



TRAFFORD COUNCIL

**Further information to answer Matters arising
from Hearing session 3 (Question No. 10) and
clarification on MMIQ3.26**

4th March 2011

During Hearing session 3 (Question No. 10 and MMIQ3.26), the Inspector sought points of clarification in relation to the HRA.

Council Response

Further to the discussion in Matter 3, this note has been produced to clarify the issues discussed in MMIQ3.26. Should the Inspector wish to discuss this matter further it is suggested that this could take place at the start of Session 7 (8th March 2011). A representative from the GM Ecology Unit can be made available to attend and respond to any questions raised by this note.

Matters Arising from Hearing Session 3 (question 10)

With reference to policy SL5 the Inspector requested:

1. an explanation of what are the interest features of the Manchester Mosses Special Area of Conservation (SAC),
2. of which protected sites may be affected by which aspects of development at Carrington,
3. together with a brief summary of anticipated mitigation measures.

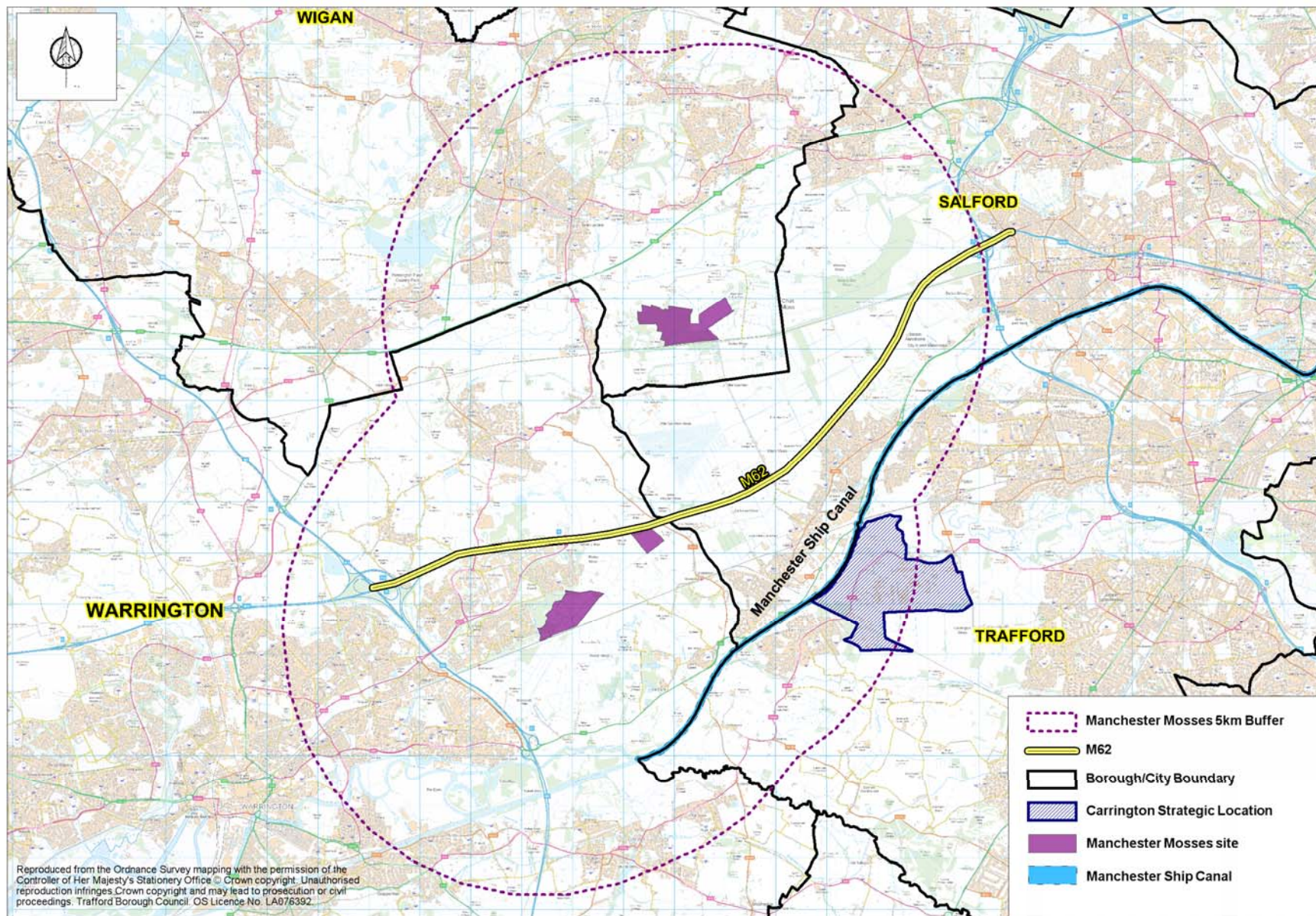
Introduction

Set out below is a plan showing the location of the Manchester Mosses SAC site along with a description of its environmental quality and the presence of any protected species/habitat. This is followed by consideration of the likely pathways which pollutants could travel to effect the SAC site and appropriate mitigation measures.

Location of Manchester Mosses SAC

Figure 1 details the location of the Manchester Mosses SAC site in relation to Trafford and Carrington. The Manchester Mosses SAC is made up of three mossland areas (shown in purple below) with the closest part of the SAC site located 3.1km away in Warrington (outside of Greater Manchester), located next to the M62. The landuse between Carrington and the closest part of the SAC site is the Manchester Ship Canal, the communities of Cadishead and Irlam in Salford and an expanse of agricultural land.

Figure 1. Location Plan of Manchester Mosses in relation to Trafford and Carrington



1. What are the interest features of the Manchester Mosses SAC site?

The primary reason for the classification of the Manchester Mosses as a SAC site is due to **habitat**. The area is classed as a habitat of **degraded bog still capable of natural regeneration**. The vegetation of degraded bog may contain several, but not all, of the species of a typical Active raised bog. It is also of note that degraded bog, which could be designated as a SAC, can entirely support habitats which are not semi-natural in origin such as; forestry, agriculture or bare peat. This site is not selected for any species.

The Manchester Mosses site supports semi-natural vegetation, which is characteristic of the impoverished degraded bog vegetation and scrub woodland, along with some evidence of bog vegetation including Sphagnum 'lawns'. The relative proportions of these habitats vary between the 3 SSSIs that make up the SAC depending on the extent of re-wetting activities and current management input. All the sites are managed to alter the hydrological regime on the sites to make the hydrology more stable and the peat wetter, in order that the bog forming mosses (particularly Sphagnum species) increase in abundance and diversity. The objective is that following natural regeneration (with the aid of management input) that these sites will support Active Raised Bog.

2. Which protected sites may be affected by which aspects of development at Carrington?

The degraded bog habitat and the pathways which pollutants are likely to travel are:

- diffuse air pollution from wind - air pollution can impact on the species (heather, mosses) directly. However air pollution can also alter the chemistry of rainwater ('acid rain'), which also alters the localised water chemistry of the bog, given that peat bog holds large volumes of water and the target habitats rely on the water for their establishment; and
- recreational pressure - recreational pressure can damage establishing habitats by trampling and uncontrolled access and some species are particularly sensitive to damage from this mechanism.

3. Brief summary of anticipated mitigation measures

- **diffuse air pollution from wind** – the prevailing winds are from the south-west, and therefore carrying pollution away from the SAC site. The most likely source of air pollution from the Carrington site would be from:
 - road traffic and needs to be considered in respect of the SAC sites proximity to the M62 and Core Strategy Policy L4 provides guidance on sustainable transport; and
 - industrial developments - Policy L5 provides guidance on polluting developments.
- **recreational pressure** – GMEU advise the risk of increased recreation pressure is considered to be low. All parts of the SAC site are managed as a nature reserve and due to its habitats and terrain is attractive to a specialist niche market. Considering Policy SL5.2 6th bullet point offering improved quality green infrastructure near Carrington provides an attractive alternative and is considered appropriate mitigation.

Following consideration of the above, GMEU advise there is sufficient safeguard within the Core Strategy in the form of policies L1, L4 and L5 and available technologies for reducing air pollution, to ensure adequate protection of the Manchester Mosses SAC.

For information specific reference to Core Strategy policies - Policy L1 CD6.1.2 (SC18 & SC19), Policy L4 CD6.1.2 (SC29 & SC32) and Policy L5.7-L5.9.

Clarification of response to MMIQ 3.26

- a) Does policy SL5 meet the requirements of the Habitats Regulations Assessment having regard to the Manchester Mosses SAC?
- b) Does it take the correct precautionary approach?
- c) What gives the Council confidence that appropriate mitigation for the SAC can be provided?

- d) What are the contingency plans for delivery of the Core Strategy if appropriate mitigation for the SAC cannot be provided?

a) Does policy SL5 meet the requirements of the Habitats Regulations Assessment having regard to the Manchester Mosses SAC?

Policy SL5 meets the requirements of the HRA as a HRA was undertaken for the Core Strategy which Policy SL5 is part of. The HRA identified Policy SL5 to be with a 5km radius of a SAC site and therefore screened in/assessed. The HRA assessed Policy SL5 due to the industrial development proposed and potential increase in atmospheric pollution, and increase in residential units that could result in recreational pressure on part of the SAC site. The possible pathways identified which pollutants could travel to the SAC site were air pollution and recreational pressure. The HRA concluded that appropriate mitigation measures/policies were in place within the Core Strategy in Policies R2, R3 and L5. The HRA went on to recommend three changes to certain Core Strategy policies:

- Policy SL5 – the Carrington Area Action Plan be subject to a separate HRA.
- Policy L1 – that any housing provision, particularly those within the South City Region and within 5km radius of the Manchester Mosses SAC that would result in increased recreational pressure on the Manchester Mosses SAC be referred for possible HRA so that appropriate mitigation for any damaging impacts can be implemented.
- Policy L4 – that any transport infrastructure schemes that could potentially have a negative effect on the European Site be referred for possible HRA as part of the development management process so that appropriate mitigation for any damaging impacts can be implemented. As a preliminary guide, proposals within 5km of Manchester Mosses SAC should be considered.

These changes were undertaken within the Core Strategy, for ease of reference, each specific reference number is listed - Policy L1 CD6.1.2 (SC18 & SC19), L4 CD6.1.2 (SC29 & SC32) and Policy SL5 CD6.1.2 (SC13).

For information: A summary of Natural England's comments on the Core Strategy (Sept 2010) along with the Council's response and Natural England's support for the changes undertaken can be found in Appendix A.

b) Does it take the correct precautionary approach?

A HRA was undertaken for the Core Strategy, it identified potential impact from the Carrington development, the pathways were identified (air pollution and recreational pressure) and mitigation measures/policies detailed (Policies L1, L4 and L5). Changes to the Core Strategy were recommended and undertaken. The Council and GMEU are confident that a sufficiently cautious and safeguarded approach has been undertaken within the Core Strategy and its consideration of development impact on the SAC site.

c) What gives the Council confidence that appropriate mitigation for the SAC can be provided?

Based on the pathways that pollution will travel to the SAC site are air and recreational pressure, appropriate mitigation is detailed in policies L1, L4 and L5 (see section 3). Some of these mitigation measures will be delivered on site, via the high quality green infrastructure, others provide guidance on sustainable transport measures. The development opportunity at Carrington is for a large-scale mixed use proposal and therefore locating polluting industries will not be compatible with residential development along with the need for new developments to comply with Core Strategy Policy L5.

d) What are the contingency plans for delivery of the Core Strategy if appropriate mitigation for the SAC cannot be provided?

Following consideration of the above and the Core Strategy HRA, the Council does not consider there to be insurmountable mitigation measures to be required for the Carrington Strategic Location development proposal (see section 3).

Appendix A

Natural England Comments (Nov 2010)	Trafford Council Response
<p>Policy SL5 does not meet requirements of Habitats & Birds Directive & Habitats Regulations, lacks sufficient evidence of the impact on Manchester Mosses SAC. Additional policy wording needs to be included in the Core Strategy.</p> <p>In the HRA a conclusion of no likely significant effect on Manchester Mosses SAC is drawn on the condition that some additional/appropriate policy wording is included in the Core Strategy. This has not been carried out adequately.</p> <p>According to Table 8.1 (point1) of the HRA, the Core Strategy should include a requirement under SL5 that a proposal in this location includes provision for recreational facilities. This policy wording does not appear.</p> <p>Also in Table 8.1 (point 9) of the HRA, the Core Strategy should include some appropriate wording under SL5 that ensures the protection and enhancement of Manchester Mosses SAC. The wording in the HRA and the Core Strategy is not explicit as it does not mention the Manchester Mosses SAC specifically.</p> <p>If appropriate wording, as outlines above is included in SL5 of the Core Strategy this will provide the necessary evidence that there will be no likely significant effect of the DPD on Manchester Mosses SAC and thus will meet the requirements of Habitats Regulations.</p>	<p>Section 9 Summary and Recommendations indicates "It is recommended that the Carrington Area Action Plan be subject to a separate HRA."</p> <p>The lack of specific mention of the need for further HRA assessment within Policy SL5 does not make the Policy ineffective or unsound, as it is not possible at this stage to undertake the necessary HRA as more detailed plans have not been produced. The justification for Policy SL5 Carrington could be altered to make it clear that the Carrington Area Action Plan and any other future development briefs/plans for that area will be subject to a separate HRA assessment prior to their adoption.</p>

Response from Natural England - supporting the changes made within Policy SL5.

From: Jewell, Mandy (NE) [mailto:Mandy.Jewell@naturalengland.org.uk]

Sent: 03 March 2011 13:44

To: Doow, Amarjit

Subject: RE: Natural England final view on Core Strategy Policy SL5 Carrington and Manchester Mosses SAC

Amarjit

Further to our telephone conversation and your email below, I can confirm that we are satisfied with the wording of Policy SL5 which now includes a requirement to carry out a Habitats Regulations Assessment of the Area Action Plan for Carrington, and therefore this policy can be screened out of the HRA for the Core Strategy in respect of Likely Significant Effect on Manchester Mosses SAC.

Kind regards

Mandy Jewell

Planning and Conservation Adviser

Natural England