

Strategic Environmental Assessment,
Sustainability Appraisal and Habitats
Regulation Assessment Screening
Determination for Broxton and District
Neighbourhood Plan

Prepared on behalf of Broxton and District Neighbourhood Plan Steering Group by
Cheshire West and Chester Council

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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 Broxton and District 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.

This screening opinion has been based upon the policies set out in the draft Broxton and District Neighbourhood Plan (August 2015).

A draft screening opinion was produced in September 2015. The Council has a duty to consult four specified environmental organisations – Countryside Agency, English Nature, English Heritage (now known as Historic England) and the Environment Agency. The Countryside Agency and English Nature have now merged to form Natural England. Due to the proximity to the Welsh border Natural Resources Wales, and CADW were also consulted. The statutory environmental bodies were consulted on 9th September 2014. Details of the bodies consulted and the responses received are provided in Appendix 2, which includes Table 5. Responses

were received from the Environment Agency, and Natural England who agreed with the outcome of the initial screening exercise, that SEA is not required. This final screening statement addresses comments made during the consultation.

Location and geographical scope of the Broxton and District Neighbourhood Plan

Broxton and District is comprised of the hamlets of Brown Knowl, Harthill and Duckington surrounded by rural hinterland. The area is consistently rural in character, with 94% of the land within the area used as pasture or arable land and the steeper slopes, for woodland. The countryside of the area is not only enjoyed by the residents but also by walkers, cyclists, horse riders, fishermen, campers and caravanners.

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 the Cheshire West and Chester Local Plan (Part One) Strategic Policies (adopted 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.

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 Ellesmere Port & Neston Local Plan.

Scope of Neighbourhood Plan

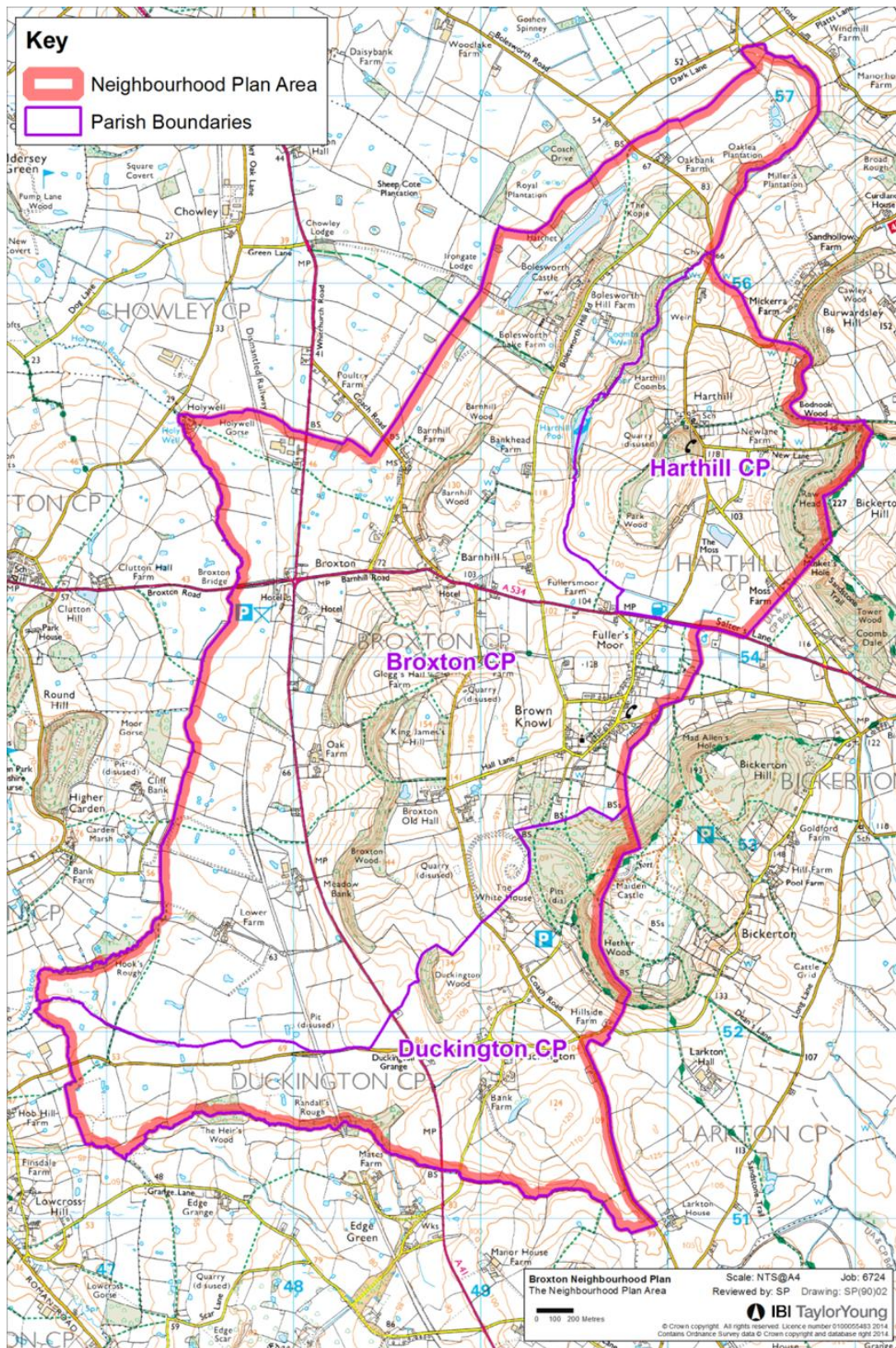
The Vision for the Neighbourhood Plan is:

*“Broxton and District will continue to be an attractive place, where distinctive and traditional buildings sit comfortably within a beautiful landscape. It will be seen as an excellent place to live, to visit and to work; people will come to enjoy the scenery, the views and to enjoy walking, cycling and horse riding
The larger centres of Tattenhall, Malpas, Farndon and Holt are close at hand and will service local residents.
Employment in the area will continue to be in farming, the wider economy in the rural area and local businesses”*

The Objectives identified are:

1. Maintain the rural character, protect the landscape and encourage nature conservation.
2. Support the local economy and local businesses.
3. Support local tourism and recreation.
4. Limited and appropriate building development.
5. Improve infrastructure and access to facilities

It is important that all activities are sustainable and reduce carbon-dependency and this should inform all policy-making.



2.0 Strategic Environmental Assessment Screening

Legislative Background and Methodology

European Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA Directive) 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 Broxton and District 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.

If SEA is required, the assessment is usually incorporated into a Sustainability Appraisal, which includes environmental factors as required under the SEA Directive, along with social and economic factors.

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. 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 Broxton and District Neighbourhood Plan.

Characteristics of the plan	Significance Test
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>The Neighbourhood Plan is a local level land use planning document to determine land use in a small area. Once made, it will work alongside the planning policy framework of the Local Plan for the borough.</p> <p>The Neighbourhood Plan will provide a local planning policy framework for Broxton and District 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 Broxton and District Neighbourhood Plan will not impact on the strategic location, nature, size and operating conditions of new development over and above that set by current adopted Local Plan or the emerging Local Plan for the borough. It will provide local level guidance within the strategic framework on the nature of development in the Broxton and District Neighbourhood Area. The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management measures and environmental protection legislation.</p>
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	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 has been prepared to be in general conformity with policies in the emerging Local Plan. It will therefore have limited influence over changing the policies in plans at the higher strategic level.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	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 and emerging Local Plan's 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.
What are the environmental problems relevant to the plan or programme?	The Sustainability Appraisal Scoping Report for the Local Plan (Part Two) is a comprehensive overview of the issues in Cheshire West and Chester. There are no specific additional environmental problems identified for the Broxton and District area.
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 Plan will have no direct role in the delivery of community legislation on the environment. It does include policies on these matters. The Neighbourhood Plan has been subject to Habitats Regulation Assessment screening as set out in part 2 of this document.

Table 2: Characteristics of the Plans effects

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
Protect existing views	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	Each new development has the potential to impact on views. There would be greater potential towards negative impacts if several developments had a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
Protect green space for amenity value	Impacts are dependent on the nature, scale, and details of proposed development. As the	There is unlikely to be a large level of development within the plan period. Retention of green space is	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	likely to see no specific cumulative effects, though would prevent a cumulative negative effect of development on these sites.								
Appropriate local design	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	impacts would be long term and irreversible.	effect.								
Protect existing wildlife and habitats	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	There is unlikely to be a large level of development within the plan period. Retention of existing wildlife and habitats is likely to see no specific cumulative effects, though would prevent a cumulative negative effect of development on these sites.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
Protect existing heritage	Impacts are dependent on the nature, scale, and details of	There is unlikely to be a large level of development within the plan	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	period. Retention of heritage is likely to see no specific cumulative effects, though would prevent a cumulative negative effect of development on these sites.								
Protect existing amenity of residents	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development.	Each new development has the potential to damage the amenity of the local population. There would be greater potential to minimise negatives, and to maximise benefits if	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	Proposals are likely to be irregular, but impacts would be long term and irreversible.	several developments could have a synergistic cumulative effect.								
Reduce potential renewable energy provision	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	There is unlikely to be a large level of development within the plan period. Prevention of renewable energy provision would see a reduction in the production of CO2, albeit a very small one. The Broxton and District area is not identified as an area for renewables development, so large-scale development	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
		is not likely.								
Support appropriate scale local business	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
Protect existing landscape character	Impacts are dependent on the nature, scale, and details of proposed development. As the	There is unlikely to be a large level of development within the plan period. Protection of the landscape	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	is likely to see no specific cumulative effects, though would prevent a cumulative negative effect of development on these sites.								
Protect existing infrastructure	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but	There is unlikely to be a large level of development within the plan period. Retention of existing infrastructure is likely to see no specific cumulative effects, though would prevent a cumulative negative effect of development	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	impacts would be long term and irreversible.	on these sites.								
Prevent decrease in road safety	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	There is unlikely to be a large level of development within the plan period. Development looking to maintain the current situation with regard to road safety is likely to see no specific cumulative effects, though would prevent a cumulative negative effect of development on these sites.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
Reducing car journeys	Impacts are dependent on the nature, scale, and	Fewer car journeys mean less air pollution, CO2	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	emissions are lower, and the risk of accidents is reduced. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.								
Promoting social inclusion	Impacts are dependent on the nature, scale, and details of proposed development. As the settlement is within the Countryside, there is unlikely to be large levels of	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Identified effects	the probability, duration, frequency and reversibility of the effects,	the cumulative nature of the effects	the transboundary nature of the effects,	the risks to human health or the environment (e.g. due to accidents),	the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	the effects on areas or landscapes which have a recognised national, Community or international protection status.	Significance of the effects?
	development. Proposals are likely to be irregular, but impacts would be long term and irreversible.	could have a synergistic cumulative effect.								

Conclusion

As a result of the screening assessment it is considered unlikely there will be any significant environmental effects arising from the Broxton and District Neighbourhood Plan.

A Strategic Environmental Assessment of the Broxton and District Neighbourhood Plan is not required.

3.0 Habitats Regulations Assessment Screening

Legislative Background

The Conservation of Habitats and Species Regulations 2010 (as amended in 2012) 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: '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 One) Strategic Policies Habitat Regulations Assessment Screening Report.

The HRA for the Local Plan (Part One) identified 6 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
Ramsar – Midland Meres and Mosses Phase 2	This is spread across a number of sites, some located within Cheshire West and Chester, some within 15km of Neighbourhood Plan area, but outside of the Cheshire West and Chester
SAC – River Dee and Bala Lake	Partly located within Cheshire West and Chester
SAC – Fenn’s, Whixhall, Bettisfield, Wem & Cadney Mosses	Located within 15km of Neighbourhood Plan area, but outside of the Cheshire West and Chester
SAC – Brown Moss	Located within 15km of Neighbourhood Plan area, but outside of the Cheshire West and Chester
SAC – Oak Mere	Located within Cheshire West and Chester
SAC – West Midlands Mosses	Located within Cheshire West and Chester

The HRA undertaken for the Local Plan (Part One) forms the baseline for the HRA screening assessment of the Broxton and District Neighbourhood Area. The main consideration is the potential effects of the Neighbourhood Plan over and above those of the 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
RC1. Landscape Character	N
RC2. Landscape Views	N
RC3. Community Green Spaces	N
RC4. Design of Buildings	N
RC5. Nature Conservation	N
LE1. Renewable Energy	N
LE2. Employment Development	N
LE3. Home Working	N
LT1. Local Tourism Development	N
NH1 Housing	N
NH2 Older Person's Accommodation	N
IF1. Community Facilities	N
IF2. Former Harthill Church	N
IF3. Road Safety for Pedestrians	N
IF4. Communications Infrastructure	N

Context

There are 6 European designated sites identified within a 15km buffer from the boundaries of the Broxton and District Neighbourhood Plan. There is 1 Ramsar site, 5 SAC's, and no SPA's.

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?*

Yes, the existing Chester District Local Plan and the Local Plan (Part One).

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 Local Plan for determining planning applications for new development. The quantum of development to come forward in Broxton and District in the future will be set by Local Plan policy. The Neighbourhood Plan will guide how this should come forward locally.

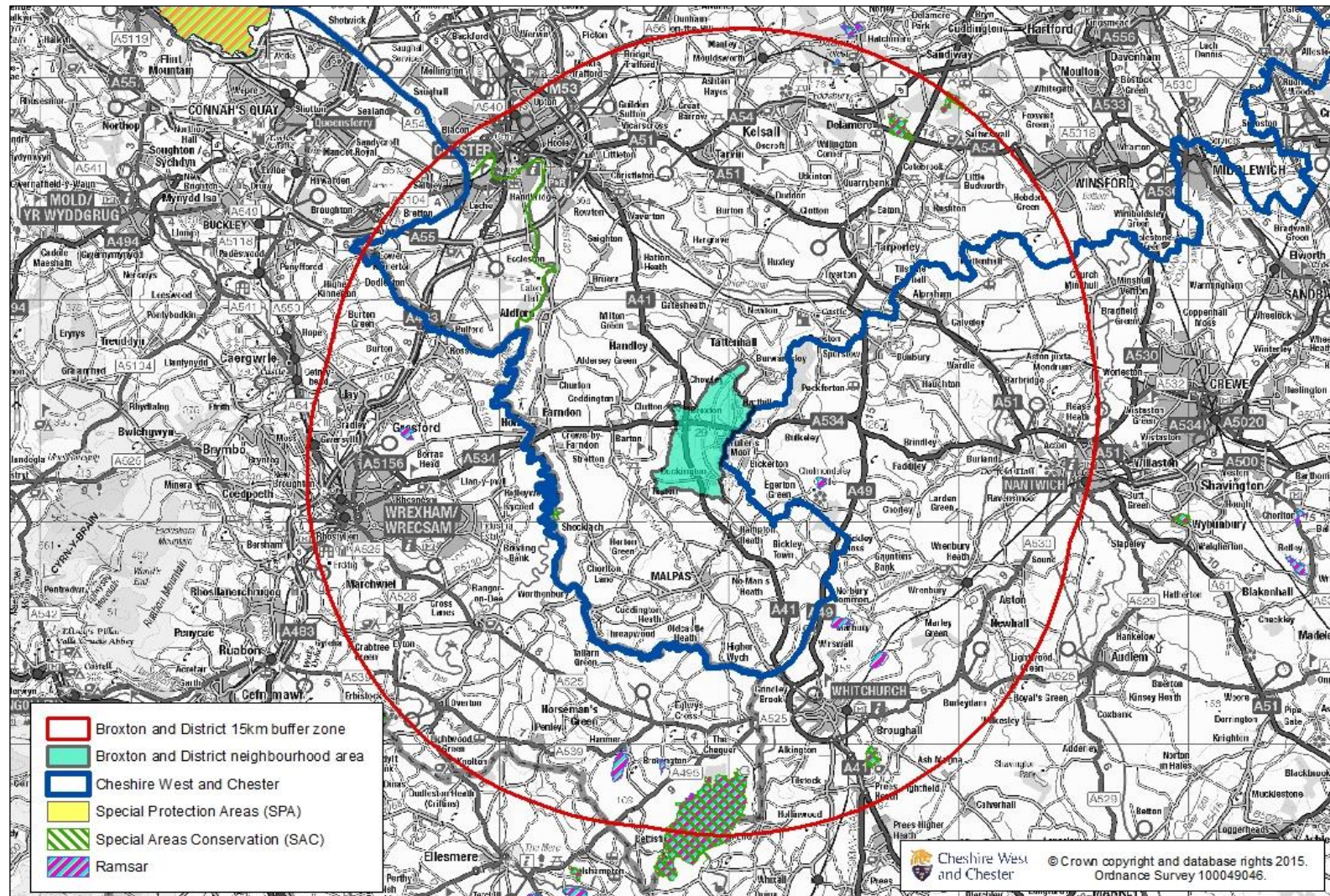
There are no specific issues highlighted in the HRA of the Local Plan (Part One) in relation to Broxton and District, although there are other more general potential impacts highlighted as a result of the quantum and location of development proposed for the borough as a whole in the Local Plan (Part 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 Broxton and District 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 Broxton and District 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 Broxton and District Neighbourhood Plan



Appendix 1: Overview of Policies and Identified Effects of the Broxton and District Neighbourhood Plan.

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics of Biodiversity, Flora and Fauna; Population; Human Health; Soil; Water; Air; Climatic Factors; Material Assets; Cultural Heritage; Landscape)	Relationship to Local Plan (Part One); Strategic Policies and policies retained in the Chester District Local Plan.
RC1. Landscape Character	As Broxton and District is likely to be designated "Open Countryside" in the CWaC Local Plan it is unlikely that any new development would be permitted other than that detailed in Strat9	<ul style="list-style-type: none"> None identified 	STRAT2 of the Local Plan (Part One) sets out the extent of development, and the hierarchy of settlements expected to take development. STRAT8 sets out that development in the rural area will need to be in the most sustainable and accessible areas. Broxton and District is not identified as one of these areas, and so is designated Countryside, as set out in STRAT9.
RC2. Landscape Views	<p>Any development for which approval is sought must complement, respect and protect existing views in the area and not detract from them. Application of this policy should refer to the significant views identified on the Proposals Map (figure 3). A Landscape Visual Impact Assessment or similar study should be carried out to ensure that the Landscape is not compromised</p> <p>Additionally the numerous medium range views across the open fields, views from lowland to the hills and vistas should be protected.</p>	<ul style="list-style-type: none"> Protect existing views 	ENV2 of the Local Plan (Part One) sets out that landscape character and distinctiveness will be protected.
RC3. Community Green Spaces	<p>The Community Green Spaces, identified on the Proposal Map and listed below, are regarded as important and have amenity value. Development that prejudices these Green Spaces, or their settings, will not be permitted.</p> <p>1. The Green, Harthill</p>	<ul style="list-style-type: none"> Protect green space for amenity value 	ENV3 of the Local Plan (Part One) sets out that green infrastructure will be protected. Further, SOC6 sets out the intent to protect, manage and enhance existing open spaces.

	2. Brown Knowl Green 3. "Football Field" (end of Sandy Lane) 4. Duckington Green 5. Disused Railway Line		
RC4. Design of Buildings	Any development for which approval is sought must demonstrate an understanding of the prevalent architectural styles and distinctive features of buildings in the area and provide an appropriate design response.	<ul style="list-style-type: none"> • Appropriate local design 	ENV6 of the Local Plan (Part One) sets out that the character and distinctiveness of the built environment will be protected.
RC5. Nature Conservation	There is an abundance of wildlife in the Neighbourhood Plan area and any permitted development should: <ul style="list-style-type: none"> • Protect existing wildlife sites • Preserve hedgerows and mature trees • Preserve existing ponds and water courses 	<ul style="list-style-type: none"> • Protect existing wildlife and habitats 	ENV4 of the Local Plan (Part One) sets out that internationally, nationally, and locally important wildlife sites and species will be identified and protected.
LE1. Renewable Energy	Proposals to develop renewable energy sources in the Neighbourhood Plan area will be considered unless any of the following apply: <ul style="list-style-type: none"> • adverse impacts on landscape character and key views; • adverse impacts on the character of the built environment; • harm to heritage assets (including below ground archaeology) and their settings; • harm to the amenity of residential areas (including visual impacts and noise, distance, traffic, pollution and odour); 	<ul style="list-style-type: none"> • Protect existing landscape character • Protect existing heritage • Protect existing amenity of residents • Protect existing wildlife and habitats • Reduce potential renewable energy provision 	ENV7 of the Local Plan (Part One) sets out that the requirements of new renewable energy developments. These include no unacceptable impacts on: <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

	<ul style="list-style-type: none"> • harm to a wildlife species or habitat; • unacceptable impact on local population , for example: • unacceptable shadow flicker and electro-magnetic interference; • Non-conformity with established safety distances to bridleways and public footpaths • harm to underground water resources <p>In all cases, application of these criteria should be considered in response to specific conditions of the site and its surroundings, including landscape, topography and land-uses.</p> <p>The impacts on landscape character and built character should be assessed with reference to other relevant policies in the Neighbourhood Plan.</p>		
LE2. Employment Development	The community supports the development of and the limited expansion of small scale local businesses where this does not negatively affect landscape character and residential amenity.	<ul style="list-style-type: none"> • Support appropriate scale local business 	STRAT9 of the Local Plan (Part One) sets out the approved developments within the countryside. This supports the expansion of existing businesses. ENV6 and SOC5 protect landscape and residential amenity.
LE3. Home Working	Small businesses operating from home, and rural businesses wishing to diversify, should be permitted to do so where proposals do not negatively affect residential amenity and development is of a scale that will not impact on landscape character or have other adverse impacts.	<ul style="list-style-type: none"> • Support appropriate scale local business 	Whilst the Local Plan (Part One) does not have a specific policy form Homeworking, ECON1 supports the delivery of high speed broadband across the borough, and STRAT 9 supports business development appropriate to a rural area.
LT1. Local Tourism Development	It is the distinctive landscape character of Broxton and District that makes it attractive for tourism and recreation. Planning applications for tourism related uses must be assessed with regard to potential impacts on landscape character and key views. They should also be assessed with regard to impacts on	<ul style="list-style-type: none"> • Protect existing views • Protect existing landscape character • Protect existing infrastructure 	ECON3 of the Local Plan (Part One) sets out that new or expanded tourism development will need to be of a suitable scale and type for its location.

	local infrastructure.		
NH1 Housing	The level of provision of community facilities, infrastructure and the potential designation of the area as "Open Countryside"-means that the area is not a suitable location for additional dwellings.	<ul style="list-style-type: none"> None identified 	STRAT9 of the Local Plan (Part One) sets out the level of development expected in the Countryside.
NH2 Older Person's Accommodation	Given the low level of existing provision of shops and services and public transport, the area is not considered appropriate for specialist developments of older person's housing such as sheltered housing or care homes. These uses should instead be directed to the Key Service Centres of Tattenhall, Malpas and Farndon.	<ul style="list-style-type: none"> None identified 	STRAT9 of the Local Plan (Part One) sets out the level of development expected in the Countryside.
IF1. Community Facilities	Broxton and District is not identified as a Local Service Centre and is likely to be designated "Open Countryside" Significant retail or local services development is , therefore, not likely to be approved.	<ul style="list-style-type: none"> None identified 	STRAT9 of the Local Plan (Part One) sets out the nature of appropriate development expected in the Countryside.
IF2. Former Harthill Church	The Grade II listed Harthill Church is a building valued by the local community and should be retained as a facility that will continue to support the community and local enterprise	<ul style="list-style-type: none"> Support appropriate scale local business Protect existing heritage 	ENV5 of the Local Plan (Part One) sets out that historic character and buildings will be protected.
IF3. Road Safety for Pedestrians	Any development proposals that will potentially increase pedestrian movement on the narrow country lanes should not be permitted.	<ul style="list-style-type: none"> Prevent decrease in road safety 	STRAT10 of the Local Plan (Part One) requires development to demonstrate no negative impacts on road safety.
IF4. Communications Infrastructure	Developments that will improve virtual connectivity in the area will be supported. Such proposals will only be considered appropriate where they do not negatively impact on landscape character or residential amenity.	<ul style="list-style-type: none"> Reducing car journeys Promoting social inclusion 	STRAT11 of the Local Plan (Part One) sets out the need for ensure the delivery of infrastructure improvements. This will include communications infrastructure.

Appendix 2: Comments received during consultation on initial screening opinion 29th October 2014

Agency	Date Consulted	Response
Environment Agency	9 th September 2015	We have no comments to make on the SEA and HRA Screening Opinion Report for the draft Broxton and District Neighbourhood Plan.
Natural England	9th September 2015	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.