



Main Modifications and Sustainability Appraisal

The National Planning Practice Guidance states that “SA will not necessarily have to be amended if the Local Plan is modified following responses to consultations. Modifications to the SA should be considered only where appropriate and proportionate to the level of change being made to the Local Plan.”

Colchester Borough Council carefully considered whether the Main Modifications that were consulted upon from 11 November – 23 December 2013 required further Sustainability Appraisal (SA) work. The Council concluded that the only modification likely to be significant is MAJ3, which deletes the paragraph in policy DP7 regarding the protection of local shops. The Council considered that this modification should be subject to SA and accordingly appraised the proposed modification. This appraisal was included as part of the Main Modifications consultation (appendix 2). This provided statutory consultees and members of the public with the opportunity to comment on the findings of the appraisal.

All of the other Main Modifications, including the Minor Modifications, will not lead to significant changes and so do not require further SA work. The Council prepared an internal note of this but did not publish it for public consultation.

The extract, below from the Office of the Deputy Prime Minister 2005 document: A Practical Guide to the Strategic Environmental Assessment Directive Practical guidance on applying European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” is also relevant.

“Where plans or programmes go through several successive consultation exercises, it is important to keep the implications for the Environmental Report under review to ensure that it remains consistent with the plan or programme on which opinions are being sought. If significant changes are made from the original proposals, the Responsible Authority will need to consider whether a revised Environmental Report is needed.” (paragraph 5.D.3)

The Council did not consider it necessary to consult on its findings that the Main Modifications (with the exception of MAJ3) do not require further SA work. Paragraph 5.D.3 of the SEA Guide is clear that it is up to the Council as responsible authority to consider whether changes require a revised SA Report. Further, the National Planning Practice Guidance states that “a further round of consultation on the SA may also be required in such circumstances but this should only be undertaken where necessary”.

However, Essex County Council has submitted a representation to the Main Modifications consultation recommending that a brief SA screening process for each modification should be included.

For the reasons set out above the Council do not consider that this is necessary. However, if the Inspector considers that the Council should publish its findings that the Main Modifications (with the exception of MAJ3) do not require further SA for public consultation the Council would be willing to do this.

Spatial Policy Team
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23 December 2013.