the Habitat Regulations would be outside the scope of the SPD.</p> <p>No change is considered necessary.</p>	Canal and River Trust
<p>Paragraph 2.2 of SPD: concerns about Natural England's revised position on PfE Policy JP-G5, criterion 7c because criterion 7c was sound and provided for alternative greenspace. Natural England's revised position refers to the precautionary approach, which is then</p>	<p>The purpose of the SPD is to provide guidance on the implementation of Places for Everyone Plan Policy JP-G5, Criterion 7, parts a and b. It does not provide guidance on part 7 c, which is out of scope of the SPD.</p> <p>In relation to JP-G5, Criterion 7 part c, Oldham Council, Rochdale Council and Tameside Council</p>	Lancashire Wildlife Trust

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
<p>dismissed due to a lack of evidence. A precautionary approach should be taken in the absence of evidence as this is why it is precautionary as the impact is uncertain.</p> <p>As a result, this could lead to degradation of the habitats within the SPA and therefore monitoring of the recreational impacts on the SPA should be undertaken.</p>	<p>agree with Natural England's advice contained in their letter in Appendix 2 of the SPD that advises that as far as Natural England are aware, there is no piece of ecological evidence showing impact to the bird species for the SPAs or the habitats the SAC is classified for. As such, Natural England go onto advise that without ecological evidence, the credible risk is not currently there and new development within the boundary of the Places for Everyone Plan does not need to provide mitigation towards the South Pennine Moors SAC/SPAs.</p> <p>No change is considered necessary.</p>	
<p>SP2-Functionally Linked Habitats: support for the need to undertake habitat and bird surveys. Habitat surveys need to be undertaken at an optimal time of year and bird surveys should include both breeding and winter surveys.</p>	<p>Support noted for SP-2 Functionally Linked Habitats. Paragraph 4.1 of the SPD states that the scope of the habitat survey should be agreed with the local planning authority. Therefore, discussions between the applicant and the local planning authority on the optimal times of year to complete the surveys is covered by this statement in Paragraph 4.1.</p>	Lancashire Wildlife Trust

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
	It is proposed to amend Paragraph 4.6 of the SPD to refer to breeding and winter bird surveys, the scope of which should be agree with the local planning authority.	
Lowland fen; and Lowland wet and dry heath and acid grassland should be included in the list of habitats that could indicate the presence of foraging habitats in SP-2, list i-iv.	It is proposed to amend Supplementary Policy SP-2 to include lowland fen; and lowland wet and dry heath and acid grassland as habitats that could indicate the presence of foraging habitats.	Lancashire Wildlife Trust
The SPD should reference that restoration of peat soils in the SPAs/SAC can enhance of the habitats of the SAC/SPAs.	<p>The SPD seeks to expand on provision within the Places for Everyone Plan to address a specific outcome of the Plan's Habitat Regulations Assessment, relating to the South Pennine Moors Special Conservation Area (SAC) and Special Protection Areas (SPAs).</p> <p>Measures exist elsewhere in the Places for Everyone Plan to promote and restore of peat soils for habitat enhancement.</p> <p>No change is considered necessary.</p>	Lancashire Wildlife Trust

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
Why is arable land within list of land uses in points a. to f. of SP 2 that indicate that foraging habitats that can be ruled out? Arable fields are capable of supporting farmland birds such as Lapwing, a species that is on the SPA list.	It is proposed amend Supplementary Policy SP-2 by deleting the reference to arable land as a land use that can rule out the presence of foraging habitat.	Lancashire Wildlife Trust
Support for the part of the policy that states that applications which result in adverse impacts after avoidance or mitigation will not be supported.	Support noted.	Lancashire Wildlife Trust
Paragraph 4.3: agree that the list of habitats in points i-iv of SP- 2 is not exhaustive and welcome the acknowledgement that other land uses might support foraging habitat. Paragraph 4.6: agree and welcome the requirement that where the habitat survey has identified the potential for supporting	Supported noted. As noted in a previous response to an issue raised, it is proposed to amend Paragraph 4.6 to refer to breeding and winter bird surveys.	Lancashire Wildlife Trust

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
habitat to the SPAs, then bird surveys will be necessary. As outlined previously, these surveys need to be undertaken for both breeding and wintering birds.		
Paragraph 4.7: agree that any loss and/or deterioration of the supporting habitat needs to be highlighted. We would also ask that evidence of enhancement works to improve the habitat for listed birds are also provided.	SP2-Functionally Linked Habitats states that avoidance or mitigation measures should be provided to habitats. Enhancement of habitats goes beyond avoidance or mitigation and therefore is not within the scope of the SPD. No change is considered necessary.	Lancashire Wildlife Trust
Paragraph 4.8 of the SPD: we welcome and agree that large field systems and areas of high earthworm density should be highlighted as areas that are likely to be of particular importance. We would also include areas that are undisturbed and free from predator perching points.	Including areas that are undisturbed and free from predator perching points in Paragraph 4.8 could lead to the need to search for functionally linked land over very large areas of land. No change is considered necessary.	Lancashire Wildlife Trust

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
Paragraph 4.9: we agree that mitigation could include modifying the design and/or creation of habitat suitable for SPA qualifying species. The habitat creation, if development is approved, should lead to an increase in both area and quality of the habitats.	SP2-Functionally Linked Habitats requires avoidance or mitigation measures if development would have an adverse impact on foraging habitats. Increasing quality and quantity of habitats would amount to enhancement of habitats which is not within the scope of the SPD. No change is considered necessary.	Lancashire Wildlife Trust
Paragraph 4.11: The Trust welcomes the commitment to screen potential sites allocations as part of the HRA for each districts local plan.	Support noted.	Lancashire Wildlife Trust
SP2 – Functionally Linked Habitats requires applications within 2.5km to be accompanied by a survey to determine whether there are any current or potential foraging habitats for qualifying bird	Supplementary Policy SP-2 states that applications should be accompanied by a habitat survey to determine if the site provides, or has the potential to provide, foraging habitats for the qualifying bird species of the SPA. As such potential foraging	CPRE Lancashire, Liverpool City Region and Greater Manchester

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
species. Consideration should be given to whether this should extend to current or potential nesting habitats.	habitats are already considered in the supplementary policy. No change is considered necessary.	
Concerned that not implementing part 7c of PfE Policy JP-G5, based on the advice from Natural England, does not adequately respond the precautionary principle and the known effects on the national park from recreation pressures, which conflicts with the approach taken by other authorities that are close to the national park to mitigate the impacts of recreation.	In relation to part 7c of JP-G5, Oldham Council, Rochdale Council and Tameside Council agree with Natural England's advice contained in their letter in Appendix 2 of the SPD that advises that as far as Natural England are aware, there is no piece of ecological evidence showing impact to the bird species for the SPAs or the habitats the SAC is classified for. As such, Natural England go onto advise that without ecological evidence, the credible risk is not currently there and new development within the boundary of the Places for Everyone Plan does not need to provide mitigation towards the South Pennine Moors SAC/SPAs. No change is considered necessary.	Peak District National Park Authority
The role of SPDs is to build upon and provide more detailed advice or guidance	The purpose of the SPD is to provide guidance on the implementation of Places for Everyone Plan Policy	Peak District National Park Authority

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
on policies in an adopted local plan and cannot introduce new planning policies. The SPD as drafted may go beyond this scope as it effectively undermines adopted policy.	<p>JP-G5, Criterion 7, parts a and b. It does not provide guidance on part 7 c, which is out of scope of the SPD.</p> <p>Regulation 34 (2) of the Town and Country Planning Regulations 2012 sets out the process and requirements for when a local plan policy is not being implemented, which states that <i>‘where a local planning authority is not implementing a policy specified in a local plan, the authority monitoring report must identify that policy and include a statement of the reasons why the policy is not being implemented and the steps (if any) that the local authority intend to take to implement the policy.’</i></p> <p>The Places for Everyone Plan Annual Monitoring Report 2024, which is a subset of the Authority Monitoring Reports in each Places for Everyone Plan authority, sets out the reason why part 7 c of JP-G5 is not being implemented with reference to Natural England’s Statement in Appendix 2 of the SPD and</p>	

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
	<p>also reiterates Natural England's position that if further evidence is prepared on recreational impacts from new development, at a strategic level, i.e. across the whole South Pennine Moors area and not at a local level, such as these three authorities, then Natural England will review its position and the three authorities will consider the implementation of the policy.</p> <p>No change is considered necessary.</p>	
<p>Recreation effects of the SPD are screened out of the Habitat Regulation Assessment (HRA) for the SPD with no other evidence.</p> <p>Decades of urban growth on the fringes of the Peak District has led to adverse recreation effects (e.g. fires caused by BBQs). It is crucial therefore that the 'incombination effects' of future growth that is planned in the towns and</p>	<p>Places for Everyone Policy JP-G5 has already been subject to a HRA for the Places for Everyone Plan. As the SPD supplements parts 7a and 7b of JP-G5 and does not introduce new policy or affect the location or amount of new development proposed, the HRA Screening Determination Statement for the SPD concluded that a full HRA is not required for the SPD. The statutory bodies, including Natural England agree with this outcome.</p> <p>No change is considered necessary.</p>	<p>Peak District National Park Authority</p>

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
conurbations that fringe the National Park are mitigated.		
There is published evidence on the effect of recreation impacts on South Pennine Moors SAC/SPAs despite Natural England's view that there is no piece of ecological evidence showing impact to either the bird species...for the SPAs, or for the habitats that SAC is classified for.	Oldham Council, Rochdale Council and Tameside Council agree with Natural England's advice contained in their letter in Appendix 2 of the SPD that advises that as far as Natural England are aware, there is no piece of ecological evidence showing impact to the bird species for the SPAs or the habitats the SAC is classified for. As such, Natural England go onto advise that without ecological evidence, the credible risk is not currently there and new development within the boundary of the Places for Everyone Plan does not need to provide mitigation towards the South Pennine Moors SAC/SPAs. No change is considered necessary.	Peak District National Park Authority
The Peak District National Park is a vital asset for nature and for the people of Rochdale, Oldham and Tameside and	The SPD seeks to expand on provision within the Places for Everyone Plan to address a specific outcome of the Plan's HRA, relating to the South	Peak District National Park Authority

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
public bodies have a duty to further the purposes of a national park.	<p>Pennine Moors Special Conservation Area (SAC) and Special Protection Areas (SPAs).</p> <p>As the SPD supplements Places for Everyone Plan Policy JP-G5, Criteria a and b, it is considered the policy and the SPD do further the purposes of the national park by helping to conserve and enhance the natural beauty and wildlife in the areas adjacent to the national park. There are also other policies in the Places for Everyone Plan that seek protect and conserve the natural environment and wildlife which would also help to further the purposes of the national park.</p> <p>No change is considered necessary.</p>	
<p>The value of open moorland such as that found in the South Pennines is of European and global importance, not just national importance.</p> <p>Carbon sequestration, flood management, high habitat value and</p>	<p>The South Pennine Moors SAC and SPAs are European designated habitats.</p> <p>Guidance on carbon sequestration and flood management are not within the scope of this SPD.</p> <p>The SPD seeks to expand on provision within the Places for Everyone Plan to address a specific</p>	Martin Riley

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
<p>recreational use of the moors need recognition, protection and enhancement.</p> <p>The requirements of the SPD should cover whole of the South Pennine moorland not just the western fringe.</p> <p>The buffer zones need to be as broad as possible and the 400m buffer zone is a negligible distance.</p>	<p>outcome of the Plan's Habitat Regulations Assessment, relating to the South Pennine Moors SAC and SPAs.</p> <p>Measures exist elsewhere in the Places for Everyone Plan to promote and restore land for carbon sequestration and flood management.</p> <p>The extent of the buffer zones in the SPD were a specific recommendation to mitigate adverse impacts on the South Pennine Moors SAC/SPAs in the Habitat Regulation Assessment for the Places for Everyone Plan. Consequently, the buffer zones are considered appropriate.</p> <p>No change is considered necessary.</p>	
<p>Windfarms and solar panels should not be built</p>	<p>Guidance in relation to windfarms and solar panels are not within the scope of this SPD.</p> <p>The SPD seeks to expand on provision within the Places for Everyone Plan to address a specific outcome of the Plan's Habitat Regulations Assessment, relating to the South Pennine Moors</p>	<p>Marc Con</p>

Summary of main issues raised	Summary of response to issues raised	Respondent(s)
	Special Conservation Area (SAC) and Special Protection Areas (SPAs). No change is considered necessary.	
No comments on the SPD.	Noted.	Kirklees Council National Highways Environment Agency Historic England Coal Authority Derbyshire County Council Manchester Airport Group