Oldham
Council

Adele Metcalfe
Policy and Communications Manager
Peak District National Park Authority
Aldern House
Bakewell
Derbyshire
DE45 1AE

Economy,
Planning, Transport and Housing
Delivery

Tel: 0161 770 4105

Dear Adele,

Re: Peak District National Park Authority: Local Plan Consultation on Preferred
Approach (Regulation 18) – Oldham Council response

Thank you for consulting Oldham Council on the Peak District National Park Authority (PDNPA)
Local Plan Consultation on Preferred Approach (Regulation 18).

As Oldham borough is within the Peak District National Park (PDNP) our comments mostly
focus on matters that have cross boundary implications.

We note that at Issues and Options stage the plan had proposed to address Dove Stone under
'Sites that are popular with visitors'; Binn Green for 'car parks and sites popular with visitors for
the access they provide…'; and the A635 for 'informal parking facilities. However, this has not
been carried forward into the Preferred Approach.

Vision:

The vision is supported however the date stated is to 2043 whereas the rest of the plan refers
to the plan period being until 2045.

Outcome 8: The Peak District National Park is more resilient and net-zero by 2040
through its exemplary response to climate change:

The supporting objectives refer to supporting work to protect and enhance peat. The objectives
may wish to expand on this to clarify whether this is all peat or peat that is capable of
restoration to support notable habitats.

Draft Policy Direction 1: Biodiversity, nature recovery and geodiversity:

In terms of biodiversity hierarchy, the Special Area of Conservation (SAC) / Special Protection
Area (SPA) should be listed before Sites of Special Scientific Interest (SSSI). It would be
helpful for the justification to list the six relevant Local Nature Recovery Strategies (LNRS), of
which the Greater Manchester LNRS is one, and perhaps show these on a map.

Draft Policy Direction 4: Development management principles

The policy should reflect the need to avoid flood risk in the first instance. Some of the criteria need more detail or more detail included in the justification to be effective. For example, development must be water efficient – does this mean going beyond building regulations? And the highest standards for foul and surface water drainage. Its not clear what is meant.

Policy 7 Protecting and managing the Natural Zone:

The policy needs to refer to where the Natural Zone can be viewed.

Habitats Regulations Assessment (HRA) and Functionally Linked Land

At Issues and Options stage, the HRA stated:

"All protected sites located within the Peak District National Park boundary are screened in and will be subject to an appropriate assessment at the next stage of the plan-making process, including consideration of In Combination effects."

A revised HRA has been undertaken to support the Preferred Approach consultation. However, the HRA has not included at this stage appropriate assessment for the screened in sites to assess the Likely Significant Effects (LSEs) to the protected sites which may arise because of the 36 outcomes or policies that have been screened in. The consultation again states:

All protected sites located within the Peak District National Park boundary are screened in and will be subject to an appropriate assessment at the next stage of the plan-making process including consideration of In Combination effects.

This contradicts the HRA undertaken at Issues and Options stage which gave assurances that an appropriate assessment would be undertaken at this stage, and which was taken in good faith.

LSEs are identified and yet the HRA does not propose any mitigation and therefore the Local Plan at a Preferred Approach stage has not been able to consider and be informed by the HRA process so far. This is not considered to be appropriate. The SA and HRA should be an iterative part of the plan making process, informing the plan, and giving stakeholders the opportunity to make comment on any policy changes as a result of that assessment.
Due to the HRA process for Places for Everyone (PfE), Policy JP-G5 'Uplands' requires applicants within 2.5km of the SAC/SPA to screen for whether land is functionally linked. The criterion 7 states:

7. Ensure that new development does not have an adverse impact on protected habitats of the South Pennine Moors SAC, the Peak District Moors SPA and the South Pennine Moors Phase 2 SPA from urban edge effects, loss of and/or disturbance to functionally linked habitats and recreation disturbances. This will be implemented by:

a. Within 400m of the SAC and SPAs boundaries, no development will be permitted, unless, as an exception, the development and/or its use would not have an adverse effect on the integrity of the SAC or SPAs;
b. Within 2.5km of the SAC and SPAs boundaries, applications for new development should be accompanied by an assessment to determine if the development site provides foraging habitats for the qualifying bird species of the SPAs. If foraging habitats are found on site, appropriate avoidance and/or mitigation measures will be required;

The [South Pennie Moors SAC/.SPA SPD](#) provides further guidance. Given that functionally linked land is one of the LSEs noted in the HRA we would expect to see the PDNP Local Plan address this within a policy, perhaps with a consistent approach. The PDNP Preferred Approach does not mention functionally linked land, which seems to be an omission and perhaps if the HRA had included appropriate assessment this may have been built into the Local Plan.

Sustainability Appraisal and Equalities

It is noted that a Sustainability Appraisal has been undertaken. It is not clear if and how the recommendations have been taken into account. Again, this should be undertaken to inform the plan. No separate equality impact assessment was available to view.

We hope these comments are useful and welcome discussion on the above matters.

Yours sincerely

Peter Richards
Assistant Director Planning, Transport & Housing
Delivery
Direct line: 0161 770 1917
Email: peter.richards@oldham.gov.uk