

**South Pennine Moors Special Area
of Conservation (SAC) / Special
Protection Areas (SPA)
Supplementary Planning Document
- Initial SEA Determination
Statement**

July 2024

1. Strategic Environmental Assessment Introduction

- 1.1. Oldham Council, Rochdale Council and Tameside Council are jointly preparing a South Pennine Moors SAC/SPA Joint Supplementary Planning Document (SPD). The three authorities are the “responsible body” for the purposes of this SEA “screening” report.
- 1.2. This statement sets out the initial determination of the need for a Strategic Environmental Assessment (SEA) in accordance with Regulation 9 (3) of the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the South Pennine Moors SAC/ SPA Joint SPD currently being prepared.

2. Strategic Environmental Assessment Context

- 2.1. The requirement for a SEA is set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations), which implements the requirements of the European Directive 2001/42/EC.
- 2.2. The SEA Directive (2001/42/EC) identifies the purpose of SEA as “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”. It requires the determination as to whether the plan or programme under assessment is likely to have significant environmental effects, taking account of the criteria set out in Schedule 1 of the Regulations. The Regulations require that the results of this process are set out in a Screening Determination Statement (this document), which must be publicly available.
- 2.3. Before making a formal determination in relation to SEA, there is a requirement to consult the three statutory consultation bodies designated in the Regulations (the Environment Agency, Historic England, and Natural England) on whether environmental assessment is required.

2.4. The Planning Practice Guidance (Paragraph: 008 Reference ID: 11-008-20140306) states that: “Supplementary Planning Documents do not require a Sustainability Appraisal but may in exceptional circumstances require a Strategic Environmental Assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies”.

3. The South Pennines Moors SAC/SPAs Supplementary Planning Document

3.1. The National Planning Policy Framework (NPPF) defines SPDs as documents which add further detail to the policies in the Development Plan. As SPDs do not have the same status as policies contained within the Development Plan, they are not subject to independent examination.

3.2. The Places for Everyone Plan (PfE) was adopted by, Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan (the nine PfE authorities) and took effect on 21 March 2024. The aim of the SPD is to provide further guidance on how criterion 7 of Policy JP-G5 of the PfE will be implemented, which seeks to ensure new development does not have an adverse impact on the protected habitats and species on the South Pennine Moors.

3.3. The PfE Plan is the “parent DPD”, which has already been subject to Sustainability Appraisal incorporating SEA.

3.4. The importance of the South Pennine Moors is reflected in a range of international, national and local habitat designations. It supports important breeding bird populations and is classified as a Special Area of Conservation (SAC) and two Special Protection Areas (SPA).

3.5. The SPD relates to the:

- South Pennine Moors SAC;
- Peak District Moors SPA; and

- South Pennine Moors Phase 2 SPA.
- 3.6. The SAC and SPAs are European designated habitat sites which overlap each other. When referring to all three designations together, this SPD refers to the South Pennine Moors SAC/SPAs.
- 3.7. The SPD is applicable to the local authority areas of Oldham (not including the area covered by the Peak District National Park), Rochdale and Tameside.

4. Initial Screening Determination

- 4.1. Regulation 9 (2) requires that the responsible authorities consider the criteria specified in Schedule 1 before making a determination on whether the SPD is likely to have significant environmental effects. Appendix 1 of this statement contains the detailed consideration against the specified criteria.
- 4.2. Oldham Council, Rochdale Council and Tameside Council consider that after having regard to the Environmental Assessment of Plans and Programmes Regulations 2004 the South Pennine Moors SPD does not require a Strategic Environmental Assessment (SEA).
- 4.3. The responsible authorities have come to this view for the following reasons.
- 4.4. The SPD sits beneath a hierarchy of plans which provide a policy framework for the location, nature and scale of growth and link to retained EU law. These plans have been scrutinised through the SEA process and any required mitigation is already identified.
- 4.5. The SPD's purpose is to ensure new development does not have an adverse impact on the protected habitats and species on the South Pennine Moors SAC/SPA.
- 4.6. The SPD provides guidance on PfE Policy JP-G5 'Uplands', it does not set new policy. Policy JP-G5 has been informed by the outcome and

recommendations of the Habitats Regulations Assessment and Sustainability Appraisal for the PfE plan.

5. Conclusion

- 5.1. This initial screening determination will be reviewed and updated, if required, once responses from the three statutory consultees have been received and considered as part of the iterative screening process.
- 5.2. A final screening determination will be provided alongside the SPD documents at the formal public consultation stage for the draft South Pennine Moors SAC/SPAs SPD.

Appendix 1

Table 1: Schedule 1 – Consideration against the criteria for determining the likely significant effects on the environment.

SEA Directive Criteria	Summary of Environmental Effects	Likely Significant Effects
<p>1. The characteristics of plans and programmes, having regard, in particular, to -</p>		
<p>(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;</p>	<p>The SPD once adopted by the three councils, would be used to help determine planning applications for the planning area which they cover, in addition to PfE, the districts' local plans, and plans for waste and minerals.</p> <p>The SPD will provide supplementary guidance on the framework which has already been set by PfE, in particular policy JP-G5 'Uplands', which has already been scrutinised through Sustainability Appraisal/SEA processes.</p> <p>The SPD will not itself allocate resources, although it will help secure resources for the delivery of the PfE Plan.</p>	<p>No</p>

SEA Directive Criteria	Summary of Environmental Effects	Likely Significant Effects
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	<p>The SPD is unlikely to influence other plans and programmes as it sits beneath the PfE, districts' Local Plans and plans for minerals and waste in terms of plan hierarchy.</p> <p>The SPD will influence how planning applications come forward in terms of allowing the principle of development and/or the level of information to be submitted as part of a planning applications and /or the contributions required, although this would be within the policy framework already set by PfE Policy JP-G5.</p>	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>The SPD is at the lower tier of the Development Plan hierarchy, siting beneath the PfE and district Local Plans which aim to achieve sustainable development and set out detail to meet environmental, social and economic objectives.</p> <p>PfE Policy JP-G5 sets out requirements for development in relation to the South Pennine Moors SAC/SPAs to ensure that development does not have an adverse impact on the protected habitats and species. As</p>	No

SEA Directive Criteria	Summary of Environmental Effects	Likely Significant Effects
	such, the SPD, which will provide further guidance on Policy JP-G5, will help to achieve sustainable development.	
(d) environmental problems relevant to the plan or programme; and	<p>The SPD directly seeks to ensure that new development does not have an adverse impact on the protected habitats and species on the South Pennine Moors SAC/SPA.</p> <p>It expands upon PfE Policy JP-G5 ‘Uplands’ criterion 7, which was added as a result of the outcome and recommendations of the associated Habitats Regulations Assessment for the PfE.</p>	No
(e) the relevance of the plan or programme for the implementation of retained EU law on the environment (for example, plans and programmes linked to waste management or water protection).	<p>Once adopted the SPD would become a material consideration for Oldham, Rochdale and Tameside Councils and be used to determine planning applications (alongside the Greater Manchester Waste Plan, Greater Manchester Minerals Plan, PfE and district Local Plans.</p> <p>These plans all take into consideration other plans and programmes as part of their preparation, including through their associated SEAs and</p>	No

SEA Directive Criteria	Summary of Environmental Effects	Likely Significant Effects
	Habitat Regulation Assessments (HRA) that underpin the adopted and emerging plans.	
2. 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;	The HRA for PfE determined that new development may result in recreational impacts on the South Pennine Moors SAC /SPAs which needs to be mitigated. Therefore, policy requirements were incorporated into Policy PfE JP-G5 to ensure development does not cause adverse recreation impacts on the South Pennine Moors SAC/SPAs over the PfE plan period of 2022-2039.	No
(b) the cumulative nature of the effects;	The SPD seeks to provide additional guidance on Policy JP-G5 which has been informed by a HRA. The guidance within the SPD will mitigate the recreation impacts of the South Pennine Moors SAC/SPAs from the cumulative growth in	No

SEA Directive Criteria	Summary of Environmental Effects	Likely Significant Effects
	housing development across the three authorities of Oldham, Rochdale and Tameside.	
(c) the transboundary nature of the effects;	The SPD will guide development within the planning boundaries of Oldham, Rochdale and Tameside. Beyond this area the plan is unlikely to have effects of a transboundary nature.	No
(d) the risks to human health or the environment (for example, due to accidents);	The SPD is unlikely to produce any significant risks to human health or the environment. Its purpose is to mitigate adverse impact on the protected habitats and species on the South Pennine Moors.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The SPD covers the boroughs of Oldham (excluding the area covered by the Peak District National Park Authority), Rochdale and Tameside but it does will not allocate land or identify sites for development. The SPD does not, in itself, influence the scale and location of	No

SEA Directive Criteria	Summary of Environmental Effects	Likely Significant Effects
	development, but instead seeks to assist in mitigating adverse impacts on the South Pennine Moors SAC/SPAs by implementing the mitigation measures that were recommended from the PfE HRA.	
(f) the value and vulnerability of the area likely to be affected due to – (i) special natural characteristics or cultural heritage;	The purpose of the SPD is to ensure new development does not have an adverse impact on the protected habitats and species on the South Pennine Moors SAC/SPA. The SAC/SPA is also a Site of Special Scientific Interest (SSSI) and Site of Biological Importance (SBI).	No
(f) the value and vulnerability of the area likely to be affected due to – (ii) exceeded environmental quality standards or limit values; or	The SPD is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water, and soil quality as it is not allocating sites and will be read alongside other plans.	No

SEA Directive Criteria	Summary of Environmental Effects	Likely Significant Effects
(f) the value and vulnerability of the area likely to be affected due to – (iii) intensive land-use; and	The SPD is seeking to ensure new development does not have an adverse impact on the protected habitats and species on the South Pennine Moors SAC/SPA. In doing this the SPD provides further guidance on the implementation of PfE Policy JP-G5.	No
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The South Pennine Moors has international protection status. The SPD is seeking to ensure new development does not have an adverse impact on the protected habitats and species on the South Pennine Moors SAC/SPA via providing further guidance on the implementation of PfE Policy JP-G5 which has already been subject to HRA.	No