

Core Strategy Development Plan Document

**Determination Statement on the need for an
Environmental Assessment of the
Suggested Changes to Core Strategy for Submission**

July 2011



**MANCHESTER
CITY COUNCIL**

Introduction

Following public consultation on the Publication version of the Core Strategy DPD, the Council has proposed a number of amendments to the Core Strategy which are set out in the 'Schedule of Suggested Changes to Core Strategy for Submission.doc'.

The Environmental Assessment of Plans and Programmes (SEA) Regulations 2004 require an SEA (or an SA that meets the requirements of the Strategic Environmental Assessment (SEA) Directive 2001/42/EC) to be carried out on statutory land-use and spatial plans and programmes, as well as any modifications to them. However, Regulation 5(6) states that an environmental assessment need not be carried out for a minor modification to a plan or programme, unless it has been determined under Regulation 9(1) that the modification is likely to have significant environmental effects.

In considering the need for an Environmental Assessment of the Suggested Changes, to meet the requirements of Regulation 9(2), the Council has taken into account:

- legal advice from its in-house legal department and its appointed QC for the Core Strategy,
- the criteria specified in Schedule 1 to the Regulations,
- the advice of the 3 statutory consultation bodies (Natural England, English Heritage and the Environment Agency).

The Determination

The Council has determined that the Suggested Changes to Core Strategy for Submission constitute minor modifications which are unlikely to have significant environmental effects, and therefore, they do not necessitate any further environmental assessment and updating of the SA.

Regulation 9(3) states that where the responsible authority determines that the plan, programme or modification is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

Statement of Reasons for the determination NOT to prepare an Environmental Assessment of the 'Suggested Changes to Core Strategy for Submission'

In this case, the majority of Suggested Changes to Manchester's Core Strategy DPD are to correct typographic or cartographic errors, or to increase clarity; additional references have been added throughout the document to ensure

improved accessibility and that the requirements of disabled people are considered in all future development; there are also a number of minor amendments that change to some extent the meaning and/or the requirements of the policy in question. These changes are summarised in Appendix 1.

The Council does not consider that these modifications are likely to have a significant environmental effect on any of the criteria specified in Schedule 1 to the Regulations (See Appendix 2), or that they would alter the findings and conclusions of the latest SA report (prepared for the Publication version of the Core Strategy DPD). The advice of the statutory consultation bodies concurs with this view (see Appendix 3).

Appendix 1

Summary of Proposed Changes

Economy and City Centre

An additional bullet has been added to Policy EC2 Existing Employment Space allowing alternative development on allocated employment sites where 'on balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use'.

Policy EC6 Central Park Strategic Employment Location has been amended. It does not now divide Central Park into two distinct areas but supports a range of employment uses across the whole site whilst also stating that the emphasis in Central Park North will be given to accommodating offices alongside other employment uses.

Policy EC7 Eastlands Strategic Employment Location has been amended to reflect the recently published Eastlands Regeneration Framework consultation. The policy now clarifies that complementary commercial development is supported in the area to the north and west of the stadium, particularly to accommodate economic activities associated with the growth of Manchester City Football Club. Consequently the delivery of employment land for offices has risen by 5Ha.

Airport

No changes are proposed to Policy MA2 Manchester Airport Strategic Site however the accompanying text has been amended to strengthen references to the need to manage and mitigate any impacts on the Site of Special Scientific Interest and adjacent ancient woodland.

Housing

Policy H1 Overall Housing Provision originally required 'all proposals' to meet a list of criteria. This has been amended to 'all new residential development (including accommodation for Gypsies and Travellers and Travelling Showpeople and purpose built accommodation) should consider' the list of criteria according to each circumstance.

Policy H9 Accommodation for Gypsies and Travelling Showpeople has been redrafted to move text on the level of demand from the explanatory text into the policy.

Policy H10 Special Needs and Supported Housing: has been amended and is now named 'Housing for people with additional support needs' and an

explanation of who may be considered people with additional needs is now included in the accompanying text.

Centres

Policy C9 Out-of-centre development has been amended. An impact assessment is now required for 'retail developments of more than local significance' which replaces the requirement for impact assessments on all development over 250sqm. The accompanying text also now states that in most cases development under 650sqm gross floor space is likely to be of local significance only and therefore an impact assessment would not normally be required.

Environment

Policy EN 6 Target framework for CO₂ reductions has been simplified so that the table now only includes the minimum target required for each target area. The policy also clarifies the principle that where the Council identifies an 'allowable solution', for example within an energy proposals plan, that would produce higher carbon reductions at no extra cost than that of achieving the minimum target the higher percentage reduction will be required.

The threshold of over 0.5Ha has been added to Policy EN14, Flood Risk as the size of sites within Critical Drainage Areas and Canal Hazard Zones which would require a Flood Risk Assessment, reflecting Environment Agency advice.

Appendix 2

SCHEDULE 1 CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT		
The characteristics of plans and programmes, having regard, in particular, to—		
Criteria	Significant Environmental Impact?	Reason(s)
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	No	These minor modifications to the Core Strategy DPD will not alter the degree to which the Core Strategy DPD sets a framework for projects and other activities.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	No	These minor modifications to the Core Strategy DPD will not alter the degree to which the Core Strategy DPD influences other plans and programmes.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	No	These minor modifications to the Core Strategy DPD will not alter the relevance of the Core Strategy DPD in relation to integrating environmental considerations and promoting sustainable development.
(d) environmental problems relevant to the plan or programme;	No	These minor modifications to the Core Strategy DPD will not affect the environmental problems relevant to the Core Strategy DPD.
(e) the relevance of the plan or programme for the implementation of	No	These minor modifications to the Core Strategy DPD will not alter the

Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).		relevance of the Core Strategy DPD for the implementation of EC legislation on the environment.
Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—		
(a) the probability, duration, frequency and reversibility of the effects;	No	These minor modifications to the Core Strategy DPD will not significantly alter the probability, duration, frequency and reversibility of the effects as assessed in the latest SA carried out for the Publication version of the Core Strategy DPD.
b) the cumulative nature of the effects;	No	These minor modifications to the Core Strategy DPD will not significantly alter the cumulative nature of the effects as assessed in the latest SA carried out for the Publication version of the Core Strategy DPD.
(c) the transboundary nature of the effects;	No	These minor modifications to the Core Strategy DPD will not significantly alter the assessment of the transboundary nature of the effects in the latest SA carried out for the Publication version of the Core Strategy DPD.
(d) the risks to human health or the environment (for example, due to accidents);	No	These minor modifications to the Core Strategy DPD will not significantly alter the assessment of risks to human health or the environment in the latest SA carried out for the Publication

		version of the Core Strategy DPD.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	These minor modifications to the Core Strategy DPD do not alter any boundaries and therefore will not significantly alter the geographical area and size of the population likely to be affected as assessed in the latest SA carried out for the Publication version of the Core Strategy DPD.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	No	These minor modifications to the Core Strategy DPD will not significantly alter the effects on the value and vulnerability of areas likely to be affected as assessed in the latest SA carried out for the Publication version of the Core Strategy DPD.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	These minor modifications to the Core Strategy DPD will not significantly alter the effects on Cotteril Clough SSSI or the nearby Rochdale Canal SAC as assessed in the latest HRA, and hence the findings of the SA carried out for the Publication version of the Core Strategy DPD would not change.

Appendix 3

The advice of the statutory consultation bodies was sought to satisfy the requirements of Regulation 9(2). We emailed the 3 statutory consultation bodies (Environment Agency, Natural England, English Heritage) on 20 June 2011 requesting their opinion on the need for any further environmental assessment at this stage. Our email stated that: "If we have not heard from you by [the deadline], we will assume that you are in agreement with our opinion that no further environmental assessment is required at this stage."

We received replies from the Environment Agency and Natural England:

Consultee	Consultee's advice
Environment Agency:	<p>We have reviewed the suggested changes and we are pleased to note that the Council has taken into consideration our previous comments. Therefore we have nothing further to add.</p> <p>We consider that these changes are only minor changes to those issues within our remit, therefore we would not seek any further environmental assessment of the Core Strategy.</p>
Natural England:	<p>We are in agreement with your opinion that no further environmental assessment is required at this stage.</p>