

The Greater Manchester Joint Minerals Plan Development Plan Document

**Sustainability Appraisal /
Strategic Environmental Assessment
Adoption Statement**

February 2013

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1. Introduction

- 1.1 The Greater Manchester Joint Minerals Plan Development Plan Document (referred to hereafter as the 'Minerals Plan') has been produced by the Association of Greater Manchester Authorities' Minerals and Waste Planning Unit (MWPU) on behalf of the ten Greater Manchester Local Authorities. It sets out policies to guide future minerals development and identifies areas suitable for the location of mineral development across Greater Manchester to 2027.
- 1.2 The Mineral Plan was submitted to the Secretary of State on 11 November 2011. Mr Andrew Mead BSc (Hons) MRTPI MIQ was appointed as the Planning Inspector who would undertake an independent examination into the Minerals Plan. The Hearing sessions on the Minerals Plan took place between 22 February and 21 November 2012.
- 1.3 The Examination closed on 21 November 2012 and on the 18 January 2013 the Greater Manchester authorities received the Inspector's report on the examination into the Minerals Plan. The Inspector's report concluded that, subject to a number of modifications which had been proposed by the Councils, the Minerals Plan satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004, and the associated Regulations, and meets the criteria for soundness set out in the National Planning Policy Framework (NPPF). He therefore concluded that the Minerals Plan is sound.
- 1.4 The Minerals Plan has been formally adopted by each of the ten Greater Manchester authorities and came into force on 26th April 2013. It therefore forms part of the statutory Development Plan for each authority and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- 1.5 The European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment" (the Strategic Environmental Assessment or 'SEA Directive') introduced a statutory obligation to conduct an environmental assessment of certain plans. The Regulations apply to a range of UK plans and programmes prepared by public bodies, including the Minerals Plan which meets the relevant criteria in that:
 - It is "prepared by an authority for adoption, through a legislative procedure by Parliament or Government, and is required by legislative, regulatory or administrative provisions" (Article 2(b)); and
 - It concerns "town and country planning or land use... which sets the framework for future development consent of projects" (Article 5.2(a)).
- 1.6 Under Section 19(5) of the Planning and Compulsory Purchase Act 2004, where a Local Planning Authority is preparing a new Development Plan Document (DPD) it is also mandatory for the plan to be subject to a Sustainability Appraisal (SA) throughout its production, to ensure that it is fully consistent with, and helps to implement, the principles of sustainable development. While SA and SEA are distinct processes, many of their requirements overlap and undertaking a SA essentially involves extending the breadth of (predominantly environmental) issues required to be considered under SEA to cover the full range of aspects (including social and economic) for sustainability.

- 1.7 The Minerals Plan has been subject to SA, incorporating the requirements of SEA, at each stage during its production. The SA has performed a key role in providing a sound evidence base for the plan. It has informed the evaluation of alternatives and the Inspector's Report concludes that the "SA has been carried out and is adequate".
- 1.8 Upon adoption of the Minerals Plan, the SEA regulations require the preparation of a statement which sets out:
- How environmental considerations have been integrated into the plan;
 - How the environmental report has been taken into account;
 - How opinions expressed in response to consultations have been taken into account;
 - The reasons for choosing the plan as adopted, in the light of the other reasonable alternatives considered; and
 - The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan.
- 1.9 This SEA adoption statement considers each of these matters in turn. However, as noted above, the Planning and Compulsory Purchase Act widens these considerations from environmental to broader sustainability issues. This statement therefore provides information on the wider SA process, which incorporated SEA.

2. How environmental considerations have been integrated into the plan

- 2.1 An essential part of the process of preparing the Minerals Plan has been to undertake a SA to ensure the integration of social, environmental and economic considerations into the development of the Minerals Plan objectives, spatial strategy and strategic policies. The requirements of EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment and the Environmental Assessment of Plans and Programmes Regulations 2004 have been incorporated into this SA.
- 2.2 The SA commenced during the pre-production and evidence gathering stage. Stage A of the SA process involves establishing the framework for undertaking the SA – essentially a set of sustainable development objectives and sub-objectives against which the Minerals Plan can be assessed – together with the evidence base that will help to inform the appraisal. The SA framework established for the Minerals Plan considers the environmental factors listed in the SEA Directive and includes issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage, landscape and the interrelationship between the above factors. The SA framework and evidence base are documented in a Scoping Report which was produced by the MWPU in November 2009.
- 2.3 Stage B in the SA process involves the main body of appraisal work. With respect to the Minerals Plan this involved testing the plan's objectives and the various options generated against the SA framework in order to predict and evaluate the effects of the Plan, identify measures to mitigate adverse effects and maximise beneficial effects, and propose ways to improve the sustainability of options as the Minerals Plan evolved.
- 2.4 As part of Stage B of the SA process, the Minerals Plan Issues and Options report was subject to SA. An SA Report was produced to document the appraisal of the objectives and options proposed in the Issues and Options Report and to summarise their potential economic, social and environmental implications.
- 2.5 A SA was also undertaken to provide a summary assessment of the sustainability merits of the Preferred Approach and to make recommendations for its improvement.
- 2.6 Stages C and D of the SA process relate to preparing the SA Report and consulting on the DPD and its associated SA Report. A SA report summarising the potential economic, social and environmental implications of the Publication Minerals Plan was undertaken in July 2011. This report demonstrates that sustainability considerations have been incorporated into the development of the Minerals Plan and provides an appraisal of the significant changes to the Plan following the public consultation on Preferred Approach, and any new policy options which may have emerged since the Preferred Approach Document was prepared.
- 2.7 The methodology used to undertake the SA was considered by the Inspector and found to satisfy the relevant soundness test.

3. How the environmental report has been taken into account

- 3.1 The findings of the SA have informed the preparation of the Minerals Plan and been integrated into each stage of its preparation. It has played a key role in improving the social, environmental, and economic performance of the Minerals Plan. The Plan has been appraised at the Issues and Options, Preferred Approach and Publication stages.
- 3.2 The SA considered the policies contained within the plan against the twenty sustainability objectives identified in the SA Scoping Report and their associated sub-objectives and indicators. This appraisal considered the degree and type of impact, split by short term (0-5 years), medium term (5-10 years), and long-term (10+ years). It also predicted the certainty of impact (in terms of high, medium and low); the scale of impact (which ranged from local to national); the permanence of the impact; any key secondary, cumulative and/or synergistic impacts; and options for mitigation.

Issues and Options

- 3.3 The Minerals Plan Issues and Options SA report was published alongside the Minerals Plan Issues and Options document for public consultation in February 2010. The Issues and Options report set out options for the development of Minerals Plan and contained a series of questions about the plan. The SA of the Issues and Options report identified a range of opportunities to enhance the Plan's sustainability. For instance, it highlighted the importance of promoting the use of sustainable modes of transporting minerals and underlined the importance of ensuring that the Minerals Plan incorporated a requirement for the appropriate restoration and aftercare of minerals sites once operations have ceased. These recommendations were used to inform the development of the Preferred Approach report and are summarised in chapter 4 of the Issues and Options SA Report.

Preferred Approach

- 3.4 The Minerals Plan Preferred Approach SA report was published alongside the Minerals Plan Preferred Approach document for public consultation in October 2010. The SA report concluded that the proposals in the Preferred Approach of the Minerals Plan were broadly sustainable with positive effects outweighing negative effects.
- 3.5 The SA did however recommend a number of mitigation measures to improve the performance of the Plan against the SA objectives. Several of these related to the specific sites that were identified in the Preferred Approach report. For instance, the need for detailed studies on the hydrological and hydrogeological impacts of the 'extension' at Fletcher Bank was raised. So too was the need to consider the creation of a bund between the nearby dwellings and the site of the proposed extension to the Pilkington Quarry. It was also recommended that the existing public right of way between Pilkington and Montcliffe quarries should be diverted and a suitable route reinstated once the minerals operation has ceased. These recommendations were used to inform the development of the Plan and are summarised in chapter 4 of the Preferred Approach SA Report.

Publication

- 3.6 The Minerals Plan Publication Report was issued for consultation in July 2011 alongside its accompanying SA Report. This SA Report tested the aim, objectives and policies of the Plan against the SA framework. The SA Report recommended a series of minor mitigation measures to improve the sustainability of the Minerals Plan and its implementation. These recommendations included strengthening the wording of the aim to ensure that the environment and community are protected from the impacts of minerals development; amending the wording of the Unconventional Gas Resources policy to reflect the fact that there may be instances where it is not desirable to restore the site to its original land use; and the inclusion of most versatile agricultural land and air quality within the list of environmental criteria to be considered when assessing proposals for minerals development. These recommendations were incorporated into the Plan and are summarised in chapter 4 of the Publication SA Report.

Main Modifications

- 3.7 Following the Examination into the Minerals Plan in February 2012, a number of main modifications to the Plan were proposed to update the Minerals Plan prior to its adoption. These modifications were made to reflect the results of the public examination, the publication of the NPPF, factual amendments and errata. The implications of these main modifications for the SA of the Minerals Plan were assessed in May 2012. This assessment concluded that four of proposed main modifications do not significantly alter the intent of the policies and, as such, were unlikely to have a significant material impact on the performance of the policies in the SA process and do not therefore merit further appraisal.
- 3.8 The fifth suggested main modification was the insertion of an additional policy on the presumption in favour of sustainable minerals development. An appraisal of this new policy was undertaken and this concluded that the policy has the potential to have a positive impact on a wide range of sustainability objectives.

4. How opinions expressed and results of public consultation have been taken into account

4.1 The Minerals Plan was prepared in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended 2008). It was also produced in accordance with each of the ten District's Statement of Community Involvement (SCI). To ensure conformity with each of the SCIs, a Consultation Strategy was prepared. This strategy sets out the various methods for community and stakeholder engagement associated with the preparation of the plan. Further details on the consultation process are provided in the Statement of Consultation (July 2010) which is available at www.gmmineralsplan.co.uk.

4.2 Article 5.4 of the SEA Directive requires consultation with authorities with environmental responsibilities when deciding on the scope and level of detail of the information to be included in the environmental report (SA report). The required consultees at the time the SA Scoping Report was produced were the Environment Agency, English Heritage and Natural England. Each of these bodies was consulted on the draft SA Scoping Report between 27th November 2009 and 8th January 2010. In addition, responses were sought from a range of other social, economic and environmental stakeholders including 4 North West, Government Office for the North West, Local and County Councils and Parishes adjacent to Greater Manchester borders, the Highways Agency, relevant sewage and water companies, the Lancashire Wildlife Trust, RSPB and Manchester Airport.

4.3 A number of representations were received on the draft Scoping Report, including responses from the statutory SEA bodies. The main comments on the SA Scoping Report were the need to:

- Review additional relevant plans, policies and programmes to identify their implications for the Minerals Plan;
- Make a number of additions or amendments to the SA objectives and sub-objectives;
- Include additional information and key messages relating to landscape character and quality, biodiversity, geodiversity, public access to the natural environment, green infrastructure and climate change; and
- The need to take into account possible changes to the aggregate apportionment across the North West.

4.4 The SA Scoping report was updated to address these comments. The SA Scoping Report is available to view at www.gmmineralsplan.co.uk.

Issues and Options

4.5 The results of the SA of the Issues and Options report was published for consultation alongside the Minerals Plan Issues and Options report in February 2010. Twenty-six responses were received as a result of this consultation. A schedule of the comments received on the Minerals Plan Issues and Options Report together with MWPU's response to them is provided in the Minerals Plan Issues and Options Outcome Report which is available at www.gmmineralsplan.co.uk. Comments were received on the SA report from the Environment Agency and Natural England. The main comments related to:

- The need to recognise that whilst restricting peat extraction to sites that are already developed would mitigate climate change compared

to unregulated peat extraction, there will still be significant negative climate change impacts;

- The need to refer to landscape and transport issues in the section of the SA Report that relates to Baseline Characteristics and Key Sustainability Issues;
- The need to ensure that the references made to 'Appropriate Assessment' in the SA report should instead be to the 'Habitats Regulations Assessment' as this refers to the whole process.

4.6 These comments were taken into account when undertaking this SA of the Minerals Plan Preferred Approach report. For instance, the section of the SA Report that relates to Baseline Characteristics and Key Sustainability Issues was amended to ensure it made reference to landscape and transport issues; and references to Appropriate Assessment in the SA Reports were changed to Habitats Regulations Assessment.

Preferred Approach

4.7 The Minerals Plan Preferred Approach SA Report was published for consultation alongside the Preferred Approach Report between 15th October 2010 and to 26th November 2010. This consultation generated responses from 23 organisations and 5 responses from individuals. Comments were received on the accompanying SA report from Natural England and Coal Pro. The main comments related to:

- The need for the non-technical summary that accompanies the next iteration of the SA to provide an outline of the reasons for selecting the alternatives dealt with;
- The need for Section 3.1 of the SA Report to outline the development of the Preferred Approaches and Policy Directions from the initial options;
- The need to ensure that all SA indicators are quantifiable and for SA objective 20 to be amended from the 'number of restored sites which use renewable energy' to 'the proportion of renewable energy used by restored sites'; and
- The need to recognise that the only alternative to any incremental coal output in the UK is the import of coal over long distances and that the carbon emissions associated with the transport of coal over such distances exceed those associated with indigenous coal production many times over.

4.9 These comments were taken into account when undertaking the SA of the Minerals Plan Publication report. Specifically, the development of the Preferred Approaches and Policy Directions from the initial options is outlined in Publication SA report and revised SA indicators were provided for SA objectives 12, 19 and 20 to ensure they are quantifiable. In addition, the appraisal of the policies relating to reworking colliery spoil tips and unconventional gas resources acknowledge that the importation of energy minerals from outside the UK would have a markedly greater impact on greenhouse gas emissions than extracting these minerals from within the sub-region.

4.10 A full schedule of the comments received on the Minerals Plan Preferred Approach Report together with MWPU's response to them is provided in the

Minerals Plan Outcomes from the Preferred Approach Consultation Report which is available at www.gmmineralsplan.co.uk.

Publication

- 4.11 The SA Report prepared to accompany Publication version of the Minerals Plan was made available for consultation between 22nd July 2011 and 2nd September 2011. In response to this consultation exercise a total of 87 representations were received from 20 organisations/individuals. None of the comments related directly to the SA itself.

Main Modifications

- 4.12 The final SA Report prepared to accompany the Main Modifications to the Minerals Plan was made available for consultation between 3rd August and 14th September 2012. In response to this consultation exercise a total of 32 representations were received from 15 organisations/individuals.
- 4.13 Whilst none of these comments related directly to the SA itself, comments received from two organisations implied that the deletion of the requirement for restoration bonds from Policy 12 of the Plan may impact on the achievement of several SA objectives in certain circumstances. However, it is considered that the adequate restoration of Mineral sites will be achieved by the policies and monitoring arrangements of the Plan. It was therefore considered that the amendment to Policy 12 would not impact upon its performance against these SA objectives and, as such, it was concluded that neither the SA nor the Plan needed to be amended in light of the comments received.

5. The reasons for choosing the plan as adopted, in the light of the other reasonable alternatives considered

- 5.1 The SEA Directive requires the likely significant effects on the environment of implementing a plan to be identified, described and evaluated. The Directive also stipulates that there should be a similar evaluation of all reasonable alternatives to the plan. In preparing the Minerals Plan, a range of approaches to addressing the key minerals planning issues facing Greater Manchester have been considered. This statement sets out the reasons for choosing the approach of the plan as adopted in the light of the other reasonable alternatives. More detail on the reasonable alternatives considered at each stage is provided within the Issues and Options and Preferred Approach Reports.
- 5.2 In relation to the policy approach to working each of the minerals found in Greater Manchester, the SA assessed the sustainability of three alternative approaches to releasing additional aggregate resources at the Issues and Options stage. This assessment clearly indicated that whilst all three would have a positive impact on a range of objectives, releasing additional aggregate resources through extensions to existing sites would have an uncertain impact on the objectives relating to exploiting the growth potential of business sectors; sustainable economic growth; and the prudent use of natural resources due to the proposed approach potentially leading to important aggregate resources being unexploited.
- 5.3 In relation to the natural building stone, the initial approach was to not identify any sites for this because of limited information being available on specific sites and on historic buildings that rely on stone from active or historic quarries in Greater Manchester for conservation and repair. However, due to the recognised need to provide a flexible approach to the supply of local building stone, the Minerals Plan includes a policy on building stone in the plan and safeguards former or inactive quarries that could have a role in producing stone for the repair of historic buildings.
- 5.4 The approach to proposals for energy minerals has also evolved significantly throughout the plan preparation process to reflect feedback from consultation and the findings of the SA. This has included widening the policy on coalbed methane to 'Unconventional Gas Resources' to ensure that it also addresses coalmine methane and shale gas resources. Environmental criteria were also added to the policy at the Preferred Approach stage.
- 5.5 The complexity of identifying a Mineral Safeguarding Area for an urban area like Greater Manchester resulted in a combination of the options identified at Issues and Options being chosen as the preferred approach. Further amendments to the approach to Mineral Safeguarding Areas were subsequently made as main modifications to the plan to ensure that the approach is the most sustainable in relation to mineral resources throughout the plan area.
- 5.6 The Development Management policies within the Plan were chosen because they were considered to be the most appropriate following the considerations of reasonable alternatives. For instance, a policy on the transport of minerals was not originally proposed in the Issues and Options version of the Plan but received considerable positive support at consultation. The Plan therefore not only contains a policy on the sustainable transportation of minerals but also

includes a policy that seeks to safeguard existing minerals infrastructure, such as wharves and rail-linked depots. The policy relating to the restoration and aftercare was chosen because it was considered that the alternative option of only promoting certain types of afteruse would be too prescriptive. Further information on the reasons for choosing the policies is contained within the Preferred Options report.

- 5.7 The Minerals Plan, as adopted, has been found sound following examination by an independent Inspector and is therefore considered to represent a sustainable approach to key Minerals Planning issues for Greater Manchester up to 2027.

6. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan

- 6.1 The implementation of the Minerals Plan will need to be monitored to ensure that the performance of the Plan can be assessed against its aim and objectives. Responsibility for monitoring lies with the Mineral Planning Authorities in Greater Manchester and a series of indicators have been identified which will provide a consistent basis for monitoring the performance of the policies within the Minerals Plan. These indicators are presented in Section 8 of the Minerals Plan. The monitoring will be undertaken on an annual basis and the outcome of this, including any include recommended actions where targets are not met, will be set out as part of each individual district council's Annual Monitoring Report. Where, as a result of monitoring, indicators show that a policy is not working effectively or key targets and objectives are not being met, remedial action may be taken.
- 6.2 In order to satisfy the requirements of the SEA Directive, monitoring relating to the significant sustainability effects of the Minerals Plan must also be undertaken. The Greater Manchester authorities have therefore developed a set of primary indicators to monitor the sustainability performance of the Minerals Plan, which are set out in the Scoping Report. These SA Framework Primary Indicators will be monitored to measure the economic, social and environmental effects of implementing the Plan.
- 6.3 This monitoring of the significant environmental effects of the Minerals Plan will be undertaken concurrently with the monitoring of the output indicators of the Plan. It will be carried out annually and the outcome of this monitoring will also be set out as part of individual district council's Annual Monitoring Reports.