

Strategic Environmental Assessment,
Sustainability Appraisal and Habitats
Regulations Assessment Screening Opinion
for Ashton Hayes and Horton-cum-Peel
Neighbourhood Plan

Prepared on behalf of Ashton Hayes and Horton-cum-Peel Neighbourhood Plan
Steering Group by

Cheshire West and Chester Council

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Appendix 1: Overview of policies and identified effects of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan

1.0 Introduction

In accordance with European Directive 2001/42/EC and the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), this document is the screening determination of the need for Strategic Environmental Assessment (SEA) for the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan. This document also sets out the decision on whether separate screening and a Habitats Regulations Assessment is required under European Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2010 (as amended).

Under the Environmental Assessment of Plans and Programmes Regulations 2004, the responsible authority (i.e. the Local Planning Authority) must carry out an environmental assessment for any plan or programme that is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, which sets the framework for future development consents of projects listed in Annex I or II of Council Directive 83/337/EEC. It is likely that Development Plan Documents (DPDs), such as the Local Plan (Part Two) Land Allocations and Detailed Policies and Neighbourhood Plans will require SEA as they will contain planning policies that influence the above list of topics, and which will be used to determine planning applications.

However, the regulations state that an environmental assessment need not be carried out for a plan or programme which determines the use of a small area at a local level unless it has been determined that the plan is likely to have significant environmental effects.

The regulations advise that a screening process is used to determine whether or not a plan is likely to have a significant effect on the environment. This process should use a specified set of criteria (set out in Schedule 1 of the regulations). The results of this process must be summarised in a SEA screening opinion, which is then sent to the statutory consultation bodies for comment. Once comments have been taken into account a screening determination is prepared setting out whether SEA is required and reasons for the decision and this must be made publicly available.

A draft screening opinion was produced in December 2015, based upon the policies set out in the draft Ashton Hayes and Horton-cum-Peel Neighbourhood Plan (December 2015). The Council has a duty to consult four specified environmental organisations – Natural England, English Heritage (now known as Historic England) and the Environment Agency.

The statutory environmental bodies were consulted on the draft screening opinion between 23 December 2015 and 28 January 2016. Responses were received from Natural England and Historic England, who agreed with the outcome of the initial screening exercise. No amendments to the screening opinion were suggested by

the statutory consultees. The comments received during the consultation are set out at Appendix 2 of this report.

The Neighbourhood Plan Regulation 14 consultation was undertaken from 18 January to 6 March 2016. The Plan was then amended to reflect consultation responses. This Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment Screening Determination has been prepared to incorporate the amendments made to the draft Neighbourhood Plan.

Most of the amendments involved minor wording changes and do not change the general aims or policy approach for the Neighbourhood Plan. It is not considered that any of the amendments to the policies of the draft Neighbourhood Plan change the assessment and conclusions within the initial screening opinion in December 2015.

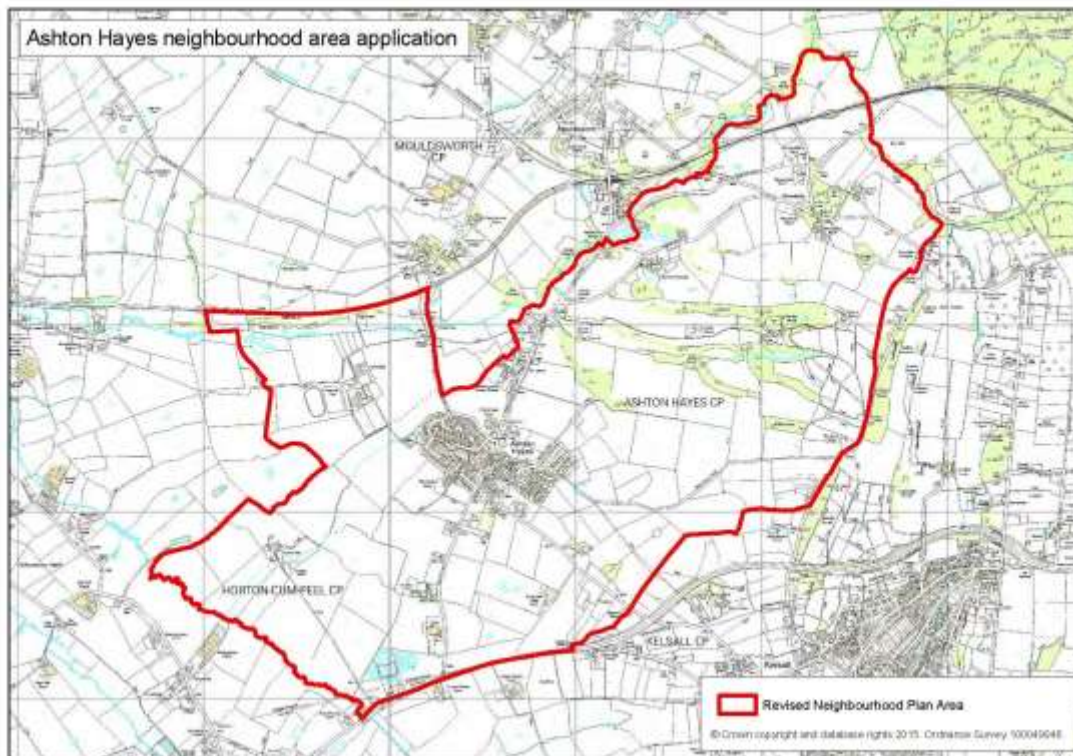
Location and geographical scope of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan

The Ashton Hayes and Horton-cum-Peel Neighbourhood Plan covers the same area as the Ashton Hayes and Horton-cum-Peel Parish Council except for a small section of land which is already covered by the Kelsall designated neighbourhood area.

Approximately 1,300 people live within the Ashton Hayes and Horton-cum-Peel Parish – around 420 households. Ashton Hayes is the main settlement in the Parish.

The boundary of the Ashton Hayes and Horton-cum-Peel area is shown on Map 1 below. This shows the updated area designated by the updated Neighbourhood Area designation in 3 March 2016.

Map 1 Designated Neighbourhood Area (updated and designated March 2016).



Relationship to other plans and programmes

Once made the Neighbourhood Plan will form part of development plan for Cheshire West and Chester. The policy framework once made will not work in isolation. The Neighbourhood Plan will work alongside the adopted Local Plan policies in place at the time it is made.

The Neighbourhood Plan must have regard to national policy; be in general conformity with the strategic policies in the adopted Local Plan; must contribute to the achievement of sustainable development and meet EU obligations and human rights requirements.

The current adopted Local Plan for the area is Cheshire West and Chester Local Plan Part One – Strategic Policies (adopted January 2015). This plan sets out the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough to 2030. Some of the policies in the Chester District Local Plan and the Cheshire Replacement Minerals and Waste Local Plans are to be retained alongside the Local Plan (Part One) until such time that they are to be replaced by the Local Plan (Part Two). Preparation of the Local Plan (Part Two) Land Allocations and Detailed Policies began in Autumn 2014 and consultation was undertaken on the Local Plan (Part Two) Site Allocations and Detailed Policies Preferred Approach from 12 August until 23 September 2016.

The existing and emerging Local Plan policy framework has been taken into account when carrying out the screening exercise. This forms the baseline for the SEA and HRA screening assessment. It has considered the potential effects of the

Neighbourhood Plan over and above the current adopted Local Plan (Part One) and the remaining policies in the Chester District Local Plan.

The Local Plan (Part One) Strategic Policies has been subject to a Sustainability Appraisal incorporating the requirements of the SEA Directive and a screening exercise under the Habitats Directive. This screening exercise has considered the effects of the neighbourhood plan in this context. The Sustainability Appraisal of the Local Plan (Part One) sets out the impacts of the strategic policies that apply to Ashton Hayes and Horton-cum-Peel.

Scope of Neighbourhood Plan

The Ashton Hayes and Horton-cum-Peel Neighbourhood Plan seeks to build upon the policy framework in the Local Plan (Part One) Strategic Policies.

The overarching vision for the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan is:

“In 20 years’ time Ashton Hayes will be a characteristic Cheshire village that retains its balanced and compact form. It will place value on its heritage, its sustainability and its strong aspiration to carbon neutrality, all within a rural landscape setting. It will be a welcoming place where all can participate and influence the further developments of their community.”

The Neighbourhood Plan Part 1 – Key Policies introduces the Neighbourhood Plan, the approach to the work and the consultation undertaken. Based on the consultation and evidence considered, it sets out policies covering the following five areas:

- Built and natural environment
- Housing
- Community facilities
- Business and employment
- Transport and infrastructure

Part 2 sets out the evidence base and Part 3 is a series of attachments including a habitat report summary, maps, consultation statement and basic conditions statement.

The policies within the Neighbourhood Plan all fit within the strategic framework provided by the Local Plan (Part One) and are not considered to significantly alter the planning policy position for the area, as set out in the assessment in Table 4. The policies just provide an additional level of criteria to assess suitability of developments in order to reflect local character and community aspirations. The

Ashton Hayes and Horton-cum-Peel Neighbourhood Plan is particularly strong in relation to carbon reduction and renewable energy, but this still comes within the overarching aims of the Local Plan to improve sustainability. No development is proposed outside the levels set within the Local Plan.

2.0 Strategic Environmental Assessment Screening

Legislative background and methodology

European Directive 2001/42/EC (the SEA Directive) requires a Strategic Environmental Assessment to be carried out for certain plans and programmes to assess their effects on the environment. This Directive was transposed in law by the Environmental Assessment of Plans and Programmes Regulations 2004.

The Ashton Hayes and Horton-cum-Peel Neighbourhood Plans fall within the scope of this legislation as it is a plan prepared for town and country planning or land use and will set the framework for future development consent of projects, in accordance with Part 2(2) of the regulations. However, Neighbourhood Plans are land use planning documents prepared at the local level to determine land use in a small area.

Under Article 3(3) of the SEA Directive and Part 2(6) of the Environmental Assessment of Plans and Programmes Regulations 2004, SEA is only required for documents that determine land use of a small area at local level and minor modifications to plans and programmes where it is considered that it is likely to have significant environmental effects. Assessment of whether the plan is likely to have significant environmental effects is carried out through the screening process.

Section 19(5) of the Planning and Compulsory Purchase Act (2004, as amended) requires that the local planning authority must carry out an appraisal of the sustainability of the proposals in each Local Development Document (neighbourhood plans are considered to be Local Development Documents) and must prepare a report of the findings of the appraisal. This is generally done through a Sustainability Appraisal, which incorporates the requirements of the SEA Directive. As such, this screening process covers both the SEA and Sustainability Appraisal requirements.

Screening methodology

The role of the screening exercise is to determine whether the implementation of a plan or programme is likely to have a significant effect on the environment.

The criteria for assessing whether a plan or programme is likely to have a significant environmental effect are set out in Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004.

The assessment criteria used to determine whether a plan or programme will have significant environmental effects are separated into two categories:

- those relating to the characteristics of the plan; and
- those relating to the characteristics of the plan's effects and of the area likely to be affected.

The assessment of the draft Neighbourhood Plan against the criteria relating to the characteristics of the plan is set out in Table 1 and the assessment against the criteria relating to the characteristics of the plans effects and the area likely to be affected is set out in Table 2.

In order to assist with completion of Table 1, Table 2 and identification of the likely significance of effects, an assessment has been undertaken of each policy in the Neighbourhood Plan, its potential effects and its relationship to Local Plan Part One strategic policies and retained policies in the Chester District Local Plan and the Cheshire Replacement Minerals and Waste Local Plans. This helps to assess the impact that the Neighbourhood Plan will have above and beyond the impact of existing Local Plan policies. This assessment is set out in the table at Appendix 1.

Table 1: Assessment of the significant environmental effects of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan		
1. Characteristics of the plan		Significant environmental effect?
<p>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 Neighbourhood Plan is a local level land use planning document to determine land use in a small area. Once made, it will work within the planning policy framework of the Local Plan for the borough.</p> <p>The Neighbourhood Plan will provide a local planning policy framework for Ashton Hayes and Horton-cum-Peel that will become part of the development plan for Cheshire West and Chester. It is required to be in general conformity with the strategic policies of the adopted Local Plan. The Ashton Hayes and Horton-cum-Peel Neighbourhood Plan will not impact on the strategic location, nature, size and operating conditions of new development over and above that set by the adopted Local Plan for the borough. It will however provide local level guidance within the strategic framework on the nature of development in the Ashton Hayes and Horton-cum-Peel Neighbourhood Area should be brought forward and the mitigation and enhancement measures required in order to minimise impacts. The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management</p>	No

	<p>measures and environmental protection legislation.</p> <p>The Neighbourhood Plan does not specify the level of development, but highlights the fact that it has not yet been confirmed whether Ashton Hayes will be a Local Service Centre, but in any case the area is within the Green Belt, which will limit the potential for development. As such, the Neighbourhood Plan does not propose a higher level of development than the Local Plan.</p>	
<p>The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>	<p>The Neighbourhood Plan will be the lowest level of planning policy for the area. It has to be in general conformity with the strategic policies of the adopted Local Plan and must contribute to the achievement of sustainable development. It will therefore have limited influence over changing the policies in plans at the higher strategic level or lead to the development of further plans below it.</p>	No
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>The Neighbourhood Plan is required, as one of the basic condition tests, to contribute to the achievement of sustainable development. Whether this basic condition is met will be tested during the examination of the Neighbourhood Plan. However, the framework for the promotion of sustainable development is set by the Government's Strategy for Sustainable Development, the National Planning Policy Framework and the policies in the adopted Local Plan for the borough. The Neighbourhood Plan will have limited influence over changing the sustainable development policies in plans and policies at the higher strategic level. The Neighbourhood Plan includes policies relating to renewable energy</p>	No

	and protection of biodiversity which support and expand on policies in the Local Plan.	
Environmental problems relevant to the plan or programme	The Sustainability Appraisal Scoping Report for the Local Plan Part One is a comprehensive overview of the issues in Cheshire West and Chester. There are no specific additional environmental problems identified for the Ashton Hayes and Horton-cum-Peel area.	No
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)	The Neighbourhood Development Plan will have no direct role in the delivery of community legislation on the environment. It does include policies relating to protection of biodiversity, prevention of pollution, prevention of impacts on water quality and provision of renewable energy and carbon reduction. However, these policies all fit within the strategic framework provided by the Local Plan (Part One). The Neighbourhood Plan has been subject to Habitats Regulation Assessment screening as set out in part 2 of this document.	No

2. Characteristics of the plan's effects and of the area likely to be affected										
Identified effects of the proposed policies	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ¹	Risks to human health or the environment (e.g. due to accidents)	Magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Value and vulnerability of the area likely to be affected due to the effect on special natural characteristics or cultural heritage	Value and vulnerability of the area likely to be affected due to the effect on environmental quality standards or limit values	Value and vulnerability of the area likely to be affected due to the effect on intensity of land-use	Effects on areas or landscapes which have a recognised national, Community or international protection status	Significant environmental effect?
Protection of the character of the village	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	Ashton Hayes includes a Conservation Area, so has cultural heritage value. Area is covered by Green Belt.	None	None	Potential positive impact on protection of the character of the Ashton Hayes Conservation Area.	No

¹ The assessment here has considered whether the effect of the policy goes beyond the UK and impacts upon other EU territories. Given scale and nature of Neighbourhood Plan the effects are not considered to be transboundary.

Positive impacts of design on human health	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protection and enhancement of the landscape	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Potential landscape impact	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	Potential negative impact of development, but criteria have been included to ensure that this is limited.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
Retention and protection of views	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	Ashton Hayes includes a Conservation Area, so has cultural heritage value. Area is covered by Green Belt.	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Protection and enhancement of biodiversity	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Predominantly local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Potential biodiversity impact	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	Potential negative impact of development, but criteria have been included to ensure that this is limited.	None	Potential negative impact on the environment, but criteria have been included to ensure that this is limited.	Predominantly local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Improvement to human health through increased walking and cycling	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt locations. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Potential impact on climate through carbon reduction by renewable energy generation	Medium probability as opportunities for smaller scale renewable energy generation. Medium frequency. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Prevention of negative impacts on human health	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Improvement to human health through increased walking and cycling	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Protection of water quality	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Provision of housing	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	Potential intensification of land use if land used for housing.	None identified – see HRA screening and no impact on Conservation Area.	No

Provision of housing for older people	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protection of the character of the village	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	Protection of the Ashton Hayes Conservation Area.	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Protection and enhancement of the landscape	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	
Provision of housing for older people in accessible locations	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	Potential intensification of land if land used for housing.	None identified – see HRA screening and no impact on Conservation Area.	No

Potential impact on climate through carbon reduction by energy efficiency standards	Medium probability as opportunities for smaller scale renewable energy generation. Medium frequency. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None.	Predominantly local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Impact on health and well-being through provision of accessible community facilities	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Prevention of negative impact on health and well-being through noise and visual impact	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Potential impact on climate through carbon reduction by reducing the need to travel by private car and increasing use of public transport and cycling	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Improving safety	Low probability as unlikely to be a lot of new development. Low frequency as few opportunities due to Green Belt location. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
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Conclusion

In accordance with Part 2(9) of the Environmental Assessment of Plans and Programmes Regulations Cheshire West and Chester consider that it is unlikely there will be any significant environmental effects arising from the Ashton Hayes and Horton-cum-Peel. A Strategic Environmental Assessment of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan is not required.

It is acknowledged that the strategic planning policies for the Ashton Hayes and Horton-cum-Peel area are set out in the Local Plan (Part One) for Cheshire West and Chester may have the potential for significant environmental effects. However, these policies have been subject to Strategic Environmental Assessment as set out in the Sustainability Appraisal of the Local Plan (Part One) and no further assessment is required.

3.0 Habitats Regulations Assessment Screening

Legislative background

The Conservation of Habitats and Species Regulations 2010 (as amended) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.

Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site. European Sites, also referred to as Natura 2000 sites, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.

Article 6(3) of the Habitats Directive states that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.

The first stage of HRA is to screen a plan or programme to identify if there are likely to be any significant effects on Natura 2000 sites. This will indicate whether a full Appropriate Assessment is required. The regulations require that the impacts and effects of any land use plan being assessed, are considered in combination with other plans and projects that may also be affecting the relevant European site(s).

Inter-relationship with the Local Plan HRA

The Cheshire West and Chester Local Plan (Part One) Strategic Policies has already been through the HRA process, and the results detailed in the Cheshire West and Chester Local Plan Publication Draft (Part 1) Strategic Policies Habitat Regulations Assessment Screening Report.

The HRA for the Local Plan (Part One) identified 12 sites to include within the HRA as set out in table 3 below.

Table 3 – Natura 2000 sites relevant to the Local Plan (Part One)

European site	Reason for inclusion
Oak Mere SAC	Located within Cheshire West and Chester
Midlands Meres and Mosses Ramsar site	Located within Cheshire West and Chester
West Midlands Mosses SAC	Located partly within Cheshire West and Chester

River Dee and Bala Lake SAC	Identified as a source of potable water for Cheshire West and Chester and also the receiving watercourse for waste water treatment works discharge
Mersey Estuary SPA and Ramsar	Located partially within Cheshire West and Chester
Dee Estuary SAC SPA and Ramsar site	Downstream of the River Dee which is identified as a source of potable water for Cheshire West and Chester. Development in the Borough also creates potential water quality pathways.
Liverpool Bay SPA	Located immediately downstream of the Mersey Estuary. There is therefore a potential water quality pathway through sewage effluent discharges, air quality from transport plans, disturbance of birds and recreational pressure
Berwyn and South Clwyd Mountains SAC	Included at the request of Natural Resources Wales
Mersey Narrows and North Wirral Foreshore pRamsar and pSPA	Located within Merseyside downstream of the Mersey Estuary SPA/Ramsar site. There is a direct link to development in through water quality
Sefton Coast SAC	Located within Merseyside and linked to development in Cheshire West and Chester through recreational pressure and water quality
Ribble and Alt Estuaries SPA and Ramsar site	Located within Merseyside and is an indirect link to development in Cheshire West and Chester through water quality and recreational pressure
River Eden SAC	Haweswater Lake (to which the River is hydrologically connected) is likely to form part of the future water supply for Cheshire West and Chester.

The HRA undertaken for the Local Plan (Part One) forms the baseline for the HRA screening assessment of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan. The main consideration is the potential effects of the Neighbourhood Plan over and above those already assessed for the Local Plan. The Local Plan was screened out through this process, as not leading to a likely significant effect on European Sites.

It is considered that as long as the proposed policies of a Neighbourhood Plan do not alter the strategic policy framework assessed in the Local Plan Part One Habitats Regulation Assessment Screening Report then an additional separate full screening exercise on the Neighbourhood Plan will not be required. However, if the Neighbourhood Plan does change the strategic policy framework then a separate Habitats Regulation Assessment Screening Report to assess the effect on European Sites would be required.

Whether the Neighbourhood Plan alters the policy position for the area is set out in Table 4 below.

Table 4: Screening of policies for altering Local Plan Policy

Policy	Change in policy position in emerging Local Plan and policies to be retained? Y/N
E1 – Local character	N
E2 – Green environment	N
E3 – Carbon reduction	N
E4 – Pollution and sustainability	N
H1 – Local housing need	N
H2 – Location of rural exception sites	N
H3 – Design of new housing development	N
C1 – The Protection, provision and enhancement of community facilities / amenities / services	N
BE1 – Premises provision	N
BE2 – New employment opportunities	N
T1 – Public Transport Improvements	N

Context

There are 7 European designated sites identified within a 15km buffer from the boundaries of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan. There are 3 Ramsar sites (this includes the Midlands Meres and Mosses Phase 1 and Phase 2), 3 SAC's, and 1 SPA.

These are shown in Map 2.

Outcome of high level screening

1. Is the Neighbourhood Plan directly connected with, or necessary to the management of a European site for nature conservation?

No

2. Does the Neighbourhood Plan propose new development or allocate sites for development?

No

3. Are there any other projects or plans that together with the Neighbourhood Plan that could impact on the integrity of a European Site?

No, the Cheshire West and Chester Local Plan (Part One) Strategic Policies and the retained policies in Chester District Local Plan are relevant plans, but the

HRA of the Cheshire West and Chester Local Plan (Part One) identified that it could be screened out as not leading to a likely significant effect on European sites.

4. Are there any potential impacts on the integrity of a European Site?

The Neighbourhood Plan will not work in isolation and will be used alongside other development plan policies including the Local Plan Part One and retained policies in the existing Chester District Local Plan for determining planning applications for new development. The quantum of development to come forward in Ashton Hayes and Horton-cum-Peel in the future will be set by Local Plan policy. The Neighbourhood Plan will guide how this should come forward locally.

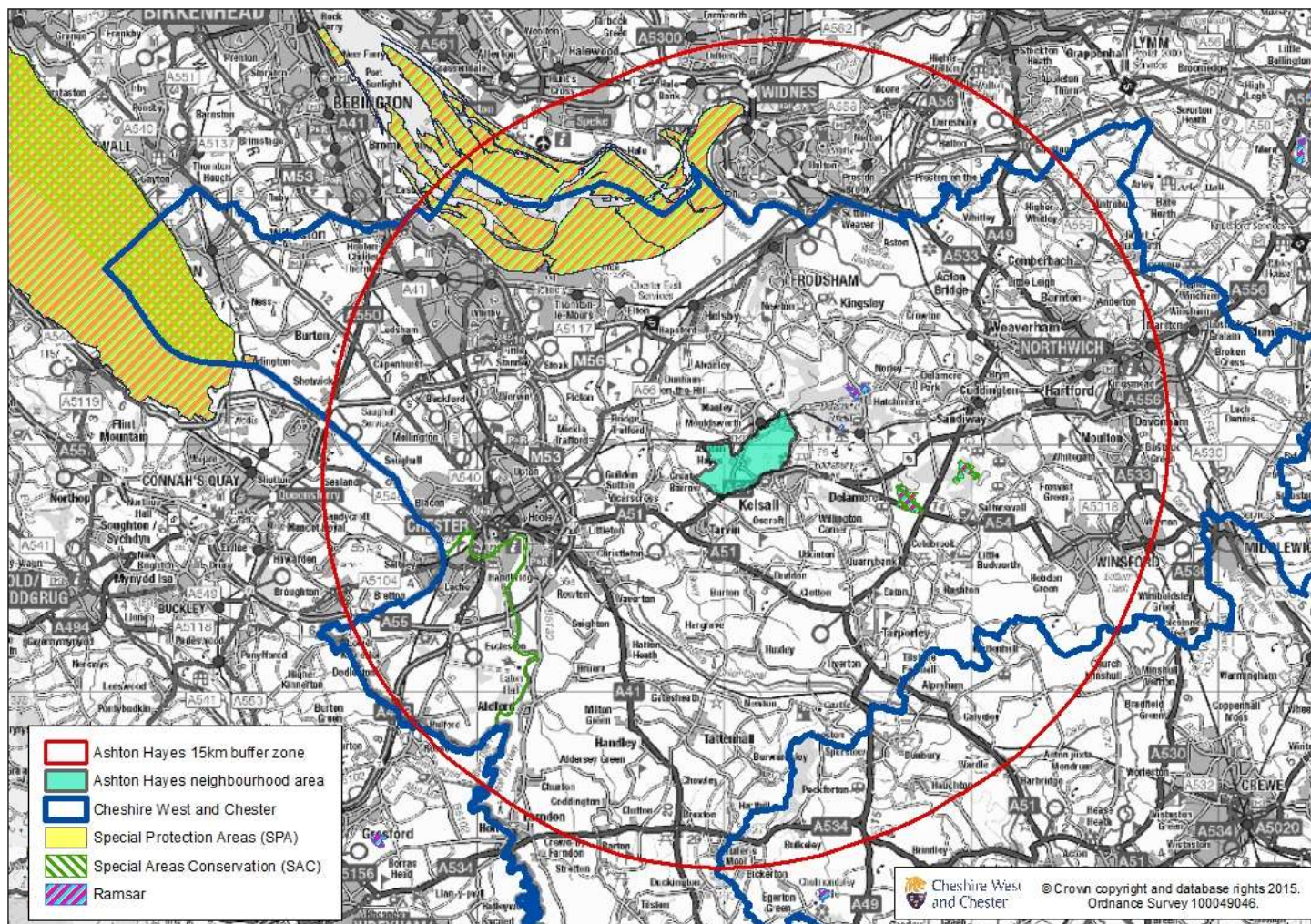
There are no specific issues highlighted in the HRA of the adopted Local Plan (Part One) that relate to the Ashton Hayes and Horton-cum-Peel area, although there are other more general potential impacts highlighted as a result of the quantum and location of development proposed for the borough as a whole in the Local Plan Part One. However, it is considered there are sufficient mitigation and control measures in the policy framework of the Local Plan (Part One) to avoid and mitigate any of these adverse effects on the integrity of European in the emerging Local Plan.

Therefore, it is considered that any proposals coming forward for development in accordance with the Neighbourhood Plan would not result in a likely significant effect on a European site than already identified and assessed through the Local Plan (Part One) Habitats Regulation Assessment Report.

Conclusion

The Screening Determination made by Cheshire West and Chester Council is that the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d)), alone or in combination with other plans and projects. As such, a separate full screening exercise and Habitats Regulations Assessment are not considered to be required.

Map 2- European Designations within a 15km distance of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan



Appendix 1: Overview of policies and identified effects of the Ashton Hayes and Horton-cum-Peel Neighbourhood Plan.

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to emerging Local Plan (Part One); Strategic Policies and policies to be retained in the Chester District Local Plan
E1 – Local character	<p>New development in and adjoining the countryside will be acceptable where it is designed and positioned so as to be sensitive to the built environment of the village and its rural setting.</p> <p>Fit into and enhance distinctive qualities of the landscape.</p> <p>Preserve compactness of village and unobtrusiveness of developments.</p> <p>Developments to reflect village design.</p> <p>High quality design.</p> <p>Preserve valued rural views and vistas.</p> <p>Preserve hedgerows and trees.</p>	<p>Protection of the character of the village.</p> <p>Positive impacts of design on human health.</p> <p>Protection and enhancement of the landscape.</p> <p>Retention and protection of views.</p> <p>Protection and enhancement of biodiversity.</p>	<p>ENV6 of the Local Plan (Part One) identifies the need to respect local character.</p> <p>SOC5 of the Local Plan (Part One) supports proposals that incorporate improvements to health and well-being.</p> <p>HO4 and HO5 of the Chester Local Plan contain criteria regarding the design of new residential development.</p> <p>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) support the protection of landscape character, the retention of green spaces and the need to take account of appropriate views into, over or out of the site.</p> <p>ENV5 of the Local Plan (Part One) supports the retention of the historic environment.</p> <p>ENV3 and ENV4 of the Local Plan (Part One) support the retention of trees and hedgerows.</p> <p>ENV21 of the Chester Local Plan sets out the expectation that hedgerows should be integrated into developments.</p>
E2 – Green environment	<p>Protection of Local Green Spaces.</p> <p>Identification of Local Green Spaces, including Sites of Open Space Value, Sites of Nature Conservation Value and Sites of Recreational Value.</p>	<p>Protection and enhancement of biodiversity.</p> <p>Improvement to human health through increased walking and cycling.</p>	<p>Policy ENV3 of the Local Plan (Part One) supports the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure.</p> <p>Policy ENV4 of the Local Plan (Part One) identifies</p>

	<p>Enhancement of biodiversity.</p> <p>Creation of new habitats.</p> <p>Establish wildlife corridors.</p> <p>Enhance access and provide pedestrian and cycle routes.</p> <p>Create environmentally friendly communal areas.</p>		<p>the importance of safeguarding and enhancing biodiversity.</p> <p>Policy ENV27 of the Chester Local Plan identifies that development likely to affect features of nature conservation value will be permitted only where there is adequate mitigation and compensation.</p>
E3 – Renewable energy	<p>Installation of renewable energy generation capacity of up to 20% of the plan area's average electricity consumption will be promoted where a series of criteria are met, including :</p> <p>Generation facilities will result in significantly reduced community carbon emissions.</p> <p>Low ecological value and wildlife impact.</p> <p>Minimise land requirement.</p> <p>Share land use.</p> <p>Minimise noise, smell and visual appearance and impact on openness.</p> <p>Provision of on-site compensatory measures.</p> <p>Preferably where the community already has an established interest.</p>	<p>Potential impact on climate through carbon reduction by renewable energy generation.</p> <p>Potential biodiversity impact.</p> <p>Potential landscape impact.</p>	<p>Policy STRAT1 of the Local Plan (Part One) identifies the need to mitigate and adapt to the effects of climate change, ensuring development makes the best use of opportunities for renewable energy use and generation.</p> <p>Policy ENV7 of the Local Plan (Part One) supports renewable and low carbon energy proposals where there are no unacceptable impacts on:</p> <ul style="list-style-type: none"> - Landscape, visual or residential amenity - Noise, air, water, highways or health - Biodiversity, the natural or historic environment - Radar, telecommunications or the safety of aircraft operations
E4 – Pollution and sustainability	<p>Development proposals should take effective measures to avoid pollution by:</p> <p>Avoiding people being exposed to levels higher than existing levels.</p> <p>Reducing the risk of pollution of groundwater.</p>	<p>Prevention of negative impacts on human health.</p> <p>Improvement to human health through increased walking and cycling.</p> <p>Protection of water quality.</p>	<p>Policy ENV59 of the Chester Local Plan states that any development proposal with the potential to pollute or be affected by pollution will be allowed providing that a set of criteria are satisfied. The list of criteria includes :</p> <ul style="list-style-type: none"> - It will not significantly increase air pollution. - It will not cause unacceptable light

	<p>Reducing vehicle travel miles.</p> <p>Supporting change of land or buildings that encourage local food production.</p> <p>Minimise light pollution.</p>		<p>pollution as a result of illumination.</p> <ul style="list-style-type: none"> - Any discharge from the site, or disturbance of contaminated land during the construction period, will not lead to a deterioration in the quality of controlled waters.
H1 – Local housing need	<p>Residential development proposed in accordance with the Rural Exception Sites policy in the Local Plan (Part One) is supported:</p> <p>Where it meets properly evidenced eligible need of the plan area at the appropriate time of the need.</p> <p>An element of market housing as permitted by the Local Plan, will be supported where the market housing will be appropriate for the needs of the elderly.</p> <p>Proposed schemes should be led by the community or with applicant working in partnership with the community, where practicable.</p>	<p>Provision of housing.</p> <p>Provision of housing for older people.</p>	<p>Policy SOC2 of the Local Plan (Part One) identifies that where necessary to meet local affordable housing needs, schemes for 100% affordable housing may be permitted on small site which would otherwise not be appropriate for housing adjacent to key service centres and local service centres including those in Green Belt.</p>
H2 – Location of rural exception sites	<p>Rural exception sites will be supported where they do not adversely impact upon the valued characteristics identified in the Built Character and Rural Perspective Assessment.</p> <p>The most suitable options for locations of rural exception sites are described. This includes:</p> <p>Sites not located adjacent to key roads.</p> <p>Where sites can only be provided adjacent to key roads, impact should be mitigated.</p> <p>Additional requirements are specified for development specifically providing for the elderly.</p>	<p>Protection of the character of the village.</p> <p>Protection and enhancement of the landscape.</p> <p>Retention of views.</p> <p>Provision of housing for older people in accessible locations.</p>	<p>ENV6 of the Local Plan (Part One) identifies the need to respect local character.</p> <p>HO4 and HO5 of the Chester Local Plan contain criteria regarding the design of new residential development.</p> <p>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) support the protection of landscape character, the retention of green spaces and the need to take account of appropriate views into, over or out of the site.</p>
H3 – Design of new housing	<p>New development must contribute to the existing character of the neighbourhood plan area.</p>	<p>Protection of the character of the village.</p>	<p>ENV6 of the Local Plan (Part One) identifies the need to respect local character.</p>

development	<p>Good design.</p> <p>Use of traditional materials.</p> <p>Not dominate surrounding area.</p> <p>Include car parking and traffic considerations to meet CWaC standards.</p> <p>Contribute to carbon neutrality aspirations and include high energy efficiency.</p>	<p>Retention and protection of views.</p> <p>Potential impact on climate through carbon reduction by energy efficiency standards.</p>	<p>HO4 and HO5 of the Chester Local Plan contain criteria regarding the design of new residential development.</p> <p>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) support the protection of landscape character, the retention of green spaces and the need to take account of appropriate views into, over or out of the site.</p> <p>Policy STRAT1 of the Local Plan (Part One) identifies the need to mitigate and adapt to the effects of climate change.</p>
C1 – The protection, provision and enhancement of community facilities / amenities / services	<p>Resisting the loss of community facilities and services unless replaced by those of an equal or greater value.</p> <p>Proposals for creation of new or improve community facilities will be supported, provided that:</p> <p>Meet needs of community.</p> <p>Access to local services and facilities is improved for local people.</p> <p>Acceptable noise levels and visual impact.</p> <p>Use of land is minimised.</p> <p>Environmental impact minimised.</p> <p>Carbon emissions minimised.</p> <p>Comply with relevant design and location policies.</p> <p>Criteria for identification of sites for new community facilities.</p>	<p>Impact on health and well-being through provision of accessible community facilities.</p> <p>Protection and enhancement of the landscape.</p> <p>Protection and enhancement of biodiversity.</p> <p>Prevention of negative impact on health and well-being through noise and visual impact.</p> <p>Potential impact on climate through carbon reduction by energy efficiency standards.</p>	<p>Policy SOC5 of the Local Plan (Part One) supports proposals that provide new or improve health facilities, and support opportunities to widen and strengthen the borough's cultural, sport, recreation and leisure offer.</p> <p>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) support the protection of landscape character, the retention of green spaces and the need to take account of appropriate views into, over or out of the site.</p> <p>Policy ENV4 of the Local Plan (Part One) identifies the importance of safeguarding and enhancing biodiversity.</p> <p>Policy STRAT1 of the Local Plan (Part One) identifies the need to mitigate and adapt to the effects of climate change.</p>
BE1 – Premises provision	<p>Creation of suitable premises for local businesses will be encouraged.</p> <p>Support for development of home and garden offices</p>	<p>Provision of employment for the local population.</p> <p>Potential impact on climate through carbon reduction by</p>	<p>Policy ECON1 of the Local Plan (Part One) states that the Council will support existing businesses, encourage indigenous business growth and attract new inward investment. The creation of new job</p>

	<p>and workshops where they have no negative impact on neighbouring properties.</p> <p>Support for premises for local businesses that comply with STRAT 9 in CWaC Local Plan and relevant design and location policies.</p> <p>Support conversion of redundant buildings to business or mixed use rather than just residential purposes.</p>	<p>reducing the need to travel.</p>	<p>opportunities across a range of sectors will be supported</p> <p>Policy STRAT1 of the Local Plan (Part One) identifies the need to mitigate and adapt to the effects of climate change.</p>
BE2 – New employment opportunities	<p>Development and introduction of new direct employment will be supported. Development will be supported that:</p> <p>Enhances the village.</p> <p>Provides additional facilities.</p> <p>Actively supports the village sustainability ethos and agenda.</p> <p>Reflects the local character of Ashton Hayes, as detailed in policy E1.</p> <p>Complies with Green Belt policy.</p>	<p>Provision of employment for the local population.</p> <p>Impact on health and well-being through provision of accessible community facilities.</p> <p>Potential impact on climate through carbon reduction by reducing the need to travel.</p> <p>Potential impact on climate through carbon reduction by energy efficiency standards.</p>	<p>Policy ECON1 of the Local Plan (Part One) states that the Council will support existing businesses, encourage indigenous business growth and attract new inward investment. The creation of new job opportunities across a range of sectors will be supported</p> <p>Policy STRAT1 of the Local Plan (Part One) identifies the need to mitigate and adapt to the effects of climate change.</p>
T1 – Public transport Improvements	<p>In order to improve pedestrian access to public transport, developer contributions on new developments will be sought for this purpose in line with the funding mechanisms in place for developer contributions and infrastructure and policy STRAT 11 of the Local Plan. Contributions will be sought which:</p> <p>Improve access to the bus service on the A54 and rail service at Mouldsworth.</p> <p>Address safety issues for pedestrians crossing A54 or waiting at bus stop.</p> <p>Consider provision of secure cycle storage for bus</p>	<p>Potential impact on climate through carbon reduction by reducing the need to travel by private car and increasing use of public transport and cycling.</p> <p>Improving safety.</p>	<p>Policy STRAT1 of the Local Plan (Part One) identifies the need to mitigate and adapt to the effects of climate change.</p> <p>Policy STRAT10 of the Local Plan (Part One) identifies that opportunities will be sought to extend and improve access to local footpath and cycle networks, including greenways, canal towpaths and the Public Rights of Way network.</p> <p>Policy STRAT11 of the Local Plan (Part One) states that the Council will support the provision of appropriate new infrastructure, including schemes intended to mitigate and adapt to climate change. To facilitate the delivery of infrastructure, new development will, where appropriate, be required to</p>

	<p>and rail users.</p> <p>Support any reasonable proposals to provide additional public transport services, which meet the needs of NP area residents.</p>		<p>contribute towards the Council's identified infrastructure priorities in accordance with Circular 5/2005, Community Infrastructure Levy regulations or successor regulations / guidance.</p>
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Appendix 2: Comments received during consultation on the draft Screening Report

Statutory body	Date consulted	Response
Environment Agency	23 December 2015	No response received.
Environment Agency Wales	23 December 2015	No response received.
Historic England	23 December 2015	See correspondence below.
CADW	23 December 2015	No response received.
Natural England	23 December 2015	See correspondence below.



Historic England

Catherine Morgetroyd
Planning Policy
Place Strategy
Cheshire West and Chester Council
4 Civic Way
Elsmere Port
CH65 0BE

Our ref: 1977
Your ref: E-mail, 23rd Dec 2015
Telephone: 07500 121974

25th Jan 2016,

Dear Catherine,

Re: SEA Screening Opinion Report- Draft Ashton Hayes Neighbourhood Plan.

Thank you for your email dated 23rd December.

The Plan documentation is accompanied by a request for a formal Screening Opinion from Historic England in compliance with the Environmental Assessment of Plans and Programmes Regulations 2004. The draft Opinion prepared by your Forum concludes that Strategic Environmental Assessment is not required. We note that the Plan appears to propose no site allocations/policies which would have significant environmental effects upon the historic environment and as such we concur that in this regard Strategic Environmental Assessment is not required.

Please can you forward the following advice to the Ashton Hayes Parish (Thorn Ward) NP Forum, I do not hold their official contact details.

If you require clarification on any of the points raised in this letter please contact me.

Yours Sincerely



Darren Ratcliffe RIBA
Historic Places Adviser



Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5FW
Telephone 0161 242 1416 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



Date: 28 January 2016
Our ref: 175072
Your ref: Ashton Hayes and Horton-cum-Peel Neighbourhood Plan SEA/HRA
Screening Assessment



Catherine Morgetroyd
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BY EMAIL ONLY

Dear Ms Morgetroyd,

Ashton Hayes and Horton-cum-Peel Neighbourhood Plan – Strategic Environmental Assessment and Habitats Regulations Assessment Screening Statement

Thank you for your consultation on the above dated and received by Natural England on 23 December 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is in agreement with the Screening Statement, as long as the proposed policies of the Neighbourhood Plan do not alter the strategic policy framework assessed in the Local Plan Part One Habitats Regulation Assessment (HRA) Screening Report and Strategic Environmental Assessment (SEA) Report then a separate HRA and SEA will not be required.

If this situation changes then a separate SEA and HRA Screening will be required and Natural England would wish to be consulted.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Kathryn Kelsall on 020 802 68397. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Miss Kathryn Kelsall
Cheshire, Greater Manchester, Merseyside and Lancashire Area Team