



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

Stockport Town Centre Residential Design Guide Supplementary Planning Document

**Strategic Environmental Assessment and Habitats Regulations
Assessment: Screening Assessment**

January 2024

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1. Introduction

- 1.1. The purpose of this document is to determine whether the Stockport Town Centre Residential Design Guide requires a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) through processes referred to as SEA and HRA screening. While the document is not intended to be adopted as a formal Supplementary Planning Document (SPD), this screening assessment follows the same methodology that would be used for this type of document.
- 1.2. A SEA is a process for evaluating, at the earliest appropriate stage, the environmental effects of a plan and/or programme before it is given effect. The SEA screening determines whether the plan and/or programme is likely to have significant environmental effects. If likely significant environmental effects are identified, an environmental report must be produced.
- 1.3. A HRA identifies whether a plan or project is likely to have a significant effect on sites in the National Site Network. A HRA should be undertaken as early as possible alongside other assessment processes. An initial HRA screening determines whether significant effects of a plan or project on sites in the National Site Network are likely, and therefore the requirement for a full HRA.
- 1.4. This document explains the legislative background to SEA and HRA screening, provides details of the Stockport Town Centre Residential Design Guide before undertaking a SEA and HRA screening exercise and provides conclusions.

2. Legislative Background

Strategic Environmental Assessment (SEA)

- 2.1. The requirement for a Strategic Environmental Assessment arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”¹ (known as SEA Directive). This Directive was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004², referred to as SEA Regulations. Regulation 9(1) of this legislation places an obligation on local authorities to undertake a SEA on any plan and/or programme prepared for town and country planning or land use which sets the framework for future development consent of certain projects. Detailed guidance can be found in the government publication *A Practical Guide to the Strategic Environmental Assessment Directive*³ and *Planning Practice Guidance Strategic environmental assessment and sustainability appraisal*⁴.
- 2.2. The Planning and Compulsory Purchase Act 2004⁵ requires local authorities to produce Sustainability Appraisals (SAs) for all local development documents “with the objective of contributing to the achievement of sustainable development” (see regulation 39(2)). As SAs incorporate the requirements of the SEA Directive, it is common practice to combine these two processes.
- 2.3. The 2008 Planning Act⁶ removed the requirement to undertake a SA for an SPD. However, the amendment did not remove the requirement for SPDs to be subject to a SEA where they could have significant environmental effects (see

¹ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment [2001] OJ L197/30

² European Communities (Designation) Order 2004

³ Office of the Deputy Prime Minister. (2005) *A Practical Guide to the Strategic Environmental Process*. Available at: <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance> (Accessed: 15 January 2024).

⁴ Department for Levelling Up, Housing and Communities. (2020) *Strategic environmental assessment and sustainability appraisal*. Available at: <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal> (Accessed: 15 January 2024).

⁵ Planning and Compulsory Purchase Act 2004

⁶ Planning Act 2008

Explanatory Memorandum to the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 No 401)⁷.

- 2.4. If likely significant environmental effects are identified during the SEA screening, then an environmental report must be prepared in accordance with regulation 12(2) and 12(3) of the SEA Regulations. Where the local authority can demonstrate that a plan and/or programme is unlikely to have significant environmental effects, a full SEA will not be required. In situations where SEA is not deemed to be required, the local authority has a duty to prepare a statement of its reasons for the determination (see regulation 9(3)).

Habitat Regulation Assessment (HRA)

- 2.5. The requirement for a Habitats Regulation Assessment arises from the European Directive 92/43/EEC of the Conservation of Natural Habitats and Wild Flora⁸, often referred to as the Habitats Directive. This Directive was transposed into English law by regulation 63 of the Conservation of Habitats and Species Regulations 2017⁹. Under Articles 6(3) and 6(4) of the Habitats Directive, an assessment referred to as an 'Appropriate Assessment' must be undertaken if a plan or project is likely to have a significant effect on the conservation objectives of one or more European sites either individually, or in combination with other plans and/or projects. European sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Amendments to the Habitats Regulations, following the withdrawal of the United Kingdom from the European Union, means that what were previously called European sites (SACs and SPAs) now form part of the National Site Network.
- 2.6. Ramsar sites refer to wetland sites designated to be of international importance under the Convention of Wetlands¹⁰. Whilst not covered under by the Habitats

⁷ Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009

⁸ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora [1992]

⁹ Since updated, now The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

¹⁰ Ramsar. (2014) *Ramsar*. Available at: <https://www.ramsar.org/> (Accessed: 15 January 2024).

Directive, paragraph 187 of the National Planning Policy Framework 2023¹¹ requires that Ramsar sites are to be given the same protection as fully designated European sites (now sites in the National Site Network). Therefore, Appropriate Assessment should also cover these sites.

¹¹ Department for Levelling Up, Housing and Communities. (2023) *National Planning Policy Framework*. Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> (Accessed: 15 January 2024).

3. Stockport Town Centre Residential Design Guide

- 3.1. The Stockport Town Centre Residential Design Guide seeks to encourage high-quality and sustainable residential development that complements and enhances the existing urban environment.
- 3.2. The guidance supports both national and local policies, providing further guidance on how policies in the following plans will be applied when considering residential development in Stockport Town Centre.
- 3.3. The council is currently preparing a new Local Plan for Stockport which will replace the Core Strategy. The guidance in this document is intended to stay relevant in the longer term once the new Local Plan is in place. The process of preparing this guidance has helped to inform some of the emerging policies in the Local Plan that relate to Stockport Town Centre and design matters more generally.
- 3.4. It should be noted that within the guidance, the area referred to as 'Stockport Town Centre' covers a slightly larger geographical extent than that outlined in the current adopted development plan. **Figure 1** illustrates the Stockport Town Centre area as defined in the guidance.
- 3.5. While the document is not intended to be adopted as a formal Supplementary Planning Document (SPD) the council intends to involve the local community in the same way that it would if an SPD was being prepared. Therefore, the preparation of the guidance will involve the local community in line with the requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004¹² and the Council's adopted Statement of Community Involvement (SCI)¹³.

¹² Town and Country Planning (Local Development) (England) Regulations 2004

¹³ Stockport Metropolitan Borough Council. (2020). *Statement of Community Involvement*. Available at: <https://www.stockport.gov.uk/statement-of-community-involvement> (Accessed: 15 January 2024).

- 3.6. This screening assessment is based on the content of the consultation version of the Stockport Town Centre Residential Design Guide. If necessary, the screening assessment will be refreshed when a final version of the guidance is published (this should only be necessary if there is a major change to the purpose and content of the guidance).
- 3.7. Once adopted, the guidance will be a material consideration in planning decisions.



Figure 1. Map of the Stockport Town Centre area as defined in the Stockport Town Centre Residential Design Guide

4. SEA Screening Process

4.1. The process for determining whether a full SEA is required is called 'screening'. For some types of plans and programmes a SEA is mandatory, this includes:

- Plans/programmes which are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in the Environmental Impact Assessment (EIA) Directive; or
- Plans/programmes which have been determined to require an assessment under the Habitats Directive (see [Section 7](#)).
- Plans/programmes which set the framework for future development consent of projects; and is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects.

4.2. However, the main factor when determining if a plan and/or programme requires a SEA is whether it will have significant environmental effects. It is the responsibility of the Responsible Authority (in this case Stockport Council) to decide whether the plan and/or programme under assessment is likely to have significant adverse environmental effects. This assessment must be made taking account of the criteria set out in Schedule 1 of the SEA Regulations and in consultation with the following bodies:

- The Environment Agency
- Historic England
- Natural England

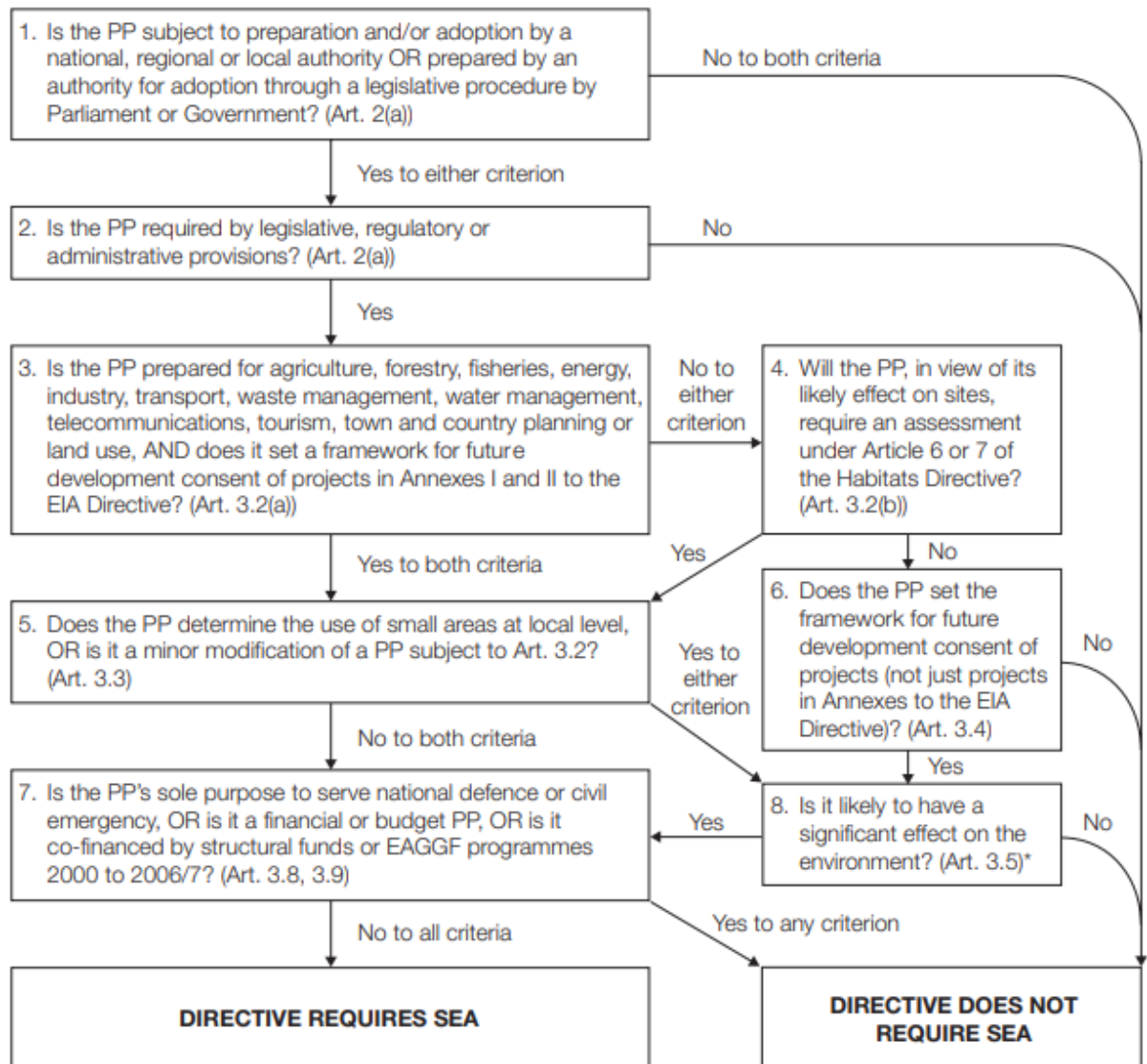
4.3. Where the Responsible Authority determines that a plan and/or programme is unlikely to have a significant effect and therefore does not need to be subject to a full SEA; the Responsible Authority must prepare a statement showing the reason for this determination. A determination cannot be made until the three statutory consultation bodies have been consulted.

- 4.4. In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (part 3) (6). The council invites the Environment Agency, Natural England, and Historic England to comment on the findings of this assessment.

5. SEA Screening Assessment

- 5.1. SEA screening is based on a two-step approach, the first of which is to assess the plan and/or programme against the flowchart as set out in the government guidance *A Practical Guide to the Strategic Environmental Assessment Directive*. The flowchart is shown in **Figure 2**.

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

Figure 2. Application of the SEA Directive to Plans and Programmes

5.2. **Table 1** uses the questions in **Figure 2** to establish whether there is a need for a SEA to be carried out for the Stockport Town Centre Residential Design Guide.

Stage	Y/N	Reason
1. Is the plan/programme subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Article 2(a))	Y	The guide will be prepared and published by Stockport Council to give guidance on the design of new residential development in the town centre. Move to Stage 2
2. Is the plan/programme required by legislative, regulatory or administrative provisions? (Article 2(a))	N	There is no mandatory requirement to prepare or publish guidance of this nature. As answer is No, flowchart identifies end to screening process. Move to Stage 3 for completeness.
3. Is the plan/programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))	N	Whilst the guidance is prepared to support town & country planning, it does not set the framework for future development consents for projects in Annex I or II to the EIA Directive. Move to Stage 4
4. Will the plan/programme, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	N	The HRA screening undertaken in Section 7 of this assessment has determined that Appropriate Assessment is not required. Move to Stage 6
5. Does the plan/programme determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Article 3.3)	N/A	The guidance will not form part of the Stockport Core Strategy, saved policies of the UDP Review or the UDP Proposals Map, and does not determine the use of small areas at a local (or any) level. The guidance is not a minor modification of an existing plan. Move to Stage 6

6. Does the plan/programme set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	N	<p>The guidance does not allocate any land or sites for development or set a framework for future development consents.</p> <p>As answer is No, flowchart identifies end to screening process. Move to Stage 8 for completeness.</p>
7. Is the plan/programme's sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	N/A	<p>The sole purpose of the guidance is not to serve national defence or civil emergency. The guidance is not a financial or budget plan. The guidance is also not co-financed by structural funds or EAGGF programmes 2000 to 2006/7.</p> <p>Move to Stage 8</p>
8. Is it likely to have a significant effect on the environment? (Article 3.5)	N	<p>Effects on the environment and whether these are significant are considered in Table 2.</p> <p>No Significant Effects identified in Table 2, so SEA is not required.</p>

Table 1. Establishing whether there is a need for SEA

- 5.3. The second step is to consider whether the Stockport Town Centre Residential Design Guide will have significant environmental effects when considered against the criteria set out in Annex II of the SEA Directive and Schedule I of the Regulations.

SEA Directive Criteria		Assessment	Likely Significant Effects?
1. The characteristics of plans and programmes, having regard, in particular, to:			
(a)	the degree to which the plan or programme sets a framework for projects and other activities, either with regard to location, nature, size and operating conditions or by allocating resources;	<p>The guide sets out the council's design ambitions for residential development in the Stockport Town Centre area. It is a guide rather than prescriptive policy to encourage innovation and creativity.</p> <p>The guidance does not dictate the location, nature, or size of development proposals, nor does it allocate resources. This is done by the Stockport Core Strategy, saved policies of the Stockport UDP Review and the UDP Proposals Map.</p>	N
(b)	the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The document provides further guidance to support implementation of policies in the Stockport Core Strategy, saved policies of the Stockport UDP Review and the UDP Proposals Map. It is also intended to support future policies. It does not introduce any new policies and acts in conformity with the above policies and other higher tier policy documents (which are subject to full SEA, SA, and independent examination).	N
(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 document offers guidance that can be used to address environmental issues in the delivery of new homes. It advises that residential development proposals consider construction techniques, green infrastructure, and active travel. These design concepts promote sustainable development by making the Stockport Town Centre area more usable, durable, adaptive, and attractive.</p> <p>The document acts as a guide for landowners, developers, and architects, but is also highly accessible to the public. This works to increase different stakeholders' understanding of environmental</p>	N

		considerations and the council's sustainable development expectations.	
(d)	environmental problems relevant to the plan or programme; and	It is not anticipated that any environmental problems will be introduced or intensified as a result of the guidance. Conversely, the guidance attempts to enhance the quality, design, and use of homes in the Stockport Town Centre area to address the challenges of climate change and deliver environmental improvements within the urban setting.	N
(e)	the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	<p>The guidance has links to community legislation on the environment as it offers guidance on the following matters:</p> <ul style="list-style-type: none"> • Green Space • SuDS • Street Trees • Planting (and planters) • Reduce embodied carbon • On-site energy production • Reduce operation carbon <p>Notwithstanding this, as a lower tier guidance document, the guidance is intended to respond to environmental policy and legislation rather than influence it.</p>	N
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 guidance is likely to have positive effects on residential development in the Stockport Town Centre area. The guidance will be used to aid the determination of planning applications and will thereby help ensure that the duration and frequency of adverse environmental effects are minimised or mitigated. Effects of the guidance will only be reversed when buildings or alterations are demolished.	N
(b)	the cumulative nature of the effects;	The guidance is expected to have a positive cumulative impact on the delivery of high-quality and sustainable homes. This will contribute to the vitality and viability of development in the Stockport Town Centre area.	N
(c)	the trans-boundary nature of the effects;	There are no trans-boundary effects anticipated from the guidance.	N

(d)	the risks to human health or the environment (for example, due to accidents);	No risks to human health or the environment have been identified as arising from the guidance.	N
(e)	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	<p>The magnitude of the effects is expected to be relatively minor as the guidance will only be applied to future residential developments in the Stockport Town Centre area. Limited opportunities for development in the built-up area, especially given the number of large-scale projects currently underway, also restricts the effects.</p> <p>This guidance will affect the Stockport Town Centre area, which is a relatively small and clearly defined area within the context of the wider borough: the spatial extent of effects will therefore be limited.</p>	N
(f)	the value and vulnerability of the area likely to be affected due to:		
	(i) special natural characteristics or cultural heritage	The guidance will not give rise to any significant effects on special natural characteristics or cultural heritage in Stockport Town Centre. Conversely, the document offers design guidance to complement and enhance the existing environment. The guidance places particular emphasis on development that it is contextually sensitive to the different character areas of the town centre.	N
	(ii) exceeded environmental quality standards or limit values; or	<p>The guidance does not promote development which is likely to lead to environmental quality standards or limit values being exceeded.</p> <p>The guidance will have a positive effect in encouraging environment improvements in the Stockport Town Centre area through the delivery of new homes.</p>	N
	(iii) intensive land use; and	The guidance does not allocate land or allocate sites for development. The guidance will not give rise to any significant effects as a result of intensification of land use, beyond those considered as part of the policy approaches of the Stockport Core Strategy, saved policies of the Stockport UDP Review and the UDP Proposals Map, as well as other local and national policies and requirements.	N

(g)	the effects on areas or landscapes which have a recognised national, Community or international protection status.	<p>In the area covered by the guidance, there are no sites with national, community or international protection status.</p> <p>It is not expected that the guidance will result in any significant adverse effects on nearby protected areas or landscapes. Conversely, the intention of the guidance is to improve the sustainable design of residential developments in Stockport Town Centre, which in turn is expected to generate environmental improvements.</p>	N
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Table 2. Determining the likely significance of effects on the environment.

SEA Screening Conclusion

- 5.4. In conclusion, as a result of the assessment carried out in **Table 2**, it is considered that it is unlikely that any significant environmental effects will arise as a result of the Stockport Town Centre Residential Design Guide. Consequently, the assessment within **Table 1** concludes (in conjunction with the HRA screening in [Section 7](#)), that a full SEA is not required when judged against the application of the SEA Directive criteria.
- 5.5. Notably, the guidance does not propose any policies or allocations, instead offering further guidance on national and local policies. The guidance seeks to encourage high-quality and sustainable development within the Stockport Town Centre area. It is unlikely that there will be any significant additional environmental effects that have not already been considered and dealt with through the SEA/SA of the Stockport Core Strategy.

6. HRA Screening Process

- 6.1. It is a requirement under the Habitats Directive to establish the potential effects of “plans or projects” on designated European sites (now sites in the National Site Network), and therefore Ramsar sites.
- 6.2. The first stage in the HRA process is to establish whether a “significant effect” is likely. This is referred to as the “screening stage”. If it is found that a significant effect is not likely, then no further action is required. If potential effects are identified and deemed to be significant then Appropriate Assessment is required and used as a tool to help modify the plan or project to ensure that impacts are removed, or if this is not possible mitigated to prevent an adverse effect upon the integrity of the site.

7. HRA Screening Assessment

- 7.1. The Stockport Town Centre Residential Design Guide covers the Stockport Town Centre area (see [paragraph 3.3.](#)). Within this defined area, there are no sites in the National Site Network or Ramsar sites.
- 7.2. Guidance from the Environment Agency (EA) concerning distances at which significant effects on European sites (now sites in the National Site Network) are caused by water or air pollution have been considered in this screening. The EA has set recommended buffer zones for certain types of ‘most damaging’ operation (in particular, waste treatment operations) that are in part applicable to other types of operation. Outside of these buffer zones significant effects on European sites (now sites in the National Site Network) arising from water and air pollution are considered unlikely. The largest (most cautious) buffer zone considered by the EA is 15km; that is, most operations with the potential of causing direct water and/or air pollution impacts located beyond 15km from the boundary of a site are considered very unlikely to have a significant effect on the site.
- 7.3. As stated in [paragraph 2.6.](#), Ramsar sites are given the same protection as fully designated European sites (now sites in the National Site Network). Therefore, all Ramsar sites in a 15km buffer zone of the Stockport Town Centre area have also been screened.
- 7.4. Taking the above into account, there are only three sites in the National Site Network and one Ramsar site within 15km of the boundary of Stockport Town Centre, these are:
- Rochdale Canal SAC
 - South Pennine Moors SAC
 - Peak District Moors (South Pennine Moors Phase 1) SPA
 - Rostherne Mere Ramsar Site
- 7.5. As the competent authority under the Habitats Directive, Stockport Council is required to assess the Stockport Core Strategy through the HRA process as

policies and site allocations in the plan could potentially affect sites in the National Site Network and Ramsar sites within and outside the borough. A HRA screening report for the Core Strategy was undertaken June 2010¹⁴. This concluded no European sites or Ramsar sites were located within the Stockport boundary and that proposed mitigation approaches adequately addressed concerns raised around potential significant effects on sites located within a 15km buffer zone.

7.6. In line with guidance from Natural England on an earlier HRA scoping activity, the 2010 Core Strategy HRA screened three sites which are on the Mersey estuary, as the Mersey flows through the borough in its early stages. Two potential sites were also screened following the release of HRA documentation on the Greater Manchester Waste Development Plan. However, the Core Strategy HRA deemed that there would be no significant effects on these five sites, which include:

- Rixton Clay Pits SAC
- Manchester Mosses SAC
- Mersey Estuary SPA and Ramsar Site
- Liverpool Bay pSPA
- Mersey Narrows & North Wirral Foreshore pSPA and pRamsar Site

HRA Screening Conclusions

7.7. The Stockport Town Centre Residential Design Guide expands upon policies within the Stockport Core Strategy. The guidance does not introduce new policies or proposals outside the scope of the Core Strategy. The guidance does not result in development itself and seeks to guide development in providing high-quality and sustainable design. The Stockport Town Centre Residential Design Guide is therefore not likely to have significant adverse effects on the integrity of sites in the National Site Network or Ramsar sites, and further Appropriate Assessment is not required.

¹⁴ Stockport Metropolitan Borough Council. (2010) *Habitats Regulations Assessment Screening Report*. Available at: <https://www.stockport.gov.uk/supporting-documents> (Accessed: 15 January 2024).

8. Screening Conclusions

- 8.1. As outlined in the introduction section of this assessment the Town Centre Residential Design Guide is not intended to be adopted as a formal Supplementary Planning Document. Despite this, this screening assessment follows the same methodology that would be used for this type of document.
- 8.2. In reviewing these criteria, Stockport Council has concluded that as the Stockport Town Centre Residential Design Guide does not “set the framework”, a determination under regulation 9(1) Environmental Assessment of Plans and Programmes Regulations 2004 is therefore not necessary. As a matter of record, and for the avoidance of doubt, a discretionary assessment against Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 has determined that the Stockport Town Centre Residential Design Guide would not give cause to anticipate significant environmental effects.
- 8.3. In addition, the Stockport Town Centre Residential Design Guide is not a plan or project which will be implemented in its own right – it expands upon policies within the Stockport Core Strategy, saved policies of the Stockport UDP Review and the UDP Proposals Map. The relevant policies within the Stockport Core Strategy have already been subject to a HRA and were judged to have no significant effect on the integrity of the European sites, either alone or in combination with other plans or projects.
- 8.4. On the basis of the above, Stockport Council considers that the Stockport Town Centre Residential Design Guide is unlikely to give rise to any significant environmental effects or have significant effects on a European site (now sites in the National Site Network) beyond those considered by policies in the Stockport Core Strategy, saved policies from the Stockport UDP Review and the UDP Proposals Map. In conclusion, it is considered that a **full SEA and Appropriate Assessment is not required for the Stockport Town Centre Residential Design Guide.**

- 8.5. It is important to note that this screening assessment is based on the consultation version of the guidance. Consequently, if the content or purpose of the guidance should materially change then the SEA/HRA screenings will need to be re-assessed and updated.