Saddleworth Neighbourhood Development Plan

A report to Oldham Council and the Peak District National Park Authority of the Independent Examination of the Saddleworth Neighbourhood Development Plan

Copy to Saddleworth Parish Council

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Contents

Summary of Main Findings 2
Neighbourhood Planning 3
Independent Examination 4
Basic Conditions and other Statutory Requirements 6
Documents 7
Consultation 9
The Neighbourhood Plan taken as a whole 14
The Neighbourhood Plan Policies 24
Environment policies 26
Design policies 29
Housing policies 32
Retail, commerce and tourism policies 33
Travel and transport policies 35
Conclusion and Referendum 37
Annex: Minor Corrections to the Neighbourhood Plan 38

Summary of Main Findings

This is the report of the Independent Examination of the Saddleworth Neighbourhood Development Plan. The Neighbourhood Plan relates to the Parish of Saddleworth administrative area that was designated as a Neighbourhood Area by the Peak District National Park Authority on 11 November 2016 and by Oldham Council on 21 November 2016. Saddleworth Parish Council is the qualifying body that has submitted the plan to Oldham Council and to the Peak District National Park Authority. The plan period runs until 2045. The Neighbourhood Plan includes policies relating to the development and use of land.

This report finds that subject to specified modifications the Neighbourhood Plan meets the Basic Conditions and other requirements. It is recommended the Neighbourhood Plan should proceed to a local referendum based on the plan area.

Neighbourhood Planning

1. The Localism Act 2011 empowers local communities to take responsibility for the preparation of elements of planning policy for their area through a neighbourhood development plan. Paragraph 30 of the National Planning Policy Framework, December 2024 (the Framework) states that “neighbourhood planning gives communities the power to develop a shared vision for their area”.

2. Following satisfactory completion of the necessary preparation process neighbourhood development plans have statutory weight. Decision-makers are obliged to make decisions on planning applications for the area that are in line with the neighbourhood development plan, unless material considerations indicate otherwise.

3. The Regulation 15 statement prepared by Oldham Council on 3 March 2026 confirms the administrative area of Saddleworth Parish Council (the Parish Council) was designated as a Neighbourhood Area (the Neighbourhood Area) by the Peak District National Park Authority (PDNPA) on 11 November 2016 and by Oldham Council on 21 November 2016. The Saddleworth Neighbourhood Development Plan (the Neighbourhood Plan) has been submitted by the Parish Council, a qualifying body able to prepare a neighbourhood plan, to Oldham Council and to the PDNPA in respect of the Neighbourhood Area. The Neighbourhood Plan has been produced by the Parish Council’s Strategic Planning Committee comprising Parish Councillors and other co-opted community volunteers bringing specific expertise.

4. Following consideration of the submission draft Neighbourhood Plan by Oldham Council and the PDNPA in December 2025 it was agreed the plan should proceed to consultation and examination. This report of Independent Examination relates to the submission Neighbourhood Plan and to no other version.

5. Oldham Council, acting also on behalf of the PDNPA, arranged a period of publication between 10 June 2026 and 24 July 2026. Oldham Council subsequently submitted the Neighbourhood Plan documents, and representations received, to me for independent examination which commenced on 10 August 2026.

Independent Examination

6. This report sets out the findings of the independent examination of the Neighbourhood Plan. The report makes recommendations to Oldham Council and the PDNPA including a recommendation as to whether the Neighbourhood Plan should proceed to a local referendum. Oldham Council and the PDNPA will decide what action to take in response to the recommendations in this report.

7. Oldham Council and the PDNPA will decide whether the Neighbourhood Plan should proceed to referendum, and if so whether the referendum area should be extended, and what modifications, if any, should be made to the submission version plan. Once a neighbourhood plan has been independently examined, and a decision statement is issued by the local planning authorities outlining their intention to hold a neighbourhood plan referendum, it must be considered and can be given significant weight when determining a planning application, in so far as the plan is material to the application.

8. Should the Neighbourhood Plan proceed to local referendum and achieve more than half of votes cast in favour, then the Neighbourhood Plan will form part of the Development Plan and be given full weight in the determination of planning applications and decisions on planning appeals in the plan area unless Oldham Council and the PDNPA subsequently decide the Neighbourhood Plan should not be 'made.' The Housing and Planning Act 2016 requires any conflict with a neighbourhood plan to be set out in the committee report, that will inform any planning committee decision, where that report recommends granting planning permission for development that conflicts with a made neighbourhood plan. Paragraph 12 of the Framework is very clear that where a planning application conflicts with an up-to-date neighbourhood plan that forms part of the Development Plan, permission should not usually be granted.

9. I have been appointed by Oldham Council, acting also on behalf of the PDNPA, with the consent of the Parish Council, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Parish Council and Oldham Council and the PDNPA. I do not have any interest in any land that may be affected by the Neighbourhood Plan.

10. I am a Member of the Royal Town Planning Institute; a Member of the Institute of Economic Development; and a Member of the Institute of Historic Building Conservation. As a Chartered Town Planner, I have held national positions and have extensive experience at local planning authority Director or Head of

Planning Service level. I have been a panel member of the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) since its inception and have undertaken the independent examination of neighbourhood plans in every region of England, prepared in the full range of types of urban and rural communities.

11. As independent examiner, I am required to produce this report and must recommend either:
    - that the Neighbourhood Plan is submitted to a referendum, or
    - that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum, or
    - that the Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements.

12. I make my recommendation in this respect and in respect to any extension to the referendum area, in the concluding section of this report. It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings.

13. Paragraph 9 of Schedule 4B to the Town and Country Planning Act 1990 provides that the general rule is that the examination of a neighbourhood plan is to take the form of the consideration of written representations. The Planning Practice Guidance (the Guidance) states “it is expected that the examination of a draft Neighbourhood Plan will not include a public hearing.”

14. The examiner can call a hearing for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue, or a person has a fair chance to put a case. This requires an exercise of judgement on my part. All parties have had the opportunity to state their case and no party has indicated that they have been disadvantaged by a written procedure. Regulation 16 responses clearly set out any representations relevant to my consideration whether the Neighbourhood Plan meets the Basic Conditions and other requirements. Those representations, the level of detail contained within the submitted Neighbourhood Plan and supporting documents, and responses to my requests for clarification of matters have provided me with the necessary information required for me to conclude the Independent Examination. As I did not consider a hearing necessary, I proceeded based on examination of the submission and supporting documents; the written representations and comments; and an unaccompanied visit to the Neighbourhood Area.

15. This report should be read as a whole, and has been produced in an accessible format.

Basic Conditions and other Statutory Requirements

16. An independent examiner must consider whether a neighbourhood plan meets the "Basic Conditions." Following the introduction of Sections 98 and 99 of the Levelling Up and Regeneration Act on 25 March 2026 a neighbourhood plan meets the Basic Conditions if:
    - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
    - the making of the neighbourhood plan contributes to the achievement of sustainable development;
    - the plan will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing;
    - the plan will comply with relevant environmental outcomes reports (EOR);
    - the making of the neighbourhood plan does not breach, and is otherwise compatible with, assimilated EU obligations; and
    - the prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the plan (meaning that the plan has passed all necessary legal, environmental and procedural requirements).

17. With respect to the Basic Condition relating to EU obligations the European Withdrawal Act 2018 (EUWA) incorporates EU environmental law (directives and regulations) into UK law and provides for a continuation of primary and subordinate legislation, and other enactments in domestic law. The Retained EU Law (Revocation and Reform) Act 2023 clarifies which EU legislation remains in effect in the UK.

18. In addition to what is set out in the primary legislation, secondary legislation requires plans to comply with Habitats Regulations requirements (the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017) and have regard to all material considerations (including Environmental Impact Assessment where relevant).

19. An independent examiner must consider whether a neighbourhood plan is compatible with the Convention Rights, which has the same meaning as in the Human Rights Act 1998.

20. All these matters are considered in the later sections of this report titled 'The Neighbourhood Plan taken as a whole' and 'The Neighbourhood Plan Policies.'

Where I am required to consider the whole Neighbourhood Plan, I have borne it all in mind.

21. The role of an independent examiner of a neighbourhood plan is defined. I am not examining the tests of soundness provided for in respect of examination of Local Plans. It is not within my role to examine or produce an alternative plan, or a potentially more sustainable plan, except where this arises because of my recommended modifications so that the Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified. I have been appointed to examine whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention Rights, and the other statutory requirements.

22. A neighbourhood plan can be narrow or broad in scope. There is no requirement for a neighbourhood plan to be holistic, or to include policies dealing with all land uses or development types, and there is no requirement for a neighbourhood plan to be formulated as, or perform the role of, a comprehensive local plan. The nature of neighbourhood plans varies according to local requirements.

23. Neighbourhood plans are developed by local people in the localities they understand and as a result each plan will have its own character. It is not within my role to re-interpret, restructure, or re-write a plan to conform to a standard approach or terminology. Indeed, it is important that neighbourhood plans reflect thinking and aspiration within the local community. They should be a local product and have meaning and significance to people living and working in the area.

24. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified. I refer to the matter of minor corrections and other adjustments of general text in the Annex to my report.

Documents

25. I have considered each of the following documents in so far as they have assisted me in determining whether the Neighbourhood Plan meets the Basic Conditions and other requirements:

- Saddleworth Neighbourhood Plan Submission Document 2025-2045 V2.3
- Map of Saddleworth Neighbourhood Plan Area

- Saddleworth Neighbourhood Plan 2025-2045 Basic Conditions Statement [In this report referred to as the Basic Conditions Statement]
- Saddleworth Neighbourhood Plan 2025-2045 Basic Conditions Statement Addendum - Levelling Up and Regeneration Act 2023 [In this report referred to as the Basic Conditions Statement addendum]
- Saddleworth Neighbourhood Plan 2025-2045 Consultation Statement including Appendix 1 [In this report referred to as the Consultation Statement]
- Saddleworth Neighbourhood Plan 2025-2045 Statement of Availability
- Saddleworth Neighbourhood Plan Strategic Environmental Assessment Determination Statement March 2024
- Habitats Regulations Assessment of the Saddleworth Neighbourhood Plan 2025-2045 (v2.3) February 2025
- Saddleworth Neighbourhood Plan 2025 -2045 Equality Impact Assessment
- Suggested Local Green Spaces November 2024
- Information available on the Oldham Council, Peak District National Park Authority, and Saddleworth Parish Council websites
- Representations received during the Regulation 16 publicity period
- Correspondence between the Independent Examiner and the Local Planning Authorities and the Parish Council including: the initial letter of the Independent Examiner dated 10 August 2026; the letter of the Independent Examiner dated 18 August 2026 relating to the publication of the latest version of the Framework the previous day and the response of the Parish Council on 19 August 2026; and the email of the Parish Council dated 2 September 2026 confirming no comments on the Regulation 16 representations of other parties
- National Planning Policy Framework (2024) [In this report referred to as the Framework] (The National Planning Policy Framework published on 17 August 2026 has also been considered where relevant)
- Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 – 2039, adopted March 2024
- Joint Core Strategy and Development Management Policies Development Plan Document adopted November 2011
- Saved Unitary Development Plan Policies adopted July 2006 saved by the SoS May 2009
- Peak District National Park Core Strategy Development Plan Document Adopted October 2011
- Peak District National Park Development Management Policies Part 2 of the Local Plan for the Peak District National Park Adopted May 2019
- Permitted development rights for householders' technical guidance MHCLG (10 September 2019) [In this report referred to as the Permitted Development Guidance]

- Planning Practice Guidance web-based resource MHCLG (first fully launched 6 March 2014 and subsequently updated) [In this report referred to as the Guidance which should be taken to also include all Written Ministerial Statements]
- Town and Country Planning (Use Classes) Order 1987 (as amended)
- Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014
- Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- Equality Act 2010
- Localism Act 2011
- Housing and Planning Act 2016
- European Union (Withdrawal) Act 2018
- Retained EU Law (Revocation and Reform) Act 2023
- Levelling Up and Regeneration Act 2023
- Planning and Infrastructure Act 2025
- Neighbourhood Planning Act 2017 and Commencement Regulations 19 July 2017, 22 September 2017, and 15 January 2019
- Neighbourhood Planning (General) Regulations 2012 (as amended) [In this report referred to as the Regulations. References to Regulation 14, Regulation 16 etc in this report refer to these Regulations]
- Neighbourhood Planning (General) (Amendment) Regulations 2015
- Neighbourhood Planning (General) incorporating Development Control Procedure (Amendment) Regulations 2016
- Conservation of Habitats and Species Regulations 2017
- Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018
- Levelling Up and Regeneration Act 2023 (Commencement No11 and Saving and Transitional Provisions) Regulations 2026 (UK Statutory Instruments 2026 No.169 (C.16) which came into force on 25 March 2026

Consultation

26. The submitted Neighbourhood Plan is accompanied by a Consultation Statement which outlines the process undertaken in the preparation of the plan in addition to detailing who was consulted and by what methods. Comments received from

local community members, and other consultees, and how these have been addressed in the submission plan are presented. I highlight here several key stages of consultation undertaken to illustrate the approach adopted.

27. Following a widely publicised launch meeting in February 2017 early consultation meetings were held with local groups including sports groups, the Parish Youth Committee and Saddleworth School. Meetings were also held with community associations and a business breakfast meeting was attended. During the development of the submission plan community associations in each village have been regularly consulted and the Parish Council website has been regularly updated. An initial survey online and in hard copy format in early 2020 resulted in almost 500 responses which informed the production of a series of topic papers that in turn assisted the early versions of the emerging Neighbourhood Plan.

28. In accordance with Regulation 14 the Parish Council consulted on the pre-submission version of the draft Neighbourhood Plan between 2 April 2024 and 10 June 2024. Twelve thousand copies of an eight-page consultation document were delivered to households and copies of the Neighbourhood Plan were available to download or collect from the Civic Hall and three libraries. A public engagement meeting advertised online, on notice boards, and through the Saddleworth Independent held on 14 May 2024 was attended by approximately 30 people. The 221 public representations and 14 responses from statutory consultees received during the Regulation 14 consultation period are presented in Appendix 9 of the Consultation Statement. Details of the 71 changes made to the Regulation 14 version of the Neighbourhood Plan are set out in Appendix 13 of the Consultation Statement. A Table on pages 6 to 16 of the Consultation Statement summarises the representations and statements of any action taken in response, including modification and correction of the emerging Neighbourhood Plan. Representations made in the Regulation 14 consultation have, where considered appropriate, been reflected in changes to the Plan that was approved by the Parish Council and subsequently submitted to Oldham Council and the PDNPA on 11 November 2025. Following the introduction of Sections 98 and 99 of the Levelling Up and Regeneration Act (LURA) on 25 March 2026 the Parish Council submitted a ‘Saddleworth Neighbourhood Plan 2025-2045 Basic Conditions Statement Addendum - Levelling Up and Regeneration Act 2023’ to Oldham Council and the PDNPA.

29. After submission of a plan proposal by a qualifying body, the local planning authority will check it includes all items set out in Regulation 15 and then publicise the plan in accordance with Regulation 16. The local planning authority then sends the Independent Examiner all the documents set out in Regulation 17, which includes a copy of any representations that have been made in accordance

with Regulation 16. The actions necessary under Regulation 16 and Regulation 17 are entirely matters to be undertaken by, and under the control of, the local planning authority. Oldham Council, acting also on behalf of the PDNA, arranged a period of publication between 10 June 2026 and 24 July 2026. Oldham Council subsequently submitted to me the 18 representations that were duly made and has published those representations on the Oldham Council website.

30. Kirklees Council confirms no comments. Mossley Town Council made complimentary comments and proposes joint working. Natural England has set out general advice and stated it does not have any specific comments. The Environment Agency has offered general advice in particular relating to infrastructure delivery and flood risk. Historic England has confirmed no further comments. The Equality and Human Rights Commission has offered general advice. National Grid Electricity transmission has identified its assets within the Neighbourhood Area and set out general planning advice.

31. United Utilities Water Limited suggest an addition to the Neighbourhood Plan vision; additions to Policies 3, 6, 8, 9, 11, 12, 18, and 29; and an addition to the supporting text of Policy 4.

32. NHS Greater Manchester Integrated Care Board supported by NHS Property Services has made general comments and detailed comments in respect of Policies 11, 12, 14 and 21.

33. National Highways has confirmed it has no comments or objections as the proposals are not expected to result in any impact on the strategic highway network. Transport for Greater Manchester identifies issues, including social exclusion and access to services, that could be given greater emphasis and suggest some refinements to improve clarity of policies. It is suggested Policy 24 should be more flexible with respect to parking space per dwelling requirements, and recommends unallocated parking provision rather than defaulting to individual driveways. Policies 25 and 26 are strongly supported and additional policy content relating to active travel is recommended. Policy 27 is welcomed with suggested enhancements. The approach of Policy 11 to major development sites is supported again with suggested policy improvements.

34. The Coal Authority state there are recorded coal mining features present at surface and shallow depth including; mine entries and coal workings which may pose a potential risk to surface stability and public safety. As the plan does not appear to allocate any new sites for future development the Coal Authority have no specific comments.

35. A representation states an expectation to see greater inclusion of the importance

to policing and community safety and more references to well-established interagency work between the police and various agencies - health, education, environmental services and community members aimed at making the area a safe place to live and work.

36. Another representation proposes a presumption in favour of residential use on ‘undesignated’ smaller sites to help secure the much-needed present and future supply of houses and flats/apartments in the borough which would help correct the imbalance between housing need and housing demand. Such a policy when applied to small parcels of land would encourage Housing Associations, small builders and self-build groups and would have the potential to create a mix of housing types and tenures. “Such a policy would also encourage these smaller sites to come on stream relatively quickly, when compared with larger sites, and would help the council’s vision of achieving 11,560 new homes.”

37. A further representation suggests reference to the need for more overnight stay tourist accommodation including camping, glamping and limited small chalet units. This representation states a need for more robust enforcement action against unauthorised development generally and especially in the Saddleworth Conservation Area.

38. A representation on behalf of the Saddleworth Property Partnership made in relation to its interests at Saddleworth Business Centre (SBC) at Delph encourages a flexible policy approach to appropriate brownfield development, in particular not unnecessarily constraining redevelopment of sites no longer suitable or viable for their existing use. The representation proposes residential development of the SBC site and proposes modifications to Policies 10; 11; 15; 16; and 19 of the Neighbourhood Plan.

39. The Canal and Rivers Trust request the description of footpaths should be supplemented by reference to the Huddersfield Narrow Canal towpath as an active travel route in addition to being recognised through Policy 3 as a Site of Biological Importance. The Trust propose Policy 1 should refer to blue as well as green infrastructure. The Trust recommend reference is made in Policy 13 (and cross reference is made to Policy 25) to the need to not degrade and improve off-site walking and cycling routes for large developments, and request consideration is given to impacts of adjacent development on the useability and attractiveness of a towpath.

40. Sport England state earlier comments remain relevant and refer to Policy 4 querying the proposed Local Green Space boundary of the playing field at Ashfield, Springhead. It is stated regardless of the boundary alignment the playing field would still be protected by any relevant Development Plan policies

and paragraph 104 of the Framework.

41. I provided the Parish Council with an opportunity to comment on the Regulation 16 representations of other parties. Whilst I placed no obligation on the Parish Council to offer any comments, such an opportunity can prove helpful where representations of other parties include matters that have not been raised earlier in the plan preparation process. On 2 September 2026 the Parish Council sent me a confirmation it had no comments on the representations of other parties.

42. In preparing this report I have taken into consideration all the Regulation 16 representations submitted, in so far as they are relevant to my role, even though they may not be referred to in whole in my report. Some representations, or parts of representations, are not relevant to my role which is to decide whether the Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified. Where the representations suggest additional policy content that could be included in the Neighbourhood Plan that is only a matter for my consideration where such additions are necessary for the Neighbourhood Plan to meet the Basic Conditions or other requirements that I have identified. Whilst some suggestions for additional policy content have clear merit it is regrettable they are being made at a stage of plan preparation when they cannot influence the nature of the Neighbourhood Plan. Those suggestions could however influence any future review of the Neighbourhood Plan. Having regard to Bewley Homes Plc v Waverley District Council [2017] EWHC 1776 (Admin) Lang J, 18 July 2017, and the Town and Country Planning Act 1990 Schedule 4B paragraph 10(6), where representations raise concerns or state comments or objections in relation to specific policies, I refer to these later in my report when considering the policy in question where they are relevant to the reasons for my recommendations.

43. The Regulations state that where a qualifying body submits a plan proposal to the local planning authority it must include amongst other items a consultation statement. The Regulations state a consultation statement means a document which:
    a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
    b) explains how they were consulted;
    c) summarises the main issues and concerns raised by the persons consulted; and
    d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

44. The Consultation Statement includes information in respect of each of the

requirements set out in the Regulations. I am satisfied the requirements have been met. In addition, sufficient regard has been paid to the advice regarding plan preparation and engagement contained within the Guidance. It is evident the Neighbourhood Plan Steering Group has taken great care to ensure stakeholders have had full opportunity to influence the general nature, and specific policies, of the Neighbourhood Plan.

The Neighbourhood Plan taken as a whole

45. This section of my report considers whether the Neighbourhood Plan, when considered as a whole, meets the Basic Conditions. Each of the plan policies is considered in turn in the section of my report that follows this. In considering all these matters I have referred to the submission, background, and supporting documents, and copies of the representations and other material provided to me.

Consideration whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan

46. I refer initially to the basic condition "having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan." The requirement to determine whether it is appropriate that the plan is made includes the words "having regard to." This is not the same as compliance, nor is it the same as part of the tests of soundness provided for in respect of examinations of Local Plans which requires plans to be "consistent with national policy."

47. Lord Goldsmith has provided guidance (Column GC272 of Lords Hansard, 6 February 2006) that 'have regard to' means "such matters should be considered." The Guidance assists in understanding "appropriate." In answer to the question "What does having regard to national policy mean?" the Guidance states a neighbourhood plan "must not constrain the delivery of important national policy objectives."

48. The most recent National Planning Policy Framework published on 17 August 2026, sets out the Government's planning policies for England and how these are expected to be applied. The National Planning Policy Framework published on 17 August 2026 states at Paragraph 6 of Annex A ""Neighbourhood plans that have been submitted to the local planning authority under Regulation 15, on or before, the date of publication of this Framework should be prepared in accordance with

the Framework published in December 2024" and "For neighbourhood plans that have already been submitted, the qualifying body may choose to withdraw the plan and update it to take account of this Framework." I have on 18 August 2026 advised the Parish Council of this option and received a reply on 19 August 2026 confirming that the Parish Council do not wish to withdraw the plan and requesting I continue with the Independent Examination in the context of the National Planning Policy Framework published in December 2024. As a point of clarification, I confirm I have undertaken the Independent Examination in the context of the National Planning Policy Framework published in December 2024 and the Planning Practice Guidance, as well as Written Ministerial Statements.

49. Part 3 of the Basic Conditions Statement indicates how the Neighbourhood Plan and specific policies have regard to elements of the Framework. I am satisfied the Neighbourhood Plan has regard to relevant identified components of the Framework.

50. The representation on behalf of Saddleworth Property Partnership in respect of land interests at Saddleworth Business Centre, Delph (SBC) states "the Neighbourhood Plan should adopt a flexible policy framework to enable appropriate brownfield redevelopment opportunities to come forward, where supported by evidence. In particular, the Plan should not unnecessarily constrain the redevelopment of sites that are no longer suitable or viable for their existing use". The representation identifies SBC as representing such an opportunity and proposes amendments to Policies 10, 11, 15, 16, and 19 of the Neighbourhood Plan. I have considered the proposed amendments when examining the policies of the Neighbourhood Plan later in my report.

51. It is neither within my role to consider the merits of the potential development of individual sites, nor is it within my role to select, allocate and condition specific development sites. There is no requirement for a neighbourhood plan to allocate land for housing development. I am satisfied the approach adopted to address the quantity of housing need in the Neighbourhood Area is appropriate for the purpose of neighbourhood plan preparation for the Neighbourhood Area and provides the necessary justification that those policies (after recommended modification) that are relevant to housing supply will result in local housing needs being met. The Neighbourhood Plan has sufficient regard for national policy in so far as it will not promote less development than set out in the strategic policies for the area and will not undermine those strategic policies. The approach taken and the choices made in the Neighbourhood Plan regarding housing provision are sufficiently evidenced and justified and have sufficient regard for the Framework and Guidance.

52. The Neighbourhood Plan includes on page 11 a positive vision for Saddleworth that has economic, social, and environmental implications. 18 objectives of the Neighbourhood Plan presented by topic on pages 16 to 52 of the Neighbourhood Plan expand on the vision and identify aims that will support the achievement of the vision. The vision and objectives provide a framework within which the policies of the Neighbourhood Plan have been developed. The policies are presented under the topic headings of: environment; design; health, wellbeing and education; housing; retail, commerce and tourism; and travel and transport. On page 14 of the Neighbourhood Plan it is explained that whilst objectives have been placed in the most relevant section of the plan that includes policies that address that objective, it should be noted other policies throughout the plan will also contribute to meeting those objectives.

53. The Neighbourhood Plan includes, in Appendix 2, identification of 14 Parish Actions presented under 6 headings. The Parish Actions are not directly related to land use so they cannot be addressed directly by the provision of a planning policy. The plan preparation process is a convenient mechanism to surface and test local opinion on ways to improve a neighbourhood other than through the development and use of land. It is important that those non-development and land use matters, raised as important by the local community or other stakeholders, should not be lost sight of. The acknowledgement in the Neighbourhood Plan of issues raised in consultation processes that do not have a direct relevance to land use planning policy represents good practice.

54. The Guidance states, “Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan.” The non land use actions are presented in a dedicated Appendix of the Neighbourhood Plan but their status as non-land use actions is not adequately described. I have recommended it is made clear that the Parish Actions do not form part of the Development Plan. I confirm Appendix 2 of the Neighbourhood Plan, including the issues identified, have not been subject to Independent Examination. I am satisfied that subject to the recommended modification the approach to non-land use actions is consistent with the Guidance.

Recommended modification 1:
In Appendix 2 Parish Actions, before the list of actions insert “The following Parish Actions have been identified as community aspirations that will help improve the neighbourhood area but which are not suitable to

be statutory planning policies and do not form part of the Development Plan."

55. Apart from those elements of policy of the Neighbourhood Plan in respect of which I have recommended a modification to the plan I am satisfied that the need to 'have regard to' national policies and advice contained in guidance issued by the Secretary of State has, in plan preparation, been exercised in substance in such a way that it has influenced the final decision on the form and nature of the plan. This consideration supports the conclusion that except for those matters in respect of which I have recommended a modification of the plan, the Neighbourhood Plan meets the basic condition "having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan."

Consideration whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development

56. At the heart of the Framework is a presumption in favour of sustainable development which should be applied in both plan-making and decision-taking. The Guidance states, "This basic condition is consistent with the planning principle that all plan-making and decision-taking should help to achieve sustainable development. A qualifying body must demonstrate how its plan or order will contribute to improvements in environmental, economic, and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced, or offset (referred to as mitigation measures). To demonstrate that a draft neighbourhood plan or order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or order guides development to sustainable solutions."

57. The Basic Conditions require my consideration of whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.

58. The Framework states there are three dimensions to sustainable development: economic, social, and environmental. Part 4 of the Basic Conditions Statement seeks to demonstrate ways in which the policies of the Neighbourhood Plan support the economic, social, and environmental aspects of sustainable

development. The statement does not highlight any negative impacts of the Neighbourhood Plan or its policies.

59. I conclude that the Neighbourhood Plan, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. Broadly, the Neighbourhood Plan seeks to contribute to sustainable development by ensuring schemes are of an appropriate nature and quality to contribute to economic and social well-being; whilst also protecting important environmental features of the Neighbourhood Area.

60. Subject to my recommended modifications of the Submission Plan including those relating to specific policies, as set out later in this report, I find it is appropriate that the Neighbourhood Plan should be made having regard to national policies and advice contained in guidance issued by the Secretary of State. I have also found the Neighbourhood Plan contributes to the achievement of sustainable development.

Consideration whether the making of the Neighbourhood Plan will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing.

61. Oldham Council has confirmed the Development Plan applying in the Saddleworth Neighbourhood Area is 'Places for Everyone' adopted March 2024, and the Oldham Council Joint Core Strategy and Development Management Policies Development Plan Document adopted November 2011, and the Saved Unitary Development Plan Policies adopted July 2006 saved by the SoS May 2009. The Peak District National Park Core Strategy Development Plan Document Adopted October 2011, and the Peak District National Park Development Management Policies Part 2 of the Local Plan for the Peak District National Park Adopted May 2019 are the Development Plan in the National Park. Whilst Minerals and Waste Plans also form part of the Development Plan for the Neighbourhood Area, they are not relevant to this Independent Examination.

62. The Basic Conditions Statement addendum prepared by the Parish Council states "the Neighbourhood Plan is designed to not have any impact that would prevent housing development that is put forward in the Development Plan. There are no specific site allocations put forward, and no restrictions placed upon existing site allocations that would reduce the amount of housing being put forward. An example of this is Policy 12 on Chew Brook Vale, which specifically addresses an existing site allocation put forward in the Places for Everyone plan. The policy addresses a lack of clarity around the mix of housing and commercial, retail and leisure facilities in the site allocation. It does so not by putting any restrictions on the amount of housing on the site, but by ensuring that there is a

clear expectation set on the delivery of the full amount of assigned commercial, retail and leisure facilities on the site. Elsewhere, where the Neighbourhood Plan sets out clear expectations as to the quality and impact of development that is expected for any sites coming forward for development; applying the principles and ambitions contained within the NPPF, as well as regional and local development legislation, and applying them in the local context to ensure that development is tailored to ensure the most appropriate development for the locality. By doing so, we expect that development which complies with the neighbourhood plan will be as sustainable as possible, and it is only through the delivery of effective sustainable development that the most appropriate housing development will be delivered for our community's needs over the period of the Neighbourhood Plan and beyond. As such, we consider that the Neighbourhood Plan fully complies with the provisions of sections 99(1)(a) and 99(3)(a) of the Levelling Up and Regeneration Act 2023."

63. Oldham Council has confirmed the Oldham Local Plan is being prepared to guide development in the Borough up to 2039 through non-strategic policies. On 14 August 2026 the Oldham Local Plan: Publication Plan was submitted to the Secretary of State for independent examination. The Peak District National Park Authority has begun the preparation of a new Local Plan for the area. Consultation on the Peak District National Park Local Plan 2026 -2045 Publication Draft (Regulation 19) has begun in July 2026.The National Park Authority website states an intention to submit a draft new Local Plan to the Secretary of State by December 2026. The Guidance states: "Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan". The emerging Local Plans are not part of the Development Plan and are subject to change as plan preparation work proceeds. I am only able to recommend a modification to the Neighbourhood Plan where that is necessary to meet the Basic Conditions. The Neighbourhood Plan meets the Basic Conditions in so far as it will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing.

Consideration of Convention Rights

64. Section 6 of the Basic Conditions Statement states "An equalities impact assessment has been undertaken, provided as a supplement to this document, which has found that all the objectives contained within the Neighbourhood Plan are found to either have positive or neutral outcomes for people with protected characteristics." The comprehensive equality impact assessment referred to has been published on the Oldham Council website. I have considered the European

Convention on Human Rights and in particular Article 6 (fair hearing); Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). The Human Rights Act 1998 which came into force in the UK in 2000 had the effect of codifying the protections in the European Convention on Human Rights into UK law. Development Plans by their nature will include policies that relate differently to areas of land. Where the Neighbourhood Plan policies relate differently to areas of land this has been explained in terms of land use and development related issues. I have seen nothing in the submission version of the Neighbourhood Plan that indicates any breach of the Convention. I am satisfied the Neighbourhood Plan has been prepared in accordance with the obligations for Parish Councils under the Public Sector Equality Duty (PSED) in the Equality Act 2010. From my own examination the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics as identified in the Equality Act 2010.

Consideration whether the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, assimilated EU obligations; and the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017; and whether the plan will comply with relevant environmental outcomes reports (EOR)

65. The Levelling Up and Regeneration Act 2023 contained powers to bring forward a new domestic framework for environmental assessment. The new system of Environmental Outcomes Reports will replace, among other Regulations, the Strategic Environmental Assessment Regulations. It is anticipated Government will bring forward Environmental Outcomes Reports by the end of 2027. The neighbourhood plan recognises and refers to the natural environment, heritage and landscape. The policies in the neighbourhood plan reflect the importance of these aspects." I am satisfied that the requirement relating to Environmental Outcomes Reports is satisfied given their introduction has not been commenced.

66. At present Strategic Environmental Assessment remains in place. The objective of EU Directive 2001/42 (transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004) is "to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment." The Neighbourhood Plan falls within the definition of 'plans and programmes' (Defined in Article 2(a) of Directive 2001/42) as the Local Planning Authority is obliged to 'make' the plan following a positive referendum result

(Judgement of the Court of Justice of the European Union (Fourth Chamber) 22 March 2012).

67. The Neighbourhood Planning (General) (Amendment) Regulations 2015 require the Parish Council, as the Qualifying Body, to submit to Oldham Council either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental report is not required.

68. The Basic Conditions Statement confirms Saddleworth Neighbourhood Plan Strategic Environmental Assessment Screening Report states "The Strategic Environmental Assessment (SEA) screening document is provided as an appendix to the Neighbourhood Plan, and in summary concludes that "Oldham Council, in consultation with the Peak District National Park Authority, considers that after having regard to the Environmental Assessment of Plans and Programmes Regulations 2004 the Saddleworth Neighbourhood Plan does not require a Strategic Environmental Assessment". The statutory consultees Historic England, Natural England and the Environment Agency concurred in January and February 2024 with the conclusion reached. I am satisfied the requirements regarding Strategic Environmental Assessment have been met.

69. The Basic Conditions Statement also confirms "The Habitats Regulations Assessment is provided as an appendix to the Neighbourhood Plan, and in summary concludes that "it should be entirely possible to avoid and mitigate any adverse impacts on designated sites as a result of the operation of the Neighbourhood Plan, either alone or in combination with other plans or projects." Part 9 of the Habitats Regulations Assessment February 2025 document states "The Screening of European sites has established that the following European sites have the potential to be affected by development in Saddleworth proposed by the Saddleworth Neighbourhood Plan:
• Rochdale Canal SAC
• South Pennine Moors SAC
• Dark Peak Moors (South Pennine Moors Phase 1) SPA
• South Pennine Moors Phase 2 SPA
Further, more detailed Assessment of the possible effects of the operation of Objectives and Policies included in the Plan on the European Sites identified in the Screening process has been undertaken. A number of Polices within the Plan were initially Screened In as potentially having a damaging effect on European Sites due to increased recreational use, air pollution effects or effects on functionally linked land. Following further Assessment, air pollution effects were ruled out, but potential effects on functionally linked land, and through increased recreational disturbance, were further considered. Wording included in Policy 3 (Protected Spaces) will act to mitigate for any possible likely significant effects of

the Plan on designated sites. It is therefore concluded that it should be entirely possible to avoid and mitigate any adverse impacts on designated sites as a result of the operation of the Neighbourhood Plan, either alone or in combination with other plans or projects." I am satisfied that the Neighbourhood Plan meets the requirements of the revised Basic Condition relating to Habitats Regulations.

70. There are other EU obligations that can be relevant to land use planning including the Water Framework Directive, the Waste Framework Directive, and the Air Quality Directive but none appear to prevent the Neighbourhood Plan meeting the Basic Conditions.

71. I conclude that the Neighbourhood Plan is compatible with the Convention Rights, and does not breach, and is otherwise compatible with, EU obligations. I also conclude the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

72. The Guidance states it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met for the draft neighbourhood plan to progress. Oldham Council as lead Local Planning Authority must decide whether the draft neighbourhood plan is compatible with EU environmental law obligations (directives and regulations) incorporated into UK domestic law by the European Withdrawal Act 2018 (EUWA):
    - when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
    - when it takes the decision on whether to make the neighbourhood plan (which brings it into legal force).

Consideration whether the prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the plan

73. The requirement to consider whether the Neighbourhood Plan meets the prescribed conditions includes consideration whether the plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (in sections 38A and 38B themselves; in Schedule 4B to the Town and Country Planning Act 1990 Act (introduced by section 38A (3)) as amended by the Levelling Up and Regeneration Act 2023; and in the 2012 Regulations (made under sections 38A (7) and 38B (4) as amended). I am satisfied the Neighbourhood Plan has been prepared in accordance with the requirements of those sections, in respect to the

Neighbourhood Planning (General) Regulations 2012 as amended (the Regulations) which are made pursuant to the powers given in those sections.

74. The Neighbourhood Plan relates to the area that was designated in November 2016. A map of the Neighbourhood Area is included as Map A of the Submission Version Plan. The Neighbourhood Plan does not relate to more than one neighbourhood area, and no other neighbourhood development plan has been made for the neighbourhood area. All requirements relating to the plan area have been met. I have recommended the map on page 6 of the Neighbourhood Plan should be retitled as presenting the boundary of the Neighbourhood Area and that the shaded areas and supporting text which currently vary from those shown on Map A and on the Map in Appendix 1 should be deleted. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.

Recommended modification 2:
Retitle and adjust the content of the Map on page 6 of the Neighbourhood Plan so that it identifies the boundary of the Neighbourhood Area only

75. I am also required to check whether the Neighbourhood Plan sets out policies for the development and use of land in the whole or part of a designated neighbourhood area; and the Neighbourhood Plan does not include provision about excluded development (principally minerals, waste disposal, development automatically requiring Environmental Impact Assessment, and nationally significant infrastructure projects). I can confirm that I am satisfied that each of these requirements has been met.

76. A neighbourhood plan must also meet the requirement to specify the period to which it has effect. The front cover of the Neighbourhood Plan states the plan period to be 2025-2045. The plans and legislation section of the Neighbourhood Plan confirms the plan period runs to 2045.

77. The Levelling Up and Regeneration Act 2023 requires that so far as the qualifying body considers appropriate, having regard to the subject matter of the neighbourhood development plan, the plan must be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change. The Basic Conditions Statement addendum identifies references to climate change in both the issues and vision statement parts of the Neighbourhood Plan and draws attention to objectives and policies of the plan that address aspects of climate change. I am satisfied the Neighbourhood Plan is designed to secure that the development and use of land

in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change.

78. The Levelling Up and Regeneration Act 2023 also requires that so far as the qualifying body considers appropriate, having regard to the subject matter of the neighbourhood development plan, the plan must take account of any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part of the neighbourhood area, including in particular— (i) the areas identified in the strategy as areas which— (A) are, or could become, of particular importance for biodiversity, or (B) are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits, (ii) the priorities set out in the strategy for recovering or enhancing biodiversity, and (iii) the proposals set out in the strategy as to potential measures relating to those priorities.

79. The Basic Conditions Statement addendum states "The Neighbourhood Plan specifically references the Greater Manchester Local Nature Recovery Strategy, which was under development at the time of writing, under policy 2 on biodiversity, with a footnote that reads '3 All developments should be informed by and contribute to the emerging Greater Manchester Local Nature Recovery Strategy and future ecological networks.'" I am satisfied in these respects that so far as the qualifying body considers appropriate, having regard to the subject matter of the neighbourhood development plan, the plan takes account of any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part of the neighbourhood area, including in the particular required ways.

80. I am satisfied subject to my recommended modifications that the Neighbourhood Plan taken as a whole meets the Basic Conditions and statutory requirements.

The Neighbourhood Plan Policies

81. The Neighbourhood Plan includes 29 policies that are grouped under the topic headings of environment; design; health, wellbeing and education; housing; retail commerce and tourism; and travel and transport.

82. Paragraph 30 of the Framework states "Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct, and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.

Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies."

83. Paragraph 15 of the Framework states "The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social, and environmental priorities; and a platform for local people to shape their surroundings."

84. Paragraph 16 of the Framework states "Plans should: a) be prepared with the objective of contributing to the achievement of sustainable development; b) be prepared positively, in a way that is aspirational but deliverable; c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals; e) be accessible through the use of digital tools to assist public involvement and policy presentation; and f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)."

85. The Guidance states "A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise, and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared."

86. "While there are prescribed documents that must be submitted with a neighbourhood plan ... there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan."

87. A neighbourhood plan should contain policies for the development and use of land. "This is because, if successful at examination and referendum (or where the neighbourhood plan is updated by way of making a material modification to the plan and completes the relevant process), the neighbourhood plan becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material

considerations indicate otherwise (See section 38(6) of the Planning and Compulsory Purchase Act 2004)."

88. "Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need." "A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability is available."

89. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Given that policies have this status, and if the Neighbourhood Plan is 'made' they will be utilised in the determination of planning applications and appeals, I have examined each policy individually in turn and presented my recommendations for modifications to reflect the grouping of policies in the Neighbourhood Plan. I have considered any inter-relationships between policies where these are relevant to my remit.

Environment policies

90. 'Policy 1: Green Infrastructure' seeks to establish a basis for the provision of green infrastructure in developments. The term "aim to" does not provide a basis for the determination of development proposals. The meeting of existing deficiencies and the requirement for "overall enhancement" do not have sufficient regard for paragraphs 57 and 58 of the Framework which state planning conditions and planning obligations must relate to the development itself. There is an overlap between the first and third bullet points of part 1.1 of the policy.

91. 'Policy 2: Biodiversity' seeks to establish that developments should protect and enhance biodiversity in stated respects. The term "aim to" does not provide a basis for the determination of development proposals. The word "encouraging" requires correction.

92. 'Policy 3: Protected spaces' seeks to establish requirements for development within the South Pennine Moors Special Protection Area and Special Area for Conservation. The policy has sufficient regard for paragraph 188 of the Framework by distinguishing an international designated site.

93. 'Policy 4: Local Green Spaces' identifies four proposed sites. The policy should be clear that the sites are designated. Appendix 3 of the Neighbourhood Plan

adequately defines the boundaries of the designated sites. With respect to the representation of Sport England no variation of the boundaries of the proposed Local Green Space at Ashfield, Springhead is necessary to meet the Basic Conditions. I find the Local Green Space designations are being made when a neighbourhood plan is being prepared, and I have seen nothing to suggest the designations cannot endure beyond the end of the plan period. I have noted the representation of United Utilities Water Limited but decision makers must rely on paragraph 108 of the Framework that states, "Policies … for managing development within a Local Green Space should be consistent with national policy for Green Belts" and the part of the Framework that relates to 'Protecting Green Belt land', in particular paragraphs 153 to 158. Paragraph 35 of the Neighbourhood Plan presents relevant reasons why the sites are demonstrably special to a local community and hold a particular significance. The reasons presented are supported by the Suggested Local Green Spaces topic report November 2024. Each of the areas to be designated are in reasonably close proximity to the community served, are local in character, and are not extensive tracts of land. I am satisfied the areas proposed as Local Green Space are suitable for designation and have regard for paragraphs 106 and 107 of the Framework concerned with the identification and designation of Local Green Space.

94. 'Policy 5: Character and quality of land' seeks to identify land that acts as the setting of the Peak District National Park. It is appropriate for the Neighbourhood Plan to identify land that is regarded as forming the setting of the National Park within the Neighbourhood Area and establish a policy approach to development within that area. I have earlier in my report referred to inconsistencies of the defined "setting" between maps in the Neighbourhood Plan and recommended a modification in this respect.

95. 'Policy 6: Conversion of agricultural buildings (barn conversions)' seeks to establish a policy approach to development proposing conversion of agricultural buildings. Bullet point 3 of part 6.2 of the policy requires correction. I am satisfied paragraph 187e) of the Framework includes reference to water quality and river basin management plans.

96. 'Policy 7: Protection of important views' seeks to protect important views from interruption or inappropriate development. The policy is imprecise and does not provide a basis for the determination of development proposals. Planning policy may only serve the public interest. Viewpoints must be freely accessible to the public. Paragraph 187 of the Framework refers to protection of valued landscapes. To be valued, a landscape needs to be more than popular with local residents but must demonstrate physical attributes beyond "ordinary" (Stroud

District Council vs. SSCLG [2015] EWHC 488 (Admin) and Forest of Dean DC v. SSCLG [2016] EWHC 2429 (Admin)). I am satisfied the named views have physical attributes beyond ordinary. Policy 7 is not seeking to prevent all development within identified views. Such an approach would be more restrictive than Green Belt designation and would not have sufficient regard for national policy. I am satisfied sustainable development, through careful consideration to siting and design, or other mitigation measures, may be shown to not result in significant harm to an identified view.

97. 'Policy 8: Erosion and flooding' seeks to avoid development exacerbating flood risk. I am satisfied Policy 8 has sufficient regard for paragraphs 170 to 182 of the Framework relating to planning and flood risk.

98. I have recommended appropriate modification of policies, where necessary, so that all policies have sufficient regard for national policy and are "clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.

99. The policies will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing. The policies serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

100. The policies seek to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policies, as recommended to be modified, are appropriate to be included in a 'made' neighbourhood plan. Subject to recommended modification the Environment policies meet the Basic Conditions.

Recommended modification 3:

In Policy 1

- **in 1.1 delete "aim to"**
- **in 1.1 bullet point 1 delete "/deficiencies", and replace "and an overall enhancement in the provision" with "or an appropriate enhancement of existing"**
- **in 1.1 bullet point 3 delete "create or enhance existing green space, and"**

In Policy 2

- **in 2.1 delete "aim to"**
- **in 2.2 replace "encouraging" with "encourage"**

In Policy 4

- **replace the text before the list of spaces with "The following sites, identified on maps in Appendix 3 of the Neighbourhood Plan, are designated as Local Green Spaces"**
- **delete the note commencing "See"**

In Policy 6

- **in 6.2 bullet point 3 replace "and" with a semi-colon, and insert a bullet point before "developments"**

In Policy 7

- **after "viewpoint" insert "that is accessible to the general public"**
- **after "interruption of" insert "the following"**
- **replace the final full stop with**
  ":
  - **Views of church spires and towers located within the Neighbourhood Area including: the Church of St Chad viewed from Pickhill Valley; St Anne's Lydgate viewed from the footpath from Coverhill Road; and St Paul's Church in Scouthead viewed from Woodbrook Valley.**
  - **Views of Pots and Pans War Memorial from any of the villages in the Neighbourhood Area."**

Design policies

101. 'Policy 9: Sustainable construction' seeks, outside the Peak District National Park, to ensure sustainable design and construction of new developments and supports appropriate energy generation. The term "particularly supported" does not provide a basis for the determination of development proposals

102. 'Policy 10: Design, character and heritage' seeks, outside the Peak District National Park, to establish support for development that enhances conservation areas and other heritage assets. The references to preservation of heritage assets and retention to the fullest extent do not have sufficient regard for national policy relating to the historic environment which accommodates appropriate change. The term "strong presumption in favour" does not provide a basis for the determination of development proposals. I am satisfied the policy does not prevent consideration of opportunities for new development to enhance or better reveal the significance of a Conservation Area or other heritage assets, or of their setting.

103. ‘Policy 11: Design masterplans’ seeks to establish that defined design masterplans should be prepared for developments of more than 25 dwellings. With respect to the representation of United Utilities Water Limited given the significance of water collection infrastructure in the Neighbourhood Area I have recommended a modification in this respect. It is not necessary to specify all elements, such as primary healthcare infrastructure, to be included in an infrastructure delivery plan. I am satisfied the requirement for design masterplans is capable of being applied proportionately in accordance with the scale of development proposed.

104. ‘Policy 12: Chew Brook Vale’ seeks to establish local requirements to apply to the former Fletcher’s Mill strategic mixed use allocation site in Greenfield.

105. I have recommended appropriate modification of policies, where necessary, so that all policies have sufficient regard for national policy and are “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

106. As recommended to be modified I am satisfied the design policies have sufficient regard for Paragraph 132 of the Framework which states “Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development” and for the principles set out in Paragraph 135 of the Framework. The design policies also have sufficient regard for Paragraph 110 of the Framework which states planning policies should provide for attractive and well-designed walking and cycling networks, and Paragraph 96 of the Framework which states planning policies should aim to achieve healthy, inclusive, and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles.

107. The policies will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing. The policies serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

108. The policies seek to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policies, as recommended to be modified, are appropriate to be included in a ‘made’ neighbourhood plan. Subject to recommended modification the Design policies meet the Basic Conditions.

Recommended modification 4:

In Policy 9 part 9.3 delete "particularly"

In Policy 10

- **In part 10.1 replace "preserve" with "conserve"**
- **in the first sentence of part 10.2 delete the text before "developments" and replace "extent" with "possible extent will be supported"**

In Policy 11, part 11.1 bullet point 8 after "management" insert "and demonstrate consideration of implications for water supply infrastructure"

Health, wellbeing and education policies

109. 'Policy 13: Safety and wellbeing' seeks to establish principles that new major developments should deliver. This policy has sufficient regard for paragraph 135 of the Framework which states planning policies should create places that are safe, inclusive and accessible; and for paragraph 111 of the Framework which states planning policies should provide for attractive and well-designed walking and cycling networks.

110. 'Policy 14: Health, social care and education' seeks to ensure development provides appropriate and timely health, social care and education infrastructure. The policy requires consideration to accessibility and seeks to establish information requirements for major residential developments. The policy has sufficient regard for paragraph 96 of the Framework relating to support for healthy lives. I am satisfied the policy includes reference to contributions to required relevant infrastructure. With respect to the representation of NHS Greater Manchester Integrated Care Board supported by NHS Property Services relating to Policy 21, I have noted Policy 14 does not refer to development proposals resulting in loss of health, wellbeing or education facilities and there is no requirement that it should.

111. The health, wellbeing and education policies will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing. The policies serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

112. The health, wellbeing and education policies seek to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policies are appropriate to be included in a 'made' neighbourhood plan. The health, wellbeing and education policies meet the Basic Conditions.

Housing policies

113. 'Policy 15: Housing' seeks to establish support for development which delivers a range of housing types with specific focus on identified types of housing. The term "in particular, preference will be given" does not provide a basis for the determination of development proposals. I am satisfied the policy will enable consideration of viability and deliverability of development schemes.

114. 'Policy 16: Consultation' in part 16.1 seeks to specify a planning condition for approval of major developments that is dependent on the actions of third parties, which it may not. Part 16.2 seeks to establish a basis for community engagement that is not proportionate to the scale of proposal and that does not have sufficient regard for national policy relating to pre-application engagement. It would be appropriate to include an additional Parish Action in Appendix 2 of the Neighbourhood Plan stating the Parish Council will seek to encourage proposers of medium and major scale developments to engage with the local community in both the formulation of proposals and in their implementation.

115. 'Policy 17: Derelict and empty properties and sites' seeks to establish support for developments which bring derelict, empty or partially empty properties back into full use and seeks to support the policy of the Local Plan for Oldham relating to the efficient use of brownfield land.

116. 'Policy 18: Community and self-build' seeks to establish conditional support for individual self-build or community-led projects in respect of local connection. The term "Particularly supported" does not provide a basis for the determination of development proposals.

117. I have recommended appropriate modification of policies, where necessary, so that all policies have sufficient regard for national policy and are "clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.

118. The housing policies will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide

housing. The policies serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

119. The policies seek to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policies, as recommended to be modified, are appropriate to be included in a 'made' neighbourhood plan. Subject to recommended modification the Housing policies meet the Basic Conditions.

Recommended modification 5:

In Policy 15

- **delete "In particular, preference will be given to"**
- **after accessibility insert will be supported"**

Delete Policy 16

In Policy 18 delete "particularly"

Retail, commerce and tourism policies

120. 'Policy 19: Retail, commercial and industrial development' seeks to establish conditional support for new office, retail and commercial development within existing or new employment areas. Paragraph 85 of the Framework states planning policies should help to create the conditions in which businesses can invest, expand, and adapt. Paragraph 124 of the Framework states planning policies should support the development of underutilised land and buildings. Paragraph 89 of the Framework makes reference to unacceptable impact on local roads. Policy 19 has sufficient regard for national policy in these respects.

121. Part 19.1 of the policy requires clarification it does not relate to commercial competition which is not a planning policy consideration. The relationship between parts 19.1 and 19.3 of the policy is unclear and the term "particularly" does not provide a basis for the determination of development proposals. The terms "preferred" and "strong" in parts 19.5 and 19.6 of the policy respectively do not provide a basis for the determination of development proposals. Part 19.6 of the policy has not been sufficiently justified in circumstances where premises can be demonstrated to be unsuitable or not viable in their present use.

122. ‘Policy 20: Homeworking and connectivity’ seeks to establish conditional support for homeworking and communications connectivity. The term “within the economy” is imprecise.

123. ‘Policy 21: Tourism and leisure’ seeks to establish conditional support for the development of new tourist facilities; community leisure and sports facilities; and the enhancement or improvement of community facilities. The policy also seeks to establish that development proposals resulting in the loss or reduction in scale of a community facility will be resisted unless stated criteria are met. Paragraph 98 of the Framework states planning policies should plan positively for provision of community facilities such as local shops and other local services to enhance the sustainability of communities and residential environments, and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs. With respect to the representation of I am satisfied Policy 21 relates to tourism and leisure and that Policy 14 relates to health, wellbeing and education. With respect to the representation of NHS Greater Manchester Integrated Care Board supported by NHS Property Services I have recommended a modification to clarify this distinction.

124. ‘Policy 22: Agricultural land’ seeks to establish a presumption against the loss of the best and most versatile agricultural land. The term “strong” does not adequately have regard for paragraph 187 of the Framework nor does it provide a basis for the determination of development proposals.

125. ‘Policy 23: Services’ seeks to establish support for developments providing or allowing the retention key services within village centres and includes reference to the model of 20-minute neighbourhoods. I am satisfied the policy does not prevent consideration of evidence on viability, suitability and deliverability.

126. I have recommended appropriate modification of policies, where necessary, so that all policies have sufficient regard for national policy and are “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

127. The retail, commerce and tourism policies will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing. The policies serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

128. The policies seek to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard

to the Framework and Guidance the policies, as recommended to be modified, are appropriate to be included in a 'made' neighbourhood plan. Subject to recommended modification the Retail, commerce and tourism policies meet the Basic Conditions.

Recommended modification 6:

In Policy 19

- **in part 19.1 second bullet point after "unacceptable" insert "environmental or operational"**
- **in part 19.3 delete "businesses, particularly those defined as" and before the full stop insert "businesses"**
- **in part 19.5 replace the first sentence with "Employment development shall re-use existing buildings unless it is demonstrated this is not viable or practical."**
- **In part 19.6 delete "strong", and after "premises" insert "unless it can be demonstrated the premises are unsuitable or not viable in their existing use"**

In Policy 20 replace "within the economy" with "for the site"

In Policy 21 part 21.5 after "scale of a" insert "non-health or education"

In Policy 22 delete "strong"

Travel and transport policies

129. 'Policy 24: Parking standards and housing' seeks to establish that new housing development should aim to deliver specified parking provision. Relevant factors referred to in paragraph 112 of the Framework have been considered. The term "aim to deliver" enables some flexibility in relation to specific circumstances in implementation. I am satisfied the policy is sufficiently flexible to enable unallocated parking rather than a default to individual driveways as referred to by Transport for Greater Manchester.

130. 'Policy 25: Cycling, pedestrian and leisure infrastructure' seeks to ensure developments enhance provision for active travel. The policy has sufficient regard for paragraph 111 of the Framework which states planning policies should provide for attractive and well-designed walking and cycling networks with supporting facilities.

131. ‘Policy 26: Accessibility to transport’ seeks to establish support for development which delivers accessibility to transport. The policy has sufficient regard for paragraph 109 of the Framework which states plan making should give early consideration to identifying and pursuing opportunities to promote walking, cycling and public transport use.

132. ‘Policy 27: Public transport’ seeks to establish support for development which addresses accessibility restrictions at Greenfield Station and for developments that increase capacity and usage of the rail network including provision of additional stations.

133. ‘Policy 28: Clean fuel vehicles’ seeks to establish support for development that delivers electric charging or alternative renewable provision, or where not practical enhanced access to transport.

134. ‘Policy 29: Air quality and vibration monitoring’ seeks to establish support for developments proposals that provide robust air quality monitoring, and that consider damage to buildings, particularly heritage assets, including from vibration. The term “particularly supported” in part 29.1 of the policy and the term “is encouraged” in part 29.2 of the policy do not provide a basis for the determination of development proposals. Part 29.2 of the policy does not have sufficient regard for paragraph 116 of the Framework relating to the prevention or refusal of development on highway grounds. The requirement to demonstrate no damage to local buildings is imprecise.

135. I have recommended appropriate modification of policies, where necessary, so that all policies have sufficient regard for national policy and are “clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

136. The travel and transport policies will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing. The policies serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

137. The policies seek to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policies, as recommended to be modified, are appropriate to be included in a ‘made’ neighbourhood plan. Subject to

recommended modification the travel and transport policies meet the Basic Conditions.

Recommended modification 7:

In Policy 29

- **in part 29.1 delete "particularly"**
- **replace part 29.2 with "To be supported development that may cause damage, including through vibrations, to heritage assets or other adjacent buildings must demonstrate effective mitigation and monitoring measures."**

Conclusion and Referendum

138. I have recommended seven modifications to the Submission Version Plan. I recommend an additional modification in the Annex to my report. The definition of plans and programmes in Article 2(a) of EU Directive 2001/42 includes any modifications to them. I am satisfied that the Neighbourhood Plan is compatible with the Convention Rights, and would remain compatible if modified in accordance with my recommendations; and subject to the modifications I have recommended, meets all the Statutory Requirements set out in paragraph 8(1) of schedule 4B of the Parish and Country Planning Act 1990, and meets the Basic Conditions:
    - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
    - the making of the neighbourhood plan contributes to the achievement of sustainable development;
    - the plan will not prevent development from taking place which is proposed in the development plan for the area and if it took place, would provide housing;
    - the plan will comply with relevant environmental outcomes reports (EOR);
    - the making of the neighbourhood plan does not breach, and is otherwise compatible with, assimilated EU obligations; and
    - the prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the plan (meaning that the plan has passed all necessary legal, environmental and procedural requirements).

I recommend to Oldham Council and the Peak District National Park Authority that the Saddleworth Neighbourhood Development Plan for the plan period up to 2045 should, subject to the modifications I have put forward, be submitted to referendum.

139. I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area and if to be extended, the nature of that extension. I have seen nothing to suggest that the policies of the Plan will have "a substantial, direct and demonstrable impact beyond the neighbourhood area." I have seen nothing to suggest the referendum area should be extended for any other reason. I conclude the referendum area should not be extended beyond the designated Neighbourhood Area.

I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated as a Neighbourhood Area by the Peak District National Park Authority on 11 November 2016 and by Oldham Council on 21 November 2016.

Annex: Minor Corrections to the Neighbourhood Plan

140. I have only recommended modifications and corrections to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Supporting text and other information in the plan must be adjusted to achieve consistency with the modified policies.

Recommended modification 8:
Modify general text and figures to achieve consistency with the modified policies; to achieve updates and correct identified errors; to achieve necessary clarifications; and to ensure sufficient regard for national policy.

Chris Collison
Planning and Management Ltd
17 September 2026
REPORT END