

5: COUNTRYSIDE, OPEN LAND, SPORT AND RECREATION

POLICY OL 1

Protection of the Green Belt

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|---|--------|--------|-------|
| Countryside Agency | 190 | 111 | O | |
| Ashton-under-Lyne Civic Society | 47 | 7 | S | |
| J A & J I Dyson | 262 | 641 | S (rd) | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 111 | The policy should include farm diversification as a form of development that may be acceptable in the green belt. | | | |
| 7 | Support the aim of Green Belt policy but feel this has been violated by development on Lily Lane. | | | |
| 641 | Support the amendments made to policy and justification. | | | |

Main Issue

5.1.1 Whether farm diversification should be mentioned specifically in policy OL1.

Conclusions

5.1.2 Policy OL1 is concerned with the construction of new buildings in the green belt. Together with OL2 which relates to existing buildings it reflects national policy in PPG2 in that there is support for the reuse of buildings which would assist farmers in diversifying their enterprises, but not the erection of new buildings. PPG2 does not regard the construction of new buildings for farm diversification to be an appropriate form of development *per se*. To include such a circumstance in policy OL1 would be a relaxation of Government policy. I have not been made aware of any particular circumstances in Tameside which would justify a more liberal green belt policy than that advocated nationally. Consequently I do not support the objection.

Recommendation

5.1.3 I recommend no modification to the policy as a result of this objection.

POLICY OL 2

Existing Buildings in the Green Belt

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Tameside College | 764 | 598 | O | |
| W I S H Properties | 825 | 444 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 598 | The policy should also apply to existing developed sites. | | | |
| 444 | Disused, poorly defined land at Miller Hey, Mossley should not be included in the Green Belt.. | | | |

Main Issues

- 5.2.1 i) Whether the policy should apply to existing developed sites.
ii) Whether land at Miller Hey, Mossley site should be removed from the green belt.

Conclusions

- 5.2.2 **In respect of the first issue**, whilst not explained in any detail, as written, the objection seeks to have the provisions of policy OL2 apply to developed sites. As far as I am aware it does. It is a blanket policy which applies to all areas of the green belt. It does not exclude major developed sites. Policy OL3 is in addition to policy OL2, not an alternative to it. It is therefore unnecessary to amend the policy in order to meet the objection by Tameside College.
- 5.2.3 **Next the second issue**. PPG2 makes it quite clear that detailed green belt boundaries defined in adopted development plans should be altered only exceptionally and that boundary changes and/or development should not be permitted just because land has become derelict or unsightly.
- 5.2.4 The objection site is relatively small. It is split into 2 distinctive parts by the access track to Miller Hey Cottages which are also in the green belt and at some distance from the main built up area of Regents Drive. Firstly looking at the northern part. I saw that the green belt boundary is not defined by any physical feature on the ground and I accept that even if the boundary were to be moved to reflect the land with and without planning permission there are at present no physical feature the distinguish the boundary on site.
- 5.2.5 However the land is at some distance from the houses in Regents Drive, it relates poorly to the new house to the north which backs onto it, and also to the cottages which form a distinct and separate group. It has the appearance of open unkempt land on the fringe of the open countryside. Given its location and surroundings I do not consider the lack of a well defined boundary to be a good reason to remove this part of the site from the green belt. Whilst PPG2 sets out the positive role that the use of land can have in the green belt, it also says that the extent to which that use fulfils the objectives of the green belt is not a material factor in the inclusion of land within it.
- 5.2.6 At Miller Hey the southern half of the objection site has a rural appearance. It is open land vegetated with scrub and Himalayan balsam. Its boundary is well defined by 2 access tracks and a field boundary. It is clearly in the open countryside and has even less in common with built up area of Regents Drive and Millers Hey Cottages than the northern part of the site. To delete the objection site from the green belt and permit housing would extend the built up area into the open countryside and consolidate the impact of the existing properties. Given the above findings I do not consider there is sufficient reason to remove the land from the green belt.

Recommendation

- 5.2.6 **I recommend no modification to the policy as a result of this objection.**

POLICY OL 3

Major Developed Sites in the Green Belt

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Anne Robinson | 654 | 555 | O | |
| Tameside College | 764 | 599 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 555 | Opposed to designation of Longdendale High School as an existing developed site in the Green Belt. | | | |
| 599 | Permitted infilling should not be restricted to the continuing use of the site. | | | |

Main Issues

- 5.3.1 i) whether Longdendale High School should be included as an existing developed site within the green belt.
 ii) whether criterion (a) should be deleted

Conclusions

- 5.3.2 **The first issue.** The provisions of policy OL3 are in principle in line with national policy in paragraph C2 of PPG2 which says that local planning authorities can identify major developed sites in the green belt where infilling is appropriate development. Policy OL3 is permissive of limited infilling at such sites and sets out 5 strict criteria that such proposals must satisfy to be regarded as appropriate development and permissible in terms of the policy. Neither national policy nor OL3 require that such small scale development should first explore sites outside the green belt.
- 5.3.3 The identification of Longdendale High School as a major developed site is carried over from the adopted UDP. I have seen no substantive evidence which suggests, in principle, it is not suitable for inclusion under policy OL3. Whilst national policy recognises that major developed sites may need to be redeveloped at some time in the future, policy OL3 does not. It is limited only to infilling. In the event that the school did become redundant or construction of buildings other than for educational purposes was contemplated, such proposals would need to be tested, not against policy OL3, but policies OL1 and/or OL2. All policy OL3 seeks to do is to enable a limited amount of evolutionary infilling, if the scale is modest and the existing use perpetuated. It does not seek to permit major development, but accommodate incremental growth.
- 5.3.4 I note that Longdendale High School takes pupils from 11-16 only and is not in the Council's view a higher or further educational establishment referred to in paragraphs C15 to C17 of PPG2. As written I do not consider the policy is ambiguous. And in all the circumstances I see no reason to modify the policy in response to the first issue.
- 5.3.5 **I now turn to the second issue.** Policy OL3 is more permissive than OL1 and OL2 in that it permits limited infilling at major developed sites so long as, amongst other things, development is related to the continuing use of the site as identified. In doing this it recognises that limited infilling may help to secure jobs and prosperity without further prejudicing the green belt. To permit development unrelated to the existing use would be contrary to the objectives of policy OL3 and also to national policy guidance from which it flows. It would result in a significant weakening of green belt policy. For these reasons I do not support the deletion of criterion (a).

Recommendation

- 5.3.6 **I recommend no modification to the plan as result of these objections.**

POLICY OL 4

Protected Green Space

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Mr R C Harrison | 365 | 26 | O | |
| English Nature | 277 | 221 | S | |
| Greater Manchester Ecology Unit | 335 | 342 | S | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 26 | Land to rear of 26 Green Lane, Hollingworth should not continue to be protected as an open space. | | | |
| 221 | Support commitment to protect and enhance open space, wildlife links and nature conservation. | | | |
| 342 | This policy simplifies the existing designation and should strengthen the protection of open spaces. | | | |

Main Issue

- 5.4.1 Whether land at the rear of 26 Green Lane should be deleted as a protected open space and allocated for housing purposes.

Conclusions

Background matters

- 5.4.2 The objection by Mr Harrison was registered as against policy OL4. It was clarified at the inquiry that it is more appropriate to consider it against policy OL5. However to avoid confusion with the schedules produced by the Council I have dealt with the matter under heading of policy OL4.
- 5.4.3 This leads to some general comments before I turn to the specific objection. Irrespective of the registering of objections by the Council, I believe that there is a degree of overlap leading to a lack of clarity between policies OL4 and OL5. Policy OL4 as written is relevant to all protected open space. It seeks to prevent all development which would prejudice any of its functions. Policy OL5 on the other hand says that built development will not be permitted on protected green space which is used for sport/recreation or which is a local amenity contributing to the character of an area or which provides a habitat for wildlife. In practice it seems to me that it could be argued that any piece of protected open space would fulfil at least one of those functions. Therefore in practice both policies would apply to most types of protected green space.
- 5.4.4 However the reasoned justification to policy OL4 says that it relates to the more extensive areas of open space such as larger town parks and green wedges which have a strategic role in the overall built up area, whilst OL5 relates to the recreational or local amenity function of open spaces. If this is the case I consider it would assist users of the plan, if on the proposals map a distinction were made between those areas which are subject to policy OL4 and those which are subject of policy OL5. I shall recommend modifications accordingly.
- 5.4.5 **I now turn to the issue.** The objection site has an area of about 0.3ha. It is mainly rough grassland. It is surrounded on all sides by a loose assortment of houses although nearby open land - partly the route of the Longdendale Aqueduct, changing ground levels and the variety in properties means that there is continuity between the objection site, adjacent open land and the wider open countryside just to the north. In its setting,

despite its unkempt appearance, it helps to establish the character of this part of the settlement and is clearly visible from the footpath which abuts its northern boundary. As such it falls within the parameters of policy OL5. In view of the site's characteristics, I do not consider the existing designation in the adopted UDP as Other Protected Open Land militates against its designation in this plan as protected open space.

- 5.4.6 Although the Council say that the objection site forms part of a chain of open land which is important to flora and fauna habitat enhancement, I have seen no information which substantiates this assertion. However this does not mean that the site is inappropriately designated protected green space, as it fulfils other functions of the designation.
- 5.4.7 I now turn to the site's suitability for residential purposes. The Council refer to various impediments to the construction of residential units, but such matters as the aqueduct, land stability, privacy of neighbours and the like are in my view matters of detail which are more properly considered at the planning application stage. I have no information which suggests that these factors would preclude development of the site in principle. In terms of principle, even though the site is within the urban area, close to facilities and alternative means of transport to the car, it is nevertheless a green field site and cannot be regarded as a windfall which enjoys the support of PPG3. PPG3 says windfall sites are previously developed sites which have become unexpectedly available. Neither, because of its restricted size is the site large enough for a specific housing allocation under policy H1.
- 5.4.8 It cannot be disputed that all things being equal, the development of a greenfield site within the urban area would be preferable to a greenfield urban extension, but this is not the alternative in this case. The appeal site is not comparable in either scale or location to the only wholly greenfield urban extension site proposed for development by the Council.
- 5.4.9 Whilst not wanting to repeat in any great depth my conclusions to policy H1, I am satisfied that the site is not required to meet the Borough housing target set out in RPG. The Council have produced figures which demonstrate that the development of the site is not required to meet local needs. A survey in 2001 identified a net requirement of about 50 dwellings up to 2006 with a potential for 90 or so to be provided from sites under construction or with planning permission. In the light of all these findings I conclude that the site is suitably designated as protected open space and there is no requirement for it to be allocated for residential purposes.

Recommendation

- 5.4.10 I recommend that on the proposals map policy OL4 designated sites be distinguished from policy OL5 sites.

POLICY OL 6

Outdoor Sport, Recreation and Play Space Developments

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|---------------------------------------|---|--------|--------|-------|
| Peak District National Park Authority | 597 | 502 | O | Yes |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 502 | The policy could refer to sport/recreational opportunities helping to relieve pressure on the National Park | | | |

Main Issue

- 5.5.1 Whether the reasoned justification to the policy should refer to leisure facilities easing the pressure on the National Park.

Conclusions

- 5.5.2 The Council agree with the objector and propose an additional sentence at the end of the first paragraph of the reasoned justification. They propose adding *New or improved facilities could also help relieve potentially damaging pressure on existing facilities, untouched land or visitor/traffic generation in the adjoining Peak District National Park, as the eastern half of the Borough has similar geomorphic resources.*
- 5.5.3 The objector authority has indicated that it will withdraw its objection subject to the above change being included within the plan. I also support the proposed change which reflects policies in RPG8.

Recommendation

- 5.5.4 I recommend that the policy be modified by inserting an additional sentence at the end of the first paragraph of the reasoned justification to read:- *New or improved facilities could also help relieve potentially damaging pressure on existing facilities, untouched land or visitor/traffic generation in the adjoining Peak District National Park, as the eastern half of the Borough has similar geomorphic resources.*

POLICY OL 6(3)

Outdoor Sport, Recreation and Play Space Developments

Hartshead Power Station and Millbrook Sidings sites (former STA17,18)

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|---|--------|--------|-------|
| P. Casey Enviro Ltd | 588 | 78 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 78 | A commercially based approach to reclamation is required, including some housing development. | | | |

Main Issue

- 5.6.1 Whether the policy should recognise the financial constraints in reclaiming the site.

Conclusions

- 5.6.2 The Council are not in a position to reclaim the land themselves. They accept in principle that reclamation costs on the site will be substantial and that the restoration of the land cannot take place without a viable scheme. Consequently they propose a change to the policy to read in full:- Hartshead Power Station and Millbrook Sidings sites (former STA17, 18) *to be reclaimed for predominately outdoor recreation uses with a limited amount of enabling development needed to fund the reclamation of the site. The character and extent of the enabling development to be established following detailed investigation into the cost of reclamation works.*
- 5.6.3 Such a change is a realistic approach to enable the reclamation of the land during the plan period. The objection however seeks support for an element of housing on the site

and the conversion of a building to residential purposes. I note that planning applications for these, amongst other uses, have been submitted to the Council and are awaiting determination.

- 5.6.4 There are no more than general assertions that successful restoration of the sites cannot take place without enabling development. Therefore it would be imprudent to support specific after uses when the sites are located totally within the green belt and the Council do not intend changing the boundary in the foreseeable future. This situation means that any development which conflicted with green belt policy would have to demonstrate very special circumstances and be treated as a departure from the development plan. Given these safeguards I consider the proposed change to be a reasonable alteration to policy OL6(3)

Recommendation

- 5.6.5 I recommend that the policy be modified to read :-
Hartshead Power Station and Millbrook Sidings sites (former STA17, 18) to be reclaimed for predominately outdoor recreation uses with a limited amount of enabling development needed to fund the reclamation of the site. The character and extent of the enabling development to be established following detailed investigation into the cost of reclamation works.

POLICY OL 6(4)

Outdoor Sport, Recreation and Play Space Developments

South of Windmill Lane, Denton (former DEN14)

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Fairfield Golf and Sailing Club | 288 | 157 | O | |
| Horses Field Residents Committee | 406 | 410 | O | |
| Sport England | 711 | 582 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 157 | If the Waterside Park refusal stands, it must be made clear that the existing golf course will be protected | | | |
| 410 | Access should not be taken from Windmill Lane because of traffic congestion and hazards. | | | |
| 582 | There is a need for a clear linkage and mechanism to enable this site to become a replacement for Fairfield Golf and Sailing Club. | | | |

Main Issues

- 5.7.1 i) Whether Fairfield Golf and Sailing Club should be included as a site under policy OL6.
 ii) Whether the policy should be deleted if the Waterside Park development does not go ahead
 iii) Whether there should be a link between the Waterside Park development and policy OL6(4)
 iv) Whether access to the site should be from Windmill Lane.

Conclusions

- 5.7.2 **The first issue.** It seems to me that objection 157 is not opposed to policy OL6(4) but seeks to have Fairfield Golf and Sailing Club included under the umbrella of policy OL6 if the proposal for a business park at Waterside Park (policy E1(2)) does not go ahead. In the event that the golf club site is not redeveloped the UDP does not envisage

any change to the site, it will be designated protected green space. In these circumstances it is not therefore appropriate to include it within policy OL6.

- 5.7.3 **In respect of the second issue**, I appreciate that reference is made to the Waterside Park development in policy OL6(4), but the proposal for a golf course to the south of Windmill Lane is not dependent on the redevelopment of Fairfield Golf Course. Whilst the policy leaves that opportunity open as a possibility, there is no mechanism in the plan to link the 2 developments. OL6(4) is nevertheless a site specific development proposal at some distance from Fairfield Golf Course. It is also in principle a use which is appropriate in the green belt. Planning permissions have been granted for a golf course on the site in 1991 and in 1994 and as recently as 2000 the Council resolved to grant a further permission subject to the successful completion of legal agreements. Given these factors I do not consider the policy should be deleted.
- 5.7.4 **The third issue** follows from this. In principle, neither do I consider the policy should state a clear linkage and mechanism to enable the site to become a replacement for Fairfield Golf Course. To do so would restrict the uptake of the land to a single potential private user when there is no certainty of the financial ability of the club to acquire the land and/or lay out a new course and no guarantee that the land owner would sell the land to any particular party. I note here that the landowner of Waterside Park says that making OL6(4) a contingent allocation could prejudice the deliverability of Waterside Park.
- 5.7.5 **I now turn to the fourth issue**. In considering previous applications on the site the highway situation was looked at in some detail by highway engineers who considered that Windmill Lane was the only suitable access to the site, subject to provision of a traffic light controlled junction. Whilst the objectors in support of their case refer to poor road alignment, an accident record and the volume of traffic using the road, these are matters which it is usual to take into account when looking at the suitability of an access. In my opinion the information I have seen does not substantiate the view that in principle Windmill Lane is unsuitable to provide a safe access to a golf club. In reaching this conclusion I have been mindful of the nature and volume of traffic attracted to a golf club and using Windmill Lane at present.

Recommendation

- 5.7.6 I recommend no modifications to the plan as a result of these objections.

POLICY OL 6(5)

Outdoor Sport, Recreation and Play Space Developments

Egmont Street, Mossley (former MOS9)

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Mr G Kelly | 455 | 25 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 25 | The land is suitable for both residential and employment development benefiting the surrounding area | | | |

Main Issue

- 5.8.1 Whether the southern part of the site should be allocated for either residential or employment purposes.

Conclusions

- 5.8.2 Virtually all of the site lies within the floodplain identified by the Environment Agency on its 2001 indicative floodplain maps. Such areas are at risk from river flooding from an event with a 1% annual probability of occurring. PPG25 says that these areas, if undeveloped, are not generally suitable for residential or industrial development unless a particular location is necessary. I appreciate that work in the past has indicated that former identified floodplains were open to question, but the floodplain on the proposals map is based on up to date information from the Environment Agency. Moreover national policy guidance has changed since 1994, Circular 30/92 has been superseded. Playing fields could in principle maintain a floodplain overflow capacity without damage to the built environment. In respect of the sequential test, it seems to me that in this instance the onus must be on the objector to demonstrate why the site is suitable for development. It is not the Council which is proposing the site for built development.
- 5.8.3 The site lies within the Tame valley where there is a long standing policy (continued in policy OL15) of protecting the open aspect of the valley and reclaiming derelict land to original open land uses (OL9). Development of the site for playing fields would accord with those policies and be compatible with the sites designation as protected green space. Whilst developing a proportion of the objection site for built development may not compromise those objectives to any great extent, such a proposal is not before me, the objector refers only in a general way to development close to Manchester Road and the southern part of the site not requiring extensive site works.
- 5.8.4 The Council say that whilst in the past they have not had the wherewithal to implement the reclamation of the site and its use as playing fields, SRB6 funds are now available for both the purchase of the land and the development of the site in accord with policy OL6(5) within the plan period. A planning permission for playing fields was granted in November 2002.
- 5.8.5 The site is proposed for playing pitches because in the Council's view there is a continual informal need for accessible, maintained playing fields in the area. The Council do not justify this by any empirical evidence. However even if there was no demand for such facilities, because of the factors above, it would not justify allocating the site or part of it for housing or employment purposes. Overall on this issue I conclude that no modification to the policy is required.

Recommendation

- 5.8.6 I recommend no modification to the policy as a result of this objection.

POLICY OL 6(8)

Outdoor Sport, Recreation and Play Space Developments

Godley Brook valley, Hyde (former HYD22)

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Sandra Ray | 640 | 534 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 534 | Special care and attention to nature conservation issues, privacy of local residents and security is needed in implementing the policy | | | |

Main Issue

- 5.9.1 Whether the policy addresses adequately nature conservation interests and the living conditions of residents.

Conclusions

- 5.9.2 The objection was made to the draft deposit version of the policy, subsequently at the revised deposit stage changes were incorporated into the policy to cover such matters as the consideration of nature conservation interests, the amenity and security of residents and the condition of the brook.
- 5.9.3 The policy now makes it clear that all these matters must be addressed in any proposals which are brought forward for a linear park. As yet there are no detail proposals for the area, but when these are available I would expect neighbours to be consulted in the normal way about their views on the particulars of the scheme. For the present I am satisfied that the policy sets out adequately the principles of the development of the site and the matters which will be taken into account.

Recommendation

- 5.9.4 I recommend no modification to the plan as a result of this objection.

POLICY OL 6(9)

Outdoor Sport, Recreation and Play Space Developments

Stockport Road Playing Fields, Denton

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Andrew Bennett MP | 81 | 23 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 23 | Welcome for the proposal but considers that the money raised from the sale of land should be invested in open space locally. | | | |

Main Issue

- 5.10.1 Whether the policy should seek to provide improved facilities within Denton town centre only.

Conclusions

- 5.10.2 The proposal has evolved since the production of the revised deposit plan. The funds from the sale of a portion of the playing fields site will now be used to carry out improvements to the two remaining sports pitches at Stockport Road, build improved changing facilities and also provide an all weather pitch for and an extension to changing rooms for community use at Two Trees High School just over 1km to the south east of the objection site. In the light of this the Council propose a change to policy OL6(9), that is, the deletion of all but the first two sentences of the policy and its replacement with:- *It is proposed to release a small part of the site, at the western end where access would be feasible, for industrial development of an adjoining business. This would provide funds to carry out significant improvements to the two grass pitches on the remainder playing field and to provide new changing rooms, along with the*

provision of an all weather pitch and extension to changing rooms for community use at Two Trees High School Denton.

- 5.10.3 The replacement facilities have the support of Sport England who because all the money from the sale of land will be spent on improving pitch team sports, have now withdrawn their objection to the loss of the playing field at Stockport Road.
- 5.10.4 Whilst I understand the objector's concerns that the money should be spent within Denton town centre, it seems to me that the provision of improved facilities for use by all the community is a worthwhile objective. The all weather pitch would be relatively close to the town centre. Moreover I have no information before me which substantiates the view that the facilities proposed would represent a serious lack or under-provision of informal play facilities in the locality. In any event I see no reason to modify a policy which is in accord with both Sport England's playing fields policy and PPG17.
- 5.10.5 It follows from this that I do not consider it necessary to modify the policy to meet the concerns of the objector. However I support the change proposed by the Council which in my view does not fundamentally change, but up dates the position from the revised deposit version of the plan.

Recommendation

- 5.10.6 I recommend the policy be modified by the deletion of all but the first two sentences and the addition of the following :- *It is proposed to release a small part of the site, at the western end where access would be feasible, for industrial development of an adjoining business. This would provide funds to carry out significant improvements to the two grass pitches on the remainder playing field and to provide new changing rooms, along with the provision of an all weather pitch and extension to changing rooms for community use at Two Trees High School Denton.***

POLICY OL 7

Potential of Water Areas

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|-------------------------------------|---|--------|--------|-------|
| Redrow Homes (North West) Ltd | 643 | 477 | O | |
| United Utilities - Service Delivery | 814 | 614 | O | |
| English Nature | 277 | 223 | S | |
| Environment Agency | 279 | 236 | S | |
| Sport England | 711 | 584 | S | |
| English Nature | 277 | 656 | S (rd) | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 477 | A blanket approach to the protection of water features is inappropriate. | | | |
| 614 | The circumstances of each reservoir are unique and recreational use must be carefully examined. | | | |
| 223 | Support commitment to utilise the potential of water areas for nature conservation. | | | |
| 236 | Support the principle of the policy where it promotes or protects Environment Agency interests. | | | |
| 584 | This is supported. | | | |
| 656 | Support the policy as it recognises the potential for nature conservation. | | | |

Main Issue

- 5.11.1 Whether the policy should refer to the need to establish whether water features are of value before their retention is required.

Conclusions

- 5.11.2 Policy OL7 is not one of blanket protection. It does not seek to retain water features *per se*. What it does do, is to seek to exploit the potential of water areas for recreation, tourism and nature conservation if there would not be any adverse effects on a number of factors such as nature conservation or residential amenity. The reasoned justification goes on to recognise that the circumstances of individual resources are different.
- 5.11.3 OL7 is primarily a positive policy which encourages the use and improvement of all types of water feature. I do not consider either the objectives or the requirements of the policy are overly prescriptive. As with many policies there needs to be an element of professional judgement and in the case of this policy it is implicit that such a judgement would include whether the water feature in question was of value. It would in my view serve little purpose if the policy were to state this explicitly. I do not therefore consider it necessary to modify the policy in the light of the main issue.
- 5.11.4 At the revised deposit stage the Council included in the reasoned justification text along the lines suggested by United Utilities. I consider this meets the concerns expressed by the objector even though the objection was not withdrawn. The text is clear and I do not believe there is the need for any further change to the plan in this respect.

Recommendation

- 5.11.5 I recommend no modification to the plan as a result of these objections

POLICY OL10

Landscape Quality and Character

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|---|--|--------|--------|-------|
| Action Against Kingswater Park (Waterside Park) | 8 | 432 | O | |
| United Utilities - Service Delivery | 814 | 710 | O (rd) | |
| Countryside Agency | 190 | 114 | S | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 432 | Delivering a better quality of life should be a concept contained in this policy. | | | |
| 710 | Planting of trees or deep rooted shrubs should be avoided near water pipes, electric cables & sewers | | | |
| 114 | Supports conservation and enhancement of landscape quality and character. | | | |

Main Issues

- 5.12.1 i) Whether delivering a better quality of life should be specifically mentioned in the policy
 ii) Whether it should be explained specifically that planting new trees next to infrastructure should be avoided.

Conclusions

- 5.12.2 **The first issue.** OL10 is a straightforward land use based policy which seeks to ensure that development proposals conserve and enhance the open countryside and its landscape. It is specific and focussed and as such its objectives are clear. *Quality of life* on the other hand is a concept which underlies sustainable development principles which are set out in policy 1.5 – a strategic part 1 policy. Amongst other things, these sustainable objectives seek to ensure access for all to good food, shelter and fuel and the protection of health by creating safe, clean environments. They are the foundation for all part 2 policies. As the concept is a basic aim of the plan I do not consider it is necessary to repeat this in individual policies.
- 5.12.3 **In respect of the second issue,** it is a matter of normal development control good practice that certain standards are followed in relation to planting next to infrastructure and buildings. Policy OL10 is a positive policy of environmental protection which sets out the factors that will be taken into account when considering development. Site specific details are more commonly dealt with at the planning application stage and I see no necessity for such information to be included in policy OL10.

Recommendation

- 5.12.4 **I recommend no modification to the plan as result of this policy.**

POLICY OL11

Support for Agriculture

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|--------------------------------------|--|--------|--------|-------|
| Government Office for the North West | 327 | 299 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 299 | The policy should more closely reflect appropriate elements of PPG7. | | | |

Main Issue

- 5.13.1 Whether the second paragraph of the policy satisfactorily reflects the provisions of PPG7

Conclusions

- 5.13.2 In response to this objection the Council propose the deletion of the second paragraph and its replacement with the following:- *Where development of agricultural land is unavoidable, the Council will seek to encourage the use of poorer quality land in preference to that of higher quality, except where other sustainability considerations suggest otherwise.*
- 5.13.3 I support the change which brings more accurately reflects government policy in PPG7.

Recommendation

- 5.13.4 **I recommend the policy be modified by the deletion of the second paragraph and its replacement with the following:-** *Where development of agricultural land is unavoidable, the Council will seek to encourage the use of poorer quality land in*

preference to that of higher quality, except where other sustainability considerations suggest otherwise.

POLICY OL13

Accommodation for Agricultural Workers

- 5.14.1 Although there are no outstanding duly made objections to this policy, I would draw the Council's attention to the requirement within the policy for an occupancy condition which says that workers must be employed in agriculture or forestry *on the unit*. This is not in accord with national policy guidance. PPG 7 at paragraph I17 sets out a model condition which restricts the occupation of a dwelling to agricultural/forestry workers *in a locality*. It goes on to say quite clearly that it should not be necessary to tie occupation of the dwelling to workers on one specific farm or forestry business even though the needs of that business justified the provision of the dwelling. There is no explanation in the policy which justifies the more restrictive condition proposed by the Council.

POLICY OL14

Allotments

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|--------|--------|-------|
| Roland Bardsley Homes | 658 | 50 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 50 | Unused allotments would be a wasted resource if not redeveloped. The policy should refer to the possibility of alternative provision being made. | | | |

Main Issue

- 5.15.1 Whether the policy should refer to the possibility of alternative provision being made.

Conclusions

- 5.15.2 In response to this objection the Council made changes to the policy and its accompanying text at the revised draft deposit stage to recognise that unused sites could be a wasted resource, to allow for alternative provision to meet demand if necessary and to say how demand would be assessed. I consider this meets the generalities of the objection and do not see the need for further modification.

Recommendation

- 5.15.3 I recommend no modification to the policy as a result of this objection.

NON POLICY SPECIFIC OBJECTIONS

Countryside, Open Land, Sport and Recreation

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|---|--------|--------|-------|
| Ashton-under-Lyne Civic Society | 47 | 5 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 5 | The correct boundaries of Stamford Park should be maintained. | | | |

Main Issue

5.16.1 Whether the boundary of Stamford Park should be delineated on the proposals map.

Conclusions

5.16.2 Although there are no site specific proposals for Stamford Park, policy C9 is concerned with historic parks and gardens generally and it seems to me that in order for the policy area to be readily identifiable it should be delineated on the map. In reaching this conclusion I have been mindful that the area of the park is not contiguous with either the extent of the protected green space allocation on the map or the Council's ownership in the locality. The definition of the park would add clarity to the plan.

5.16.3 I note that there is a difference between the Council and the objector about the extent of Stamford Park, but the resolution of that matter is outside the development plan process. For the purposes of policy C9 I consider the boundary on the English Heritage Register of Parks and Gardens of Special Interest should be used. Whilst I understand the other concerns of the objector it seems to me that fencing on the ground and delineation of particular areas are more ongoing management concerns rather than development plan policy matters.

5.16.4 It is not exactly clear from the policy whether any other areas are on English Heritage's register and subject to policy C9. However it would be consistent if any such other areas could also be delineated on the proposals map.

Recommendation

5.16.5 I recommend that the boundary of Stamford Park, which is to be found on the English Heritage Register of Parks and Gardens of Special Interest and which is the subject of policy C9, be delineated on the proposals map.

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|--|--|--------|--------|-------|
| British Waterways - South Pennine Ring | 109 | 63 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 63 | The line of Hollinwood Branch Canal should be protected to permit the possibility of future restoration. | | | |

Main Issue

5.16.6 Whether the UDP should contain a policy for the protection and restoration of the Hollinwood Canal between the Ashton Canal and the Manchester to Stalybridge railway.

Conclusions

- 5.16.7 As part of its redevelopment proposals for E2(4) the Council intend to use and expand the short arm of the canal to form a rectangular basin for marina type uses which would cut off the opportunity to restore the old line to the north. However it seems to me that this has already been effectively done. A significant amount of recent building has taken place over the canal including new housing. There is a recently approved permission for retail development which also effects the line of the canal and the canal stops abruptly at the M60. Given the age and amount of development which has been permitted and/or built it seems to me that it is unlikely that any restoration works would be practical in the foreseeable future.
- 5.16.8 Whilst I accept that PPG13 Annex B is supportive of the restoration of disused waterways, this is only where it is appropriate and where there is a reasonable degree of certainty of a restoration project proceeding. Such is not the case with the Hollinwood Branch Canal where the indications, even according to the objector, are that total restoration of the canal is only a distant possibility. In any event the canal is only a branch line. It does not link through to a navigable network, therefore any restoration works would be of limited value for navigation.
- 5.16.9 However I understand that even so restoration could eventually provide a recreational facility and be of nature conservation value, but such facilities can and do occur without the need for the canal to be restored in its entirety. At present on parts of the line within Tameside there is a walkway/cycleway, a SSSI on a remnant of open water and proposals to form an extension to a community woodland project. The above factors lead me to the conclusion that the UDP should not contain a policy which would protect the line of the Hollinwood Branch Canal.

Recommendation

5.16.10 I recommend no modification to the plan as result of this objection.

| NAME OF ORGANISATION OR INDIVIDUAL | | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|--|-------|--------|--------|-------|
| Countryside Agency | | 190 | 96 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | | |
| 96 | The plan should incorporate the Countryside Agency's approach to rural and urban fringe planning and its Countryside Character initiative. | | | | |

Main Issue

- 5.16.11 Whether the plan should make specific reference to the Countryside Agency's approach to rural planing set out in Planning Tomorrow's Countryside.

Conclusions

- 5.16.12 The Countryside Agency's Landscape Character Areas are included within policy OL10.
- 5.16.13 The objector would like to see reference to Planning Tomorrow's Countryside in the Other Relevant Policies and Strategies section in part 1 of the plan. That section sets out the documents which have formed the framework for the UDP policies. They consist of national and regional policy guidance together with local strategies devised by the Council. They do not by and large contain the policies of other organisations or groups. I can understand the Council's point of view that the inclusion of one organisation's strategies could be seen as inconsistent on their part.

5.16.14 Moreover it is evident from the Council's statement that they are not in entire agreement with the second proposition in that document which they consider could lead to an undermining of some of the UDP policies. This to my mind is particularly pertinent as the rural areas around the built up areas of Tameside do not have an independent economy as such, but are dependent to a great extent on the services and facilities within the urban area. Consequently pressure to develop in the countryside is largely generated from the urban areas and does not arise out of the need to diversify a rural economy. Given these factors I do not consider the plan should make specific reference to the Countryside Agency's approach to rural planning set out in Planning Tomorrow's Countryside.

Recommendation

5.16.15 I recommend no modification to the policy as result of this objection.

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|------------------------------------|---|--------|--------|-------|
| Horses Field Residents Committee | 406 | 409 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 409 | The Horses Field open space should be zoned as green belt to ensure safer protection. | | | |

Main Issue

5.16.16 Whether Horses Field should be designated green belt in order to protect it from development.

Conclusions

5.16.17 Horses Field is designated as protected green space in the UDP. It lies between the green belt and the built up area. Such a designation, under policies OL4 and OL5 affords a great deal of protection, albeit the policies are not as restrictive as OL1 which controls development in the green belt. In the adopted UDP it is allocated as urban green space.

5.16.18 PPG2 says that green belt boundaries defined in adopted development plans should only be altered in exceptional circumstances. Currently in the emerging RPG it says that there is no necessity to undertake a strategic study to review the green belt in Greater Manchester before 2011. The land is owned by the Council and there are no proposals to develop the site. I do not consider either the history of the site, the unsubstantiated fear that the Council may change its attitude to development or residents undoubted commitment to safeguard the land from development are exceptional enough circumstances to justify a change to the green belt boundary.

Recommendation

5.16.19 I recommend no modification to the plan as a result of this objection.

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|---------------------------------------|--|--------|--------|-------|
| Peak District National Park Authority | 597 | 512 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 512 | It is unclear if policy T7 also covers horse riding. If it does there should be specific reference to it, cross referenced to OL8. | | | |

Main Issue

5.16.20 Whether horse riding is adequately addressed in the plan.

Conclusions

5.16.21 Policy T7 does not nor is it intended to cover horse riding. The Council say, and I accept, that this is because horse riding is a recreational activity rather than a means of transport to work, school and the like. It is however included within OL8 and referred to in both the policy and its reasoned justification. I see no further need for additional references to horse riding in policy T7.

Recommendation

5.16.22 I recommend no modification to the plan as result of this objection.

| NAME OF ORGANISATION OR INDIVIDUAL | OBJ'R | OBJ NO | O or S | C WDR |
|-------------------------------------|--|--------|--------|-------|
| United Utilities - Service Delivery | 814 | 615 | O | |
| OBJ NO | SUMMARY OF OBJECTION | | | |
| 615 | Audenshaw reservoirs should not be designated as protected green space. They should be left unallocated. | | | |

Main Issue

5.16.23 Whether Audenshaw reservoirs should be protected green space.

Conclusions

5.16.24 Policy OL4 relates to substantial enclaves of open space within the urban area. To my mind Audenshaw reservoirs are such an enclave and appropriately designated as protected open space. As water areas they are not unique in being allocated as protected green space with restricted public access. They also are of importance as a wildlife habitat and are designated as a grade "A" SBI.

5.16.25 The policy goes on to say that only where possible and appropriate will measures be taken to enhance the accessibility of such areas. This qualification is carried on into policy OL7 (potential for water areas) where it says that development will only be permitted where it would not, amongst other things, have an adverse effect on operational requirements. In my view the policies are complementary and I see no basic conflict. I do not consider they would raise public expectation about public access for sport or recreation at the reservoirs, but would permit it, if the operational requirements of the objector company changed.

5.16.26 Given these findings I do not consider any modification to the plan is necessary in respect of Audenshaw reservoirs.

Recommendation

5.16.27 I recommend no modification to the plan as a result of this objection.