

Davenham and Whatcroft
NEIGHBOURHOOD PLAN
BASIC CONDITIONS STATEMENT
March 2017

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1. INTRODUCTION

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Davenham and Whatcroft Neighbourhood Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 and how the basic conditions of neighbourhood planning and other considerations as prescribed by Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 are been considered to have been met.

Background to the Davenham and Whatcroft Neighbourhood Plan

- 1.2 The Draft Plan has been produced by the Neighbourhood Plan Working Group of Davenham Parish Council. The Group was been made up of volunteers drawn from the local community with Parish Councillors contributing directly to this work at different times. Support and advice was been obtained from Cheshire West and Chester Council (CWaC) and from Cheshire Community Action.
- 1.3 The Parish Council initially identified in 2012 that it was important that a Neighbourhood Plan be developed and, following a public meeting and distribution of a questionnaire, this was subsequently supported by local residents who attended a second public meeting in April 2014.

Supporting documents and evidence

- 1.4 The Davenham and Whatcroft Neighbourhood Plan is supported by both a Consultation Statement and this Basic Conditions Statement.

2. BASIC CONDITIONS REQUIREMENT

2.1 Schedule 4B to the Town and Country Planning Act (Para 8) sets out the following basic conditions that Neighbourhood Plans must meet:

8(1) The examiner must consider the following—

- (a) whether the draft neighbourhood development order meets the basic conditions (see sub-paragraph (2)),***
- (b) whether the draft order complies with the provision made by or under sections 61E(2), 61J and 61L,***
- (c) whether any period specified under section 61L(2)(b) or (5) is appropriate,***
- (d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft order relates, and***
- (e) such other matters as may be prescribed.***

(2) A draft order meets the basic conditions if—

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,***
- (b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,***
- (c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,***
- (d) the making of the order contributes to the achievement of sustainable development,***
- (e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),***
- (f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and***
- (g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.***

(6) The examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft order is compatible with the Convention rights).

[Para 8 of schedule 4B to the 1990 Town and Country Planning Act - excluding 2(b – c) and 3 - 5 as required by 38C (5)]

How the Neighbourhood Plan meets the basic conditions

- 2.2 The Davenham and Whatcroft Neighbourhood Plan meets the basic conditions of schedule 48 to the 1990 Town and Country Planning Act, Schedule 4B, 8(1) (a). This is set out in the following sections of this Basic Conditions Statement.
- 2.3 Schedule 4B section 8(1) (b) covers the provision of 61E (2), 61J and 61L as amended by s38C (5) (b) this provides a reference to the provision of 38A and 38B. The following information is submitted in respect of 38A and 38B.

38A

2.4 **38A (1)**

Davenham Parish Council is a qualifying body and entitled to submit a Neighbourhood Plan (NP)

2.5 **38A (2)**

The Neighbourhood Plan expresses policies that relate to the development and use of land only within the neighbourhood area. Other 'aspirations' are also described in the Neighbourhood Plan but these are clearly distinguished from the policies and are non-statutory.

38B

2.6 **(1a)**

The Davenham and Whatcroft NP covers the period from 2015 to 2030, a total of 15 years. This period has been chosen to align with the adopted Cheshire West and Chester Local Plan (Part One). The Local Plan (Part Two) is presently being prepared by CWaC.

2.7 **(1b)**

No provision for excluded development such as national infrastructure is contained within the Neighbourhood Plan.

2.8 **(1c)**

The Davenham and Whatcroft NP does not relate to more than one neighbourhood area. It is solely related to the area designated by Cheshire West and Chester Council.

- 2.9 The NP area was agreed with Davenham Parish Council in September 2012 and designated by Cheshire West and Chester on 8 May 2013 (see Appendix 1).
- 2.10 After the NDP area was designated, Cheshire West and Chester conducted a governance review that resulted in changes to the Parish boundaries: from 1 April 2015 Davenham Parish grew to include an area formerly part of Rudheath Parish Council. However, the NP Area remains as that of the former parish of Davenham.
- 2.11 **(2)**
There are no other NPs in place for the Davenham and Whatcroft Neighbourhood Plan Area.
- 2.12 **(3)**
If there are any conflicts within the NP, it is clarified that in the event of a conflict between a NP Policy and any other statement or information in the plan, the conflict must be resolved in favour of the policy.
- 2.13 **(4)**
Regulations made by the Secretary of State relating to NPs in the Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the Davenham and Whatcroft NP. These regulations set out:
- processes by which neighbourhood plans are to be made and set out the consultation bodies for NPs; and,
 - NPs that are likely to have a significant effect on European Sites (habitats) must be subject to an appropriate assessment. An Environmental Screening and Habitats Regulation Assessment Statement has been prepared for the Neighbourhood Plan by CWaC. The screening exercise concluded that it is unlikely there will be any significant environmental effects arising from the Plan and that a Strategic Environmental Assessment is not required. It also concluded that the Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010)

2.14 **(5)**

... refers to the publication of NPs once made by a local planning authority in accordance with the regulations.

2.15 **(6)**

... clarifies what is excluded development.

2.16 **Para 1(d)**

... relates to whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood plan relates. It is not considered that there is any benefit or reason for extending the area for the referendum beyond the designated Neighbourhood Plan Area.

2.17 **Para 1(e)**

... refers to such other matters as may be prescribed. There are no other matters

3. CONFORMITY WITH THE NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 2a

A draft neighbourhood plan meets the basic conditions if -

(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan

- 3.1 The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development, and that the policies contained in the NPPF, taken as a whole, constitutes the Government's view of what sustainable development in England means in practice for the planning system.
- 3.2 NPPF sets out 12 core land-use planning principles that should underpin plan-making and decision-taking. These are that planning should:
- (1) Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area;
 - (2) Be a creative exercise in finding ways to enhance and improve the places in which people live their lives; proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for Development in their area, taking account of the needs of the residential and business communities;
 - (3) Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
 - (4) Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - (5) Take account of the different roles and character of different areas ..., promoting the vitality of our main urban areas, protecting the Green

Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

- (6) Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resource;
- (7) Contribute to conserving and enhancing the natural environment and reducing pollution;
- (8) Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- (9) Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- (10) Conserve heritage assets in a manner appropriate to their significance;
- (11) Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- (12) Take account of and support local strategies to improve health, social and cultural wellbeing for all.

3.3 Where relevant to the policies in the Neighbourhood Plan, these principles have been embodied throughout its preparation, which has had regard to the following key policy sections of the NPPF, as evidenced below.

3.4 The NP's policies seek to:

- Seek to ensure high quality design of developments [Section 9.1 '*Village Character*']
- Contribute to conserving and enhancing the natural environment [Sections 9.5 '*Landscape and Protected Areas*' and 9.6 '*Wildlife*']
- Promote sustainability [Sections 9.2 '*Housing Location*', 9.3 '*Sustainability and Local Need*' and 9.4 '*Building Sustainability*']

- Ensure implementation of planning proposals is undertaken appropriately (Section 9.7 ‘General’]
- 3.5 The Plan includes a clear Vision and objectives that describes, in broad terms, how its policies seek to shape the area [Section 8].
- 3.6 To that end, the NP sets out the following specific groups of policies that are intended to support and strengthen the local community within the constraints of the NPPF and Local Plan:
- Policy Section 9.1 – Village Character
 - Policy Section 9.2 – Housing Location
 - Policy Section 9.3 – Sustainability and Local Need
 - Policy Section 9.4 – Building Sustainability
 - Policy Section 9.5 – Landscape and Protected Areas
 - Policy Section 9.6 – Wildlife
 - Policy Section 9.7 – General
- 3.7 The policies, in so far as they are applicable to the Davenham and Whatcroft NP area given Davenham’s status as part of the Northwich Urban Area, have been embodied throughout the Plan.

Providing an attractive environment for residents

- 3.8 Para 56 of the NPPF states that good design is a key aspect of sustainable development. Developments should ensure that they add to the overall quality of the area for the lifetime of the development, establishing a strong sense of place responding to local character, and are safe yet attractive.
- 3.9 The NP Vision foresees Davenham continuing to be a pleasant residential environment building on its existing distinctive character. The Plan contains policies that seek to meet that objective:
- Policy VC1 – Character of new housing
... promoting incremental housing growth that fosters sociable and inclusive neighbourhoods
 - Policy VC2 – Settlement separation
... requiring the preservation of open land between settlements

- Policy VC3 – Local Green Space
... establishing the importance of Local Green Space
- Policy VC4 – Layout and access
...allowing for safe and sensitive access arrangements for traffic
- Policy VC7 – Building heights
... seeking to control the variations in heights of building proposals
- Policy VC8 – Existing housing stock
... constraining the scale of replacement dwellings

3.10 The Davenham and Whatcroft NP is in general conformity with seeking to secure high quality design (NPPF Core Principle 4). As well as protecting the local character of the area it seeks to incorporate locally distinctive features through the design of any new development.

Protecting and enhancing the natural environment

- 3.11 Para 76 of the NPPF allows for Neighbourhood Plans to designate land as Local Green Space that prevents development other than in special circumstances. Local Green Space designation should only be permitted where the area is in close proximity to the community it serves, and where it can be demonstrated to hold a particular local significance.
- 3.12 Para 109 of the NPPF reinforces that planning should contribute to and enhance the natural and local environment, through protecting existing landscapes and minimising impacts on biodiversity. Brownfield development should be encouraged. This is supported by the NP.
- 3.13 The NPPF states that the aim of conserving and enhancing the natural environment should be to minimise pollution and other adverse effects on the local and natural environment.
- 3.14 The Neighbourhood Plan designates existing green spaces in line with the NPPF thus demonstrating general conformity. The justification for the designation is set out in the Neighbourhood Plan.
- 3.15 The Plan sets out the following policies to conserve and enhance the natural environment:
- Policy L&PA 1 – Public Open Space
... provision of green public open spaces with new development

- Policy L&PA 2 – Trees
... promoting the retention of existing trees and the planting of additional ones
- Policy L&PA 3 – Footpaths
... Retaining, protecting and extending footpaths
- Policy W1 – Mitigation Hierarchy
... Requiring adherence to a mitigation hierarchy for species and habitats, and subsequent management
- Policy W2 – Biodiversity
... proposing schemes that demonstrate and implement ‘no net loss’ (and ideally a net gain) of biodiversity

3.16 The Davenham and Whatcroft NP is in general conformity with conserving and enhancing the natural environment (NPPF Core Principle 7).

Conserving and enhancing the historic environment

3.17 NPPF para 126 states that LPA's should have a positive strategy for the conservation and enjoyment of the historic environment.

3.18 Proposals that preserve historic elements and character of the setting, which make a positive contribution to greater reveal the significance of the historic asset should be treated favourably.

3.19 The Plan sets out the following policies to conserve and enhance the historic environment:

- Policy VC5 – Design and materials
... facilitating the high quality design of developments
- Policy VC6 – Alterations and extensions
... ensuring that small alterations to the built environment are appropriately designed

3.20 The Davenham and Whatcroft NP is in general conformity with conserving and enhancing the historic environment (NPPF Core Principle 10).

Protecting the open environment of Davenham

3.21 NPPF Core Principle 5 indicates that planning policy should take account of the different roles and character of different areas in contributing to the

vitality of urban areas (in this case, the range of housing development opportunities available in the defined Northwich Urban Area). The Plan sets out the following policy to ensure that such opportunities are limited to locations in Davenham and Whatcroft that are appropriate to its character and location.

- HL 1 – Settlement Boundary
... directing all new built development to within the settlement boundary

Managing the generation of additional traffic

- 3.22 NPPF includes at para 29 that transport policies have an important role to play in facilitating sustainable development. Specifically, para 31 exhorts the promotion of “strategies for the provision of viable infrastructure necessary to support sustainable development” and goes on to discuss safe and secure layouts (para 35), parking (para 39) and widening transport choice (para 41).
- 3.23 The Plan sets out the following policy to ensure that traffic generated by new development is appropriately managed and that Davenham is a safe place to live, work and travel in:
- HL 2 – Traffic Impact
... accommodation of increased traffic flows resulting from development.

Supporting Services and Facilities that Underpin the Community’s Lifestyle

- 3.24 The NP promotes the improvement of local services (para 17) and the development of housing that meets the existing community’s needs and circumstances. This reflects the intention of NPPF para 159 that indicates that the planning process should including affordable housing and the needs of different groups in the community. The policies of the NP that contribute to achieving this objective are:
- S&LN 1 - Service Capacity
... seeking proposals for the provision of improved infrastructure and services.

- S&LN 2 – Housing Need Assessment
... requiring new housing proposals to reflect the latest housing need assessment t
- S&LN 3 – Affordable Housing Types
... making certain that affordable housing is the right type.

Maintained and Enhanced in Line with the Wishes of the Community

3.25 Para 174 of the NPPF directs the planning system to assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. The NP contains the following policy that seeks to ensure that Building regulations are applied vigorously.

- BS 1 - Building Regulations
... developments must be built in line with Building Regulation

Enforcement

3.26 The NPPF (para 207) includes guidance on the role of the planning system in controlling the implementation of development proposals. It includes the assertion that planning (policy) should “*manage enforcement proactively*”, in a way that is appropriate to the area and that this should “*set out to monitor the implementation of planning permissions*”. It also exhorts (at para 203) consideration of “whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.” The NP requires that development proposals should be judged against the appropriateness of the benefits that they offer to the community and that those benefits should be included as planning conditions to ensure implementation. These intentions are manifested by Policies G1 and G2.

- G 1 – Benefits Weighting
... adopts a hierarchy of development benefits against which development applications should be judged
- G 2 – Benefits Realisation Plans
... seeks to set conditions that control the implementation of planning permissions

4. CONTRIBUTING TO SUSTAINABLE DEVELOPMENT

Paragraph 2(d)

***A draft neighbourhood development plan meets the basic conditions if -
(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development***

4.1 The analysis at section 3 (above) demonstrates that the Davenham and Whatcroft NP contributes to the achievement of sustainable development by:

- Providing an attractive environment for residents
- Protecting and enhancing the natural environment
- Conserving and enhancing the historic environment
- Protecting the open environment of Davenham
- Managing the generation of additional traffic
- Supporting services and facilities that underpin the community's lifestyle

Vision and Objectives

4.2 The following shows the vision of the NP and the objectives necessary to reach that vision. The vision for Davenham Parish is based on the issues identified by the community and that are impacting upon it. It was discussed and refined throughout the consultation process and is a focus for Neighbourhood Plan:

“Davenham Parish will continue to be a pleasant place to live, building on its rural feel and distinctive character including green spaces and historic core, and will be maintained and enhanced in line with the wishes of the community. Expansion should occur in a proportionate manner, as it has done over the past century. It will be a greener village where members of the community can enjoy a good quality of life and a flourishing natural environment”

4.3 The Objectives that have been devised to guide the realisation of that vision are as follows:

A. Community Life [

- A1. To continue to provide the environment in which people want to live, supported by the facilities and services that underpin the community's lifestyle.

[“... deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs” (NPPF para 17)]

B. Environment

- B1. To protect and enhance the wildlife and the substantially rural character of Davenham Village, which is surrounded by green fields

[“...contribute to and enhance the natural and local environment by (...) protecting and enhancing valued landscapes” (NPPF para 109)

[“...encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)” (NPPF para 17)]

- B2. To maintain the open environment of Davenham Parish
[“Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them (NPPF para 76)]

- B3. To encourage small developments that reflect the eclectic mix of building styles, so that no one development overpowers the style or character of Davenham Village.

[“...design policies should (...) should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally” (NPPF para 59)]

- B4. To protect and enhance the character of the Trent and Mersey Canal Conservation Area.

[“... contributing to protecting and enhancing our natural, built and historic environment” (NPPF para 7)]

C. Business

- C1. To encourage businesses within Davenham Parish to thrive, including the necessary communications infrastructure.
[*“building a strong, responsive and competitive economy (and) support growth and innovation”* (NPPF para 7)]
[*“Advanced, high quality communications infrastructure is essential for sustainable economic growth”* (NPPF para 42)]

D. Education

- D1. To ensure access to high quality education at the local school.
[*“... sufficient choice of school places (should be) available to meet the needs of existing and new communities (and this requires) a proactive, positive and collaborative approach”* (NPPF para 72)]

E. Traffic

- E1. To deter through traffic by encouraging use of the by-pass.
[*“...Encouragement should be given to solutions (that) reduce congestion”* (NPPF para 30)]
- E2. To ensure that the impact of traffic generated by future development is successfully managed and that appropriate consideration is given to the highly constrained areas of Davenham Village that are narrow, congested and predate modern volumes of traffic, such as Church Street, Green Lane and the surrounding areas.
[*“All developments that generate significant amounts of movement should (...) take account of whether(...) suitable access to the site can be achieved for all people”* (NPPF para 32)]
- E3. To ensure Davenham Village is a safe place to live, work and travel within, being able to cross the road without having to wait excessive times or take unacceptable risks.
[*“developments should be located and designed where practical to (...) create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians”* (NPPF para 35)]

F. Davenham Village Centre

- F1. To retain the character of the village centre.
[*“... planning should (...) take account of the different roles and*

character of different areas, (...) recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it” (NPPF para 17)]

- F.2 To ensure that Davenham Village centre remains vibrant and continues to offer a range of enhanced facilities.
[“...promote the retention and development of local services and community facilities in villages” (NPPF para 28)]

G. Transport

- G1. To encourage, where possible, improved public transport links.
[“... planning should (...) actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling” (NPPF para 17)]

H. Heritage

- H1. To protect and where possible enhance both designated and non-designated heritage assets and historic landscape character and put in place measures to avoid or minimise impact or mitigate damage.
[“... conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations” (NPPF para 17)]
- H1. To encourage the preservation or restoration of original architectural details such as cornices, fenestration, architraves etc. as these are important to the character of the conservation area. Amenities and infrastructure should keep pace with housing development in Davenham so as to provide an excellent quality of life for all residents.
[“... aim to ensure that developments (...) respond to local character and history, and reflect the identity of local surroundings and materials” NPPF para58)]

- 4.4 The Vision and Objectives indicate an aspiration in the plan to the principles of sustainable development as set out in the National Planning Policy Framework.

5. CONFORMITY WITH THE STRATEGIES OF THE DEVELOPMENT PLAN

Paragraph 2(e)

A draft neighbourhood plan meets the basic conditions if -

(e)the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

The Cheshire West and Chester Local Plan (Part One)

- 5.1 Neighbourhood Plans must demonstrate that they are in general conformity with the strategic policies of the adopted development plan for the local area.
- 5.2 The policies in the Neighbourhood Plan reflect that the Local Plan (Part Two) is still under preparation. It seeks to refine and add detail to the strategic planning policy of the Local Plan (Part One).
- 5.3 It is considered that the Davenham and Whatcroft NP is aligned with and positively supports the strategic needs and priorities of the local area and promotes development consistent with and recognising the restrictions imposed by the requirements of the strategic policies of the development plan for the area.
- 5.4 The Neighbourhood Plan is intended to give the community the power to influence the development and use of land in the plan area by setting planning policies. The following table sets out the policies in the Neighbourhood Plan and indicates the strategic policies of the Local Plan to which they contribute.

Table 5.1 – Compliance of the Neighbourhood Plan with the Local Plan

Neighbourhood Plan Policy	Summary	Local Plan Policies that are being complied with
Village Character		
VC 1 - Character of New Housing Developments	Promotes incremental housing growth that fosters sociable and inclusive neighbourhoods	Local Plan (Part One) Policies ENV5 and ENV6
VC 2 - Countryside and Local Green Space	Requires the preservation of open land between settlements	Local Plan (Part One) Policies ENV2 and ENV 3.

Neighbourhood Plan Policy	Summary	Local Plan Policies that are being complied with
VC 3 –Local Green Space	Estasblishes the importance of Local Green Space	
VC 4 - Layout and Access	Allows for safe and sensitive access arrangements for traffic	Local Plan (Part One) Strategic Objectives SO3, SO12, and Policies STRAT 8 and ENV6
VC5 – Quality Design	Facilitates the high quality design of developments	Local Plan (Part One) Policies STRAT 1 Sustainable Development, STRAT 8 Rural Area, STRAT 10 Transport and Accessibility, SOC 5 Health and Wellbeing, ENV 6 High Quality Design and Sustainable Construction
VC 6 - Alterations and Extensions	Ensures that small alterations to the built environment are appropriately designed	
VC 7 – Development Height	Seeks to control the variations in heights of building proposals	
VC 8 – Improvements to Current Housing Stock	Facilitates the high quality design of developments	
Housing Location		
HL 1 – Settlement Boundary	Directs development to within Davenham’s settlement boundary	Local Plan (Part One) Strategic Objectives SO9, SO10, Policy STRAT 9 Green Belt and Countryside, Policy ENV2 Landscape, and retained Vale Royal Policy GS5
HL 2 – Traffic Impact	Requires the accommodation of increased traffic flows resulting from development	Local Plan (Part One) Strategic Objectives SO5 and SO16, Policy STRAT5, Policy STRAT 10 and Policy STRAT 11
Sustainability and Local Need		
S&LN 1 – Service Capacity	Seeks to confirm that development proposals demonstrate capacity of services to accommodate resultant demand	Local Plan (Part One) Strategic Objectives SO5 and SO11, Policies SOC3, STRAT 8, and STRAT 11
S&LN 2 – Housing Need Assessment	Provides for a range of property sizes to meet local needs.	Local Plan (Part One) Strategic Objective SO6, Policy SOC 1 and SOC 3
S&LN 3 – Affordable Housing Types	Intends that affordable housing provision is of the right type.	

Neighbourhood Plan Policy	Summary	Local Plan Policies that are being complied with
Building Sustainability		
BS 1 – Building Regulations	Reiterates that new building should meet Building Control Standards	Local Plan (Part One) Strategic Objectives SO5 and SO16, Policy SOC 3
Landscape and Protected Areas		
L&PA 1 – Green Space Provision	Provides for green public open spaces with new development	NPPF Paragraphs 76 and 77, and Local Plan (Part One) Policies ENV 2, ENV 3, Green Infrastructure and Policy ENV 4 Biodiversity and Geodiversity
L&PA 2 – Provision of Trees	Promotes the retention of existing trees and the planting of additional ones	
L&PA 3 - Footpaths	Retains, protects and promotes the extension of footpaths	
Wildlife		
W 1 – Mitigation Hierarchy	Requires adherence to a mitigation hierarchy for species and habitats, and subsequent management	Local Plan (Part One) Policy ENV 3 Green Infrastructure and Policy ENV 4 Biodiversity and Geodiversity
W 2 - Biodiversity	Proposes schemes that demonstrate and implement ‘no net loss’ (and ideally a net gain) of biodiversity	
General		
G 1 – Benefits Weighting	Adopts a hierarchy of development benefits against which development applications should be judge	Local Plan (Part One) Strategic Objective SO5 and Objective SO11, Policy STRAT 11 and ENV 63
G 2 - Benefits Realisation	Seeks to set conditions that control the implementation of planning permissions.	

6. COMPATABILITY WITH EU REGULATIONS

Paragraph 2(f)

***A draft neighbourhood development plan meets the basic conditions if -
(f) the making of the neighbourhood plan does not breach, and is otherwise
compatible with, EU obligations***

- 6.1 The Strategic Environmental Assessment (SEA) is a requirement of the EU Directive on the assessment of the effects of certain plans and programmes on the environment. The requirements of the SEA Directive have been fully considered during the screening assessment for the Davenham and Whatcroft Neighbourhood Plan assessment. An Environmental Screening and Habitats Regulation Assessment Statement has been prepared for the Neighbourhood Plan by CWaC (see Appendix 2).
- 6.2 The screening assessment has been undertaken in accordance with the published government guidance "Sustainability Appraisal of Regional Spatial Strategies and Local Development plan Documents" (2005).
- 6.3 The screening assessment concluded that it is unlikely there will be any significant environmental effects arising from the Plan and that a Strategic Environmental Assessment is not required. It also concluded that the Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010).
- 6.4 The Davenham and Whatcroft Neighbourhood Plan is considered to have met the following Human Rights Articles:
 - Article 1 – Protection of property
 - Article 8 – Right to respect for private and family life
 - Article 14 – Prohibition of discrimination
 - Protocol 12 – Article 1 – General prohibition of discrimination.
- 6.5 The proposed policies within the Neighbourhood Plan do not give rise to any potential impacts on these Human Rights.
- 6.6 In conclusion it is considered that the Davenham and Whatcroft Neighbourhood Plan is compliant with EU obligations.

7. PRESCRIBED CONDITIONS AND PRESCRIBED MATTERS

Paragraph 2g

A draft neighbourhood plan meets the basic conditions if -

(g) prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan

7.1 There are no other prescribed matters

8. CONCLUSION

- 8.1 It is considered that the Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 have been met by the Davenham and Whatcroft NP.
- 8.2 In reviewing the Neighbourhood Plan against the appropriate framework of National and Local planning policies there were no conflicts apparent.
- 8.3 The information within this document demonstrates general conformity with Paragraph 8(1)(a) of the Town and Country Planning Act, therefore it is suggested that the Development Plan should proceed to Referendum.

APPENDIX 1. CONFIRMATION OF DESIGNATION LETTER

Cheshire West & Chester Council

Mrs Janet Donnellan
7 Leawood Close
Hartford
Northwich
CW8 3AS

Spatial Planning

Cheshire West And Chester Council
2nd Floor, The Forum, Chester, CH1 2HS
Tel: 0300 123 7027

Web:
www.cheshirewestandchester.gov.uk

our reference:	your reference:	please ask for:	date:
NP040/CM		Catherine Morgetroyd 01244 973804	9 May 2013

Dear Mrs Donnellan

Neighbourhood Planning (General) Regulations 2012

Proposal: Application for the designation of a neighbourhood area
Location: The area of Davenham Civil Parish

Thank you for submitting an application for a neighbourhood area on behalf of the Davenham Parish Council.

I can confirm that the Davenham Neighbourhood Area was approved and designated on 8th May 2013.

The following information will now be published on the Cheshire West and Chester Council website at:

http://www.cheshirewestandchester.gov.uk/residents/planning_and_building_control/neighbourhood_planning.aspx:-

- Davenham designated neighbourhood area
- map of the neighbourhood area
- name of the body who applied for the neighbourhood area

Neighbouring areas and other interested parties will also be informed of the decision.

Please find attached a copy of a map showing the designated neighbourhood area and a consultee letter with advice and information on Neighbourhood Planning.

If you require any further information, please do not hesitate to contact me.

Cont/d



Cheshire West & Chester Council

Yours faithfully

Catherine Morgetroyd

Catherine Morgetroyd

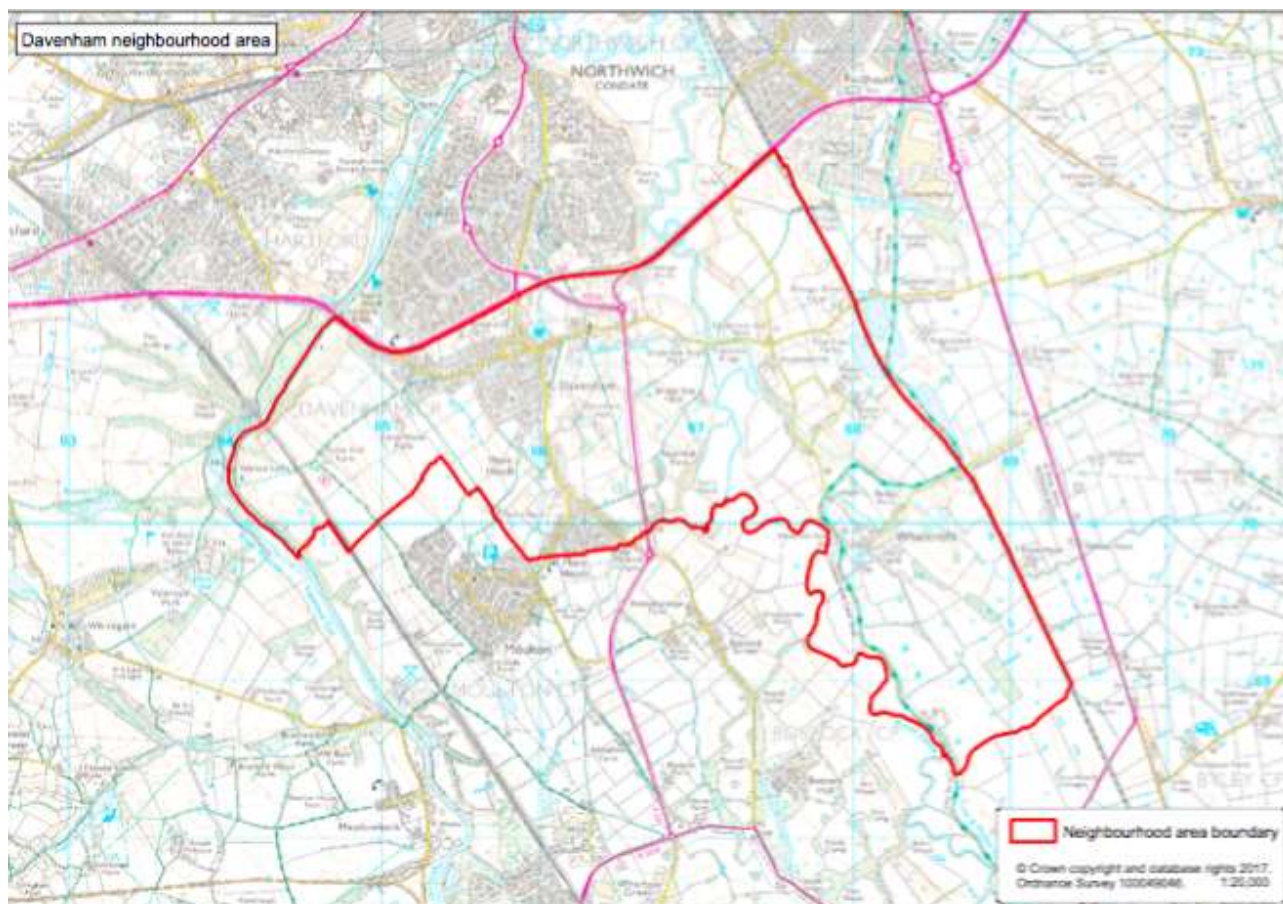
Principal Planning Officer

Tel: 01244 973804

Email: NeighbourhoodPlanning@cheshirewestandchester.gov.uk



Cheshire West
and Chester



CESHIRE WEST AND CHESTER COUNCIL

**DELEGATED REPORT DATE: 29 April 2013 NEIGHBOURHOOD APPLICATION AREA:
Davenham (NP0040)**

Regulation No. 5 of the Neighbourhood Planning (General) Regulations 2012

DATE APPLICATION FIRST PUBLICISED: 13 February 2013

AREA NAME: APPLICANT NAME: WARD: WARD MEMBERS:

CASE OFFICER: RECOMMENDATION:

1 INTRODUCTION

Davenham

Davenham Parish Council Davenham and Moulton

Cllr Gaynor Sinar, Cllr Elton Watson, Cllr Helen Weltman

Catherine Morgetroyd Approve

1.1 This delegated report relates to the assessment of the application for the designation of the Davenham Neighbourhood Area.

1.2 The application for the designation of Davenham Neighbourhood Area was publicised on 13 February 2013 until 27 March 2013. The application was made under Part 2 of Regulation 5 of the Town and Country Planning Act. It complied with the requirements of the regulations as it included: a map identifying the area to which the area application relates; a statement explaining why the area is considered appropriate to be designated as a Neighbourhood Plan Area; and a statement that the organisation making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

2 AREA DESCRIPTION

2.1 The proposed Davenham Neighbourhood Area is the area covered by Davenham Parish Council and follows the same boundary. It includes the settlements of Davenham and Whatcroft. The area is located within the wider Davenham and Moulton ward.

2.2 A map of the proposed Davenham Neighbourhood Area is attached to this report.

3 PUBLICITY

3.1 The application was publicised by public notice in the Northwich, Winsford, Middlewich and Knutsford Guardians on 13 February 2013.

3.2 Details of the application were also published on the Council's website from 13 February 2013 to 27 March 2013 at http://www.cheshirewestandchester.gov.uk/your_council/policies_and_performance/council_plans_and_strategies/planning_policy/neighbourhood_planning.aspx

3.3 Copies of a notice advertising the application were placed on the parish noticeboards and the parish website.

3.4 Local Councillors were informed of the application with the call-in cut off date of 3 April 2013. Members were advised that should they wish the application to be considered by Executive Member with advice from the Local Development Panel, they must notify the case officer by email or letter before the call-in cut off date.

3.5 The six week publicity period ran from 13 February 2013 until 27 March 2013.

3.6 The neighbouring parish councils of Northwich, Rudheath, Byley, Bostock, Moulton, Whitegate and Marton and Hartford were notified of the application by letter on 13 February 2013.

3.7 The publicity arrangements complied with section 6 of the Regulations.

3.8 The following internal consultees were notified (by email): Housing Strategy and Enabling; Legal; Regeneration; Specialist Environmental Services; Localities and Development Management.

3.9 The Council received representations from English Heritage and the Environment Agency. These bodies did not object to the proposed boundary.

4 ISSUES AND ASSESSMENT

4.1 The main issues in determining this application are:

- Whether an application for a Neighbourhood Area has already been made covering all or part of this area (as there can only be one Neighbourhood Area in each location and they cannot overlap).
- Confirmation that the applicant is a 'relevant body' to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations (i.e. a parish council or Neighbourhood Forum).
- Assessment of whether the extent of the Neighbourhood Area is appropriate.

4.2 No other application has previously been made covering all or part of this area. Norley, Hartford

and Whitegate and Marton designated Neighbourhood Areas are adjacent to the boundary, as is the proposed Neighbourhood Area at Northwich.

4.3 Davenham Parish Council is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations.

4.4 The Neighbourhood Area is considered appropriate as it follows the boundary of the area covered by Davenham Parish Council. The area is strongly defined by the A556 (north), the River Weaver (west) and the Trent and Mersey Canal and railway line (east).

4.5 It is therefore considered to be an appropriate area in which to prepare a Neighbourhood Plan.

5 CONCLUSION

5.1 The application for the Davenham Neighbourhood Area complied with the requirements of the regulations. The application was publicised in accordance with the regulations and no representations were received.

5.2 The Davenham Neighbourhood Area is considered appropriate because:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.
- Davenham Parish Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Davenham Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

6 DECISION

6.1 That the Davenham Neighbourhood Area is approved and is formally designated.

6.2 The reasons for this decision are that the Davenham Neighbourhood Development Plan Area is considered appropriate because:

- No other applications have been made for Neighbourhood Areas covering all or part of the area.
- Davenham Parish Council is the relevant body to undertake Neighbourhood Planning.
- The Neighbourhood Plan Area follows the boundary of the area covered by Davenham Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

6.3 The Strategic Manager, Spatial Planning hereby exercise their delegated authority to agree the area application.

6.4 A copy of this note will be sent to Davenham Parish Council and relevant local Councillors.

6.5 In accordance with section 7 of the Regulations, as soon as possible after the date of the decision the Council will publish the following on its website: a) Name of the area b) Name of body who applied c) Decision and reasons d) Details of where the decision can be inspected e) Map of Neighbourhood Plan Area

7 ATTACHMENTS

7.1 Copy of application form and map of Davenham Neighbourhood Area

STRATEGIC MANAGER – SPATIAL PLANNING 8 May '13

APPENDIX 2. ENVIRONMENTAL SCREENING AND HABITATS REGULATION ASSESSMENT STATEMENT

Strategic Environmental Assessment,
Sustainability Appraisal and Habitats
Regulations Assessment Screening
Determination

Draft Davenham and Whatcroft Neighbourhood
Plan

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

February 2017

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Appendix 1: Overview of policies and identified effects of the Davenham Neighbourhood Plan

Appendix 2: Comments received during consultation on the draft Screening Report – December to January 2015/16

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 Davenham 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 Davenham and Whatcroft Neighbourhood Plan (December 2015). The Council has a duty to consult four specified environmental organisations (Natural England, Environment Agency and Historic England).

The statutory environmental bodies were consulted on 10th December 2015. Details of the bodies consulted and the responses received are provided in Appendix 2. Responses were received from the Environment Agency, Natural England and Historic England, who agreed with the outcome of the initial screening exercise, that SEA is not required or confirming that they had no further comments to make in this regard. This final screening determination reflects the comments made during the consultation.

The draft Neighbourhood Plan (February 2017) has been amended to reflect consultation responses. This Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment Screening Determination has been prepared to incorporate the working 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 Draft Davenham Neighbourhood Plan

The Davenham Neighbourhood Plan covers the Parish of Davenham. Davenham is a village in mid-Cheshire located in the east of the borough of Cheshire West and Chester. The Parish of Davenham comprises the village of Davenham and the small hamlet of Whatcroft located to the south east of Davenham. Davenham Parish has a population of 2,745¹.

¹ 2011 Census

Davenham lies to the south of the town of Northwich within the Northwich Urban Area. Davenham's northern boundary is the A556 Chester to Manchester trunk road and the village straddles the old A533 London Road.

The A533 is now the village by-pass on the eastern side of the village. The A533 links the village directly to Middlewich, about 5km to the south, and the M6. Winsford is 5km to the south west. Northwich Town Centre is around 2km to the north across the A556.

The Trent and Mersey canal passes through part of the area beyond the River Dane as does the Northwich to Crewe branch railway line. The main Crewe to Liverpool railway line passes within the village boundary, along the Weaver valley. The village, with the settlement of Whatcroft and the surrounding countryside has a pattern of country footpaths, which link with other settlements.

The key issues identified in the Davenham Neighbourhood Plan can be grouped around the key themes of (i) community life, (ii) environment (iii) business (iv) education (v) traffic (vi) transport and (vii) Davenham village centre.

The community have identified the following objectives for the Davenham Neighbourhood Plan to address:

Community

- To continue to provide the environment in which people want to live, supported by the facilities and services that underpin the community's lifestyle.

Environment

- To protect and enhance the wildlife and the substantially rural character of Davenham Village, which is surrounded by green fields.
- To maintain the open environment of Davenham Parish
- To encourage small developments that reflect the eclectic mix of building styles so that no one development overpowers the style or character of Davenham Village

- To protect and enhance the character of the Trent and Mersey Conservation Area.

Business

- To encourage businesses within Davenham Parish to thrive, including the necessary communications infrastructure.

Education

- To ensure access to high quality education at the local school.

Traffic

- To deter through traffic by encouraging use of the by-pass.
- To ensure that the impact of traffic generated by future development is successfully managed and that appropriate consideration is given to the highly constrained areas of Davenham Village that are narrow, congested and predate modern volumes of traffic, such as Church Street, Green Lane and the surrounding areas.
- To ensure Davenham Village is a safe place to live, work and travel within, being able to cross the road without having to wait excessive times or take unacceptable risks.

Davenham Village Centre

- To retain the character of the village centre
- To ensure that Davenham Village centre remains vibrant and continues to offer a range of enhanced facilities.

Transport

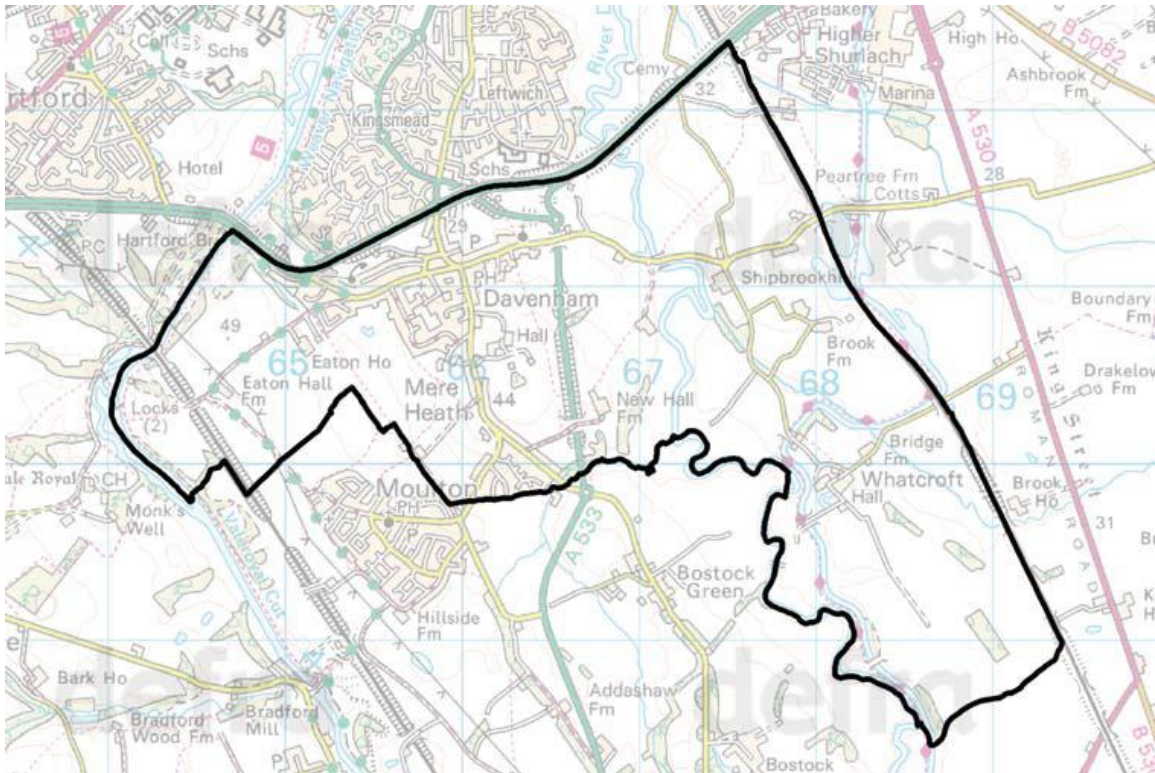
- To encourage, where possible, improved public transport links.

Heritage

- To protect and where possible enhance both designated and non designated heritage assets and historic landscape character and put in place measures to avoid or minimise impact or mitigate damage.

- To encourage the preservation or restoration of original architectural details such as cornices, fenestration, architraves etc as these are important to the character of the conservation areas.

A map of the Davenham Neighbourhood Plan Area is provided below:



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 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 Vale Royal Borough Local Plan (adopted 2006) 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) Land Allocations and Detailed Policies.

Preparation of the Local Plan (Part Two) began in Autumn 2014. A Preferred Approach document was taken out for public consultation in August/September 2016.

The adopted Local Plan policy framework forms the baseline for the SEA and HRA screening determination. 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 Vale Royal Local Plan.

The key policies of the Local Plan that are applicable to Davenham are:

- STRAT1 (Sustainable Development);
- STRAT2 (Strategic Development);
- STRAT5 (Northwich);
- STRAT9 (Green Belt and countryside);
- STRAT10 (Transport and Accessibility);
- STRAT11 (Infrastructure);
- ENV 2 (Landscape)
- ENV 5 (Historic Environment)
- ENV6 (High Quality Design and Sustainable Construction)

and the suite of economic, social and environmental policies accompanying them.

The Local Plan (Part One) Strategic Policies has been subject to a Sustainability Appraisal incorporating the requirements of the Strategic Assessment Directive and a screening exercise under the Habitats Directive. This determination 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 Davenham.

Scope of Neighbourhood Plan

The Davenham Neighbourhood Plan seeks to build upon the policy framework in the Local Plan (Part One) Strategic Policies. It has the following vision and objectives:

The Vision for Davenham

Davenham Parish will continue to be a pleasant place to live, building on its rural feel and distinctive character including green spaces and historic core, and will be maintained and enhanced in line with the wishes of the community.

Expansion should occur in a proportionate manner, as it has done over the past century. It will be a greener village where members of the community can enjoy a good quality of life and a flourishing natural environment.

The objectives which the Davenham Plan seeks to address are set out above.

The draft plan includes a suite of policies for each of the following themes (i) village character, (ii) housing location (iii) sustainability and local need (iv) building sustainability (v) landscape and protected areas (vi) wildlife (vii) general issues.

These policies work within the strategic framework set by the Local Plan (Part One) Strategic Policies. The proposed policies in the Davenham Neighbourhood Plan do not propose a level of development outside of the levels proposed in the local plan or significantly alter the planning policy position for the area, nor does the plan allocate specific sites for development. It provides local level guidance on how the future development set by the Local Plan should come forward.

2.0 Strategic Environmental Assessment Screening and Determination

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 Davenham Neighbourhood Plan 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 3(2) of the SEA Directive. 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 5(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 Vale Royal 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.

For the purposes of this screening exercise significant is defined as:

“Something that is sufficiently large or important and is of greater scale than the neighbourhood level.”

The other key part of the Neighbourhood Plan screening has been to consider the context of its preparation and its interaction with the higher tier development plan - the Local Plan (Part One) Strategic Policies for Cheshire West and Chester and the retained policies of the Chester District and Vale Royal Local Plans (both adopted 2006). In order to inform this assessment a review of the anticipated effects of the draft policies and their relationship to policies at the Local Plan level was carried out. This is set out table 3 in appendix 1 to this report. Table 3 sets out the exact nature of the neighbourhood plan policies and how they interact with the Local Plan. In summary the characteristics of the plan policies mean that:

- Any effects of them are likely to be small scale, local at the neighbourhood level.
- Many of the policies seek to minimise and control the impacts of new development.
- The plan does not set the level of development for the area. It identifies a settlement boundary to enable the housing requirement for Kelsall in the Local Plan (Part One) Strategic Policies to be accommodated.
- The Plan allocates two sites within the centre of the settlement for mixed use development and retirement homes. Any effects are dependent on the detailed

nature of proposals coming forward. The sites are both relatively small and the policy requires the retention of a significant proportion of open space. The environmental effects at this stage are not likely to be significant.

- The Plan identifies areas of local greenspace and includes policies relating to biodiversity, trees and protection of the character of the area. These policies are likely to have a beneficial effect for landscape, biodiversity and population and human health.
- Policies in the Plan aim to protect and enhance the conservation area and listed buildings in the village, and as such are likely to have a beneficial effect on culture and heritage.

Table 1: Assessment of the significant environmental effects of the Davenham 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 Davenham 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 Davenham 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 nor does it allocate sites for development. It will however provide local level guidance within the strategic framework on the nature of development in the Davenham Neighbourhood Area should be brought forward and the mitigation and enhancement measures required in order to minimise any impacts. The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management measures and environmental protection legislation.</p>	No

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 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.	No
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 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.	No
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 Davenham area.	No
The relevance of the plan or programme for the	The Neighbourhood Development Plan will have no direct role in the delivery of community legislation on the environment. It does include policies relating to	No

<p>implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)</p>	<p>protection of biodiversity and building sustainability. These policies however, fit with 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.</p>	
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Table 2: Characteristics of the plan's effects and of the area likely to be affected

(Schedule 1 Criteria for determining the likely significance of effects on the environment, The Environmental Assessment of Plans and Programmes Regulations 2004)

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
Potential benefits to population and human health	Probably difficult to assess as depends on the scale and nature of the development. Impacts would be long term and irreversible. Specific sites and schemes are not allocated within this Plan.	Each new development has the potential to benefit the local population and health but would be dependent on the nature and scale of the development. Cumulatively several developments may be able to realise and bring about community benefits that one development in isolation may not.	None	None	Local, small scale at neighbourhood level	None	None	None	None	No
Benefits to population and human health	Impacts are dependent on the nature,	Each new development has the potential to benefit the local population.	None	None	Local, small scale at neighbourhood	None	None	None	None identified – see HRA screening.	No

² 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.

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
of new housing and economic development, including local affordable housing and housing to meet local needs.	scale, and details of proposed development, however the plan does allow for some limited housing. Proposals are likely to be regular but not frequent, Impacts would be long term and irreversible.	There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.			d level.					
Protection and enhancement of community assets and infrastructure.	Probability difficult to assess as depends on proposals coming forward. Impacts could be seen in the short, medium and	New development has potential to strengthen and enhance community assets and improve infrastructure.	None	None	Local, small scale at neighbourhood level.	None	None	None	Potential positive impact on conservation area.	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	long term and could be reversed.									
Protection and enhancement of PROW and open space provision for the local population	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. 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
Potential effects (loss or harm) to cultural heritage assets and the village character	Low, infrequent probability. Neighbourhood Plan objectives aim to protect and	Cumulative effects are dependent on the precise nature and location of new developments coming forward.	None	None	Local, small scale at neighbourhood level.	Davenham has a Conservation Area, so has cultural heritage value.	None	None	Potential positive impacts on protection of the character of the village and the Davenham Conservation	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	enhance the built setting and character of Davenham. Policies aim to ensure designs are sensitive to the setting of the conservation area and listed buildings. Effects would be short, medium and long term.								Area.	
Biodiversity loss	Low probability and infrequent as neighbourhood plan policies seek to enhance and protect biodiversity. However, biodiversity	Each new development has the potential to weaken ecological networks/systems. Potential cumulative effect with other development in borough.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	loss would have long term impacts and they would be irreversible.									
Enhancement and protection of biodiversity	High probability and would occur as each new development comes forward. Neighbourhood plan policies seek to enhance and protect biodiversity.	Potential to add to biodiversity loss and to weaken ecological networks/systems. Potential cumulative effect with other development in borough.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified.	No
Effects on land and resources (soil)	Probability difficult to assess as depends on proposals coming forward and on the scale and nature of the development	Cumulative effects are dependent on the precise nature and location of new developments coming forward. New development could result in some cumulative development (loss) of greenfield land, or the	None	None	Local, small scale at neighbourhood level.	None	None	None	None	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	<p>. Effect could be short, medium or long term depending on the nature of the proposals. Policies could result in some loss of greenfield land, or the redevelopment of previously developed land.</p> <p>The Neighbourhood Plan is supportive of development of brownfield sites and resists the development of greenfield sites.</p>	reuse of existing buildings.								
Potential effects on landscape	Low, infrequent	Potential negative impact of	None	None	Local, small scale at	None	None	None	None	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
(loss or harm) and protection and enhancement of the landscape	probability. Neighbourhood Plan objectives aim to ensure sensitive sustainable development that protects and enriches the landscape and built setting of the village. Policies recognise the value of Local Green Space and landscape and key gaps between villages. . Effects would be short, medium and long term.	development, however criteria have been included to ensure this is limited and the Plan identifies Local Green Space.			neighbourhood level.					

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
Effect on climatic factors and water	Low infrequent probability. Policy supports sustainable design and construction to incorporate energy conservation and resource/water efficiency measures. Effects would be long term.	None	None	None	Local, small scale at neighbourhood level.	None	None	None	None	No
Management and mitigation of traffic impacts	Probability difficult to assess as depends on proposals coming forward. Policy supports minimising and managing traffic	None as the effect should be to reduce and manage cumulative traffic impact as a result of new development.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	impacts of development on the village. Impacts could be seen in the short, medium and long term and could be reversed. .									
Retention and protection of views	Low probability as unlikely to be large scale development in the village. The Plan protects countryside outside the settlement boundary through policy criteria and designating Local Green Space. Impacts	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.	Davenham includes a Conservation Area so has cultural heritage value.	None	None	None	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	would be permanent and long term.									
Positive impacts of design on human health	Probably difficult to assess as depends on the scale and nature of the development . Impacts would be long term and irreversible. The plan includes policy to guide high quality design in new developments.	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	No
Improvement to human health through	Probability is difficult to assess as	Each new development has the potential to benefit	None	None	Local, small scale impact, at	None	None	None	None	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
increased walking and cycling	dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible. Policies are included in the plan to encourage access to the countryside and access to development sites by walking and cycling and the protection of	the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.			neighbourhood level.					

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	PROW.									
Potential impact on climate through carbon reduction by promoting the use of public transport	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible. Policies are included in the plan to promote the use of public transport.	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 impact, at neighbourhood level.	None	None	None	None	No
Improving safety	Probability difficult to assess as depends on	None as the effect should be to reduce and manage cumulative traffic	None	None	Local, small scale impact, at neighbourhood	None	None	None	None	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	proposals coming forward. Policy supports minimising and managing traffic impacts of development on the village. Impacts could be seen in the short, medium and long term and could be reversed. .	impact as a result if new development and in turn improve safety			d level.					
Loss of greenfield land	Probability difficult to assess as depends on proposals coming forward and on the scale and nature of the development	Cumulative effects are dependent on the precise nature and location of new developments coming forward. New development could result in some cumulative development (loss) of	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None	No

Identified effects of the proposed policies (see Appendix 1)	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ²	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?
	Effect could be short, medium or long term depending on the nature of the proposals. Policies could result in some loss of greenfield land, or the redevelopment of previously developed land. Policies are in place however to protect countryside outside settlement boundaries from development other than that requiring a countryside location.	greenfield land.								

[illegible]

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 Davenham Neighbourhood Plan. A Strategic Environmental Assessment of the Davenham Neighbourhood Plan is therefore not required.

It is acknowledged that the strategic planning policies for the Davenham area 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 in 2012) transposed 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 Davenham 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. The Draft Neighbourhood Plan policies have been renumbered and re-drafted between the December 2015 version which was subject to the initial SEA Screening. The detailed changes are set out at Appendix 1 of this report.

Table 4: Screening of policies for altering Local Plan Policy

Policy	Change in policy position in the Local Plan and policies to be retained? Y/N
Village Character	
VC1	No
VC2	No
VC3	No
VC4	No
VC5	No
VC6	No
VC7	No
VC8	No
Housing Location and Traffic	
HL1	No
HL2	No
Sustainability and Local Need	
S&LN1	No
S&LN2	No
S&LN3	No
Building Sustainability	
BS1	No
Landscape and Protected Areas	
L&PA 1	No
L&PA 2	No
L&PA 3	No
Wildlife	

W1	No
W2	No
General	
G1	Yes: As identified in the Screening Opinion, this policy specifies the weighting to be attached to the issues when determining planning applications in Davenham including: the loss of green fields, social and welfare benefits, local employment opportunities.
G2	No

Context

There are 18 European designated sites identified within a 15km buffer from the boundaries of the Davenham Neighbourhood Plan. There are 14 Ramsar sites, split between Midland Meres & Mosses Phase 1 (6 sites), Midland Meres & Mosses Phase 2 (5 sites) and Rostherne Mere (3 sites). 3 SAC's, West Midlands Mosses and Oak Mere (1). These are shown in Map 2 below.

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 - The Draft Neighbourhood Plan sets out how new development should come forward in the Davenham Neighbourhood Area, within the context of the adopted Local Plan (Part One) (2015) policies and retained policies of the Vale Royal Borough Local Plan (2006). It reflects the quantum of development set out at the Local Plan level and does not allocate sites for development.

3. Are there any other projects or plans that together with the Neighbourhood Plan 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 Vale Royal Borough 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 Vale Royal Local Plan for determining planning applications for new development. The quantum of development to come forward in Davenham in the future will be set by Local Plan policy. The Neighbourhood Plan will guide how this should come forward locally.

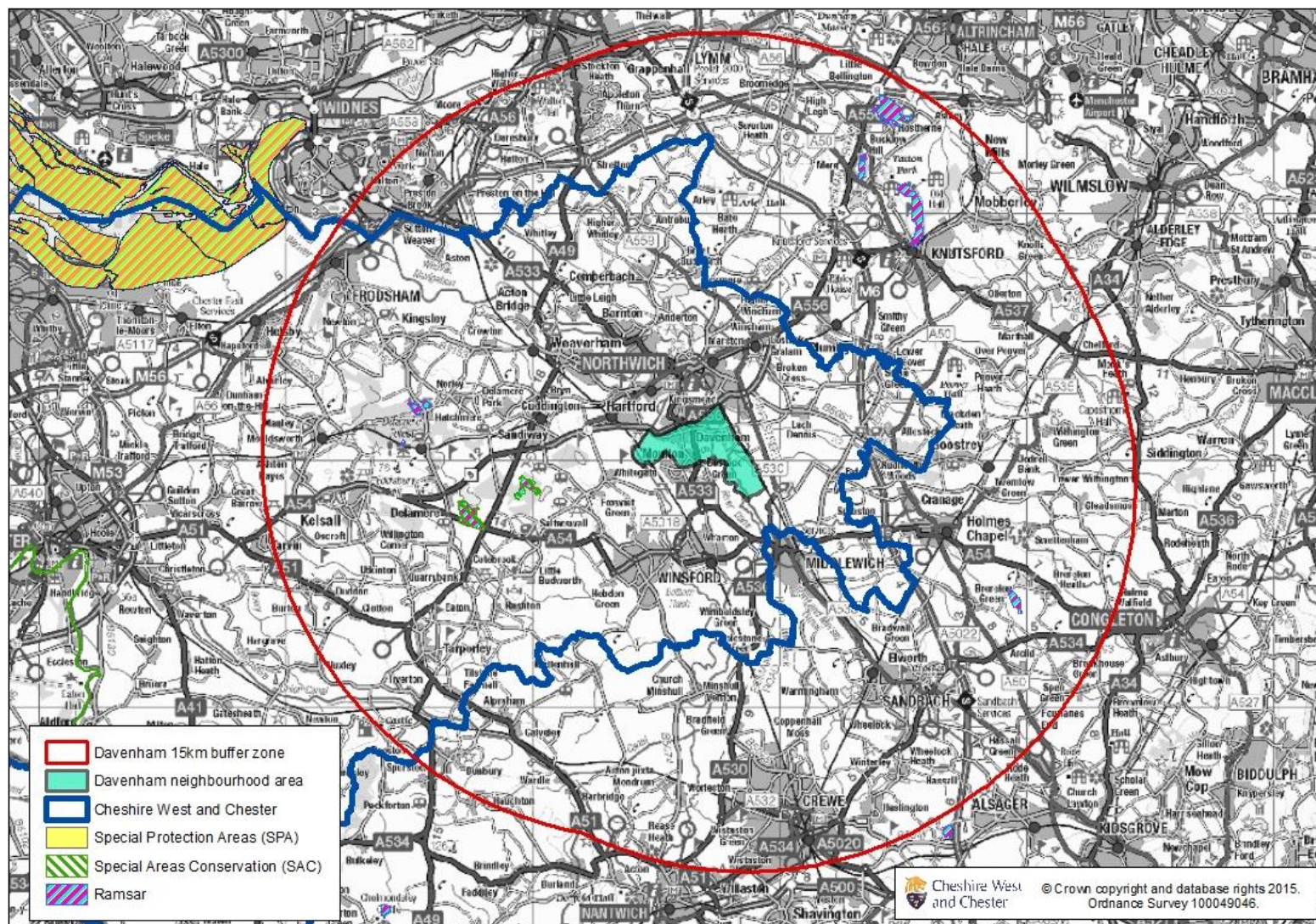
There are no specific issues highlighted in the HRA of the Local Plan in relation to Davenham, although there are other more general potential impacts highlighted as a result of the quantum and location of development proposed for the borough as a whole in the Local Plan Part One. However, it is considered 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 Local Plan.

Therefore, it is considered that any proposals coming forward for Davenham 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 Davenham 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 Davenham Neighbourhood Plan Area



Appendix 1: Overview of policies and identified effects of the Davenham Neighbourhood Plan

Some of the Draft Neighbourhood Plan policies have been renumbered, re-drafted, incorporated within other policies or deleted since the version which was subject to the initial SEA Screening and consultation in December 2015. There are however no changes to the identified effects arising from these working amendments.

The amended policies are shown in italics underneath the original draft policies which were subject to the SEA Screening in December 2015. The revised policies have been re-assessed and the identified potential effects and relationship to Local Plan policies are shown in italics in the table below:

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 the Local Plan (Part One) Strategic Policies and policies to be retained in the Vale Royal Borough Local Plan.
Draft Policy VC1	In keeping with small scale development and to help preserve existing character, individual new housing developments within Davenham Parish should be for no more than 25 units. Related applications for the same site, adjacent site or sites with a shared access point, must not collectively exceed the initial 25 unit limit and should be phased so as to ensure that the resultant development does not have the appearance or effect of a single larger development in that location.	<ul style="list-style-type: none">Impact upon existing cultural heritage and landscape	STRAT2 and STRAT5 in the Local Plan Part One.

<p>VC1</p>	<p><i>The character of new housing developments should reflect the previous organic growth of Davenham and not result in large 'estate' type areas of similar appearance. Instead, new developments should contribute to creating sociable and inclusive neighbourhoods that respond to the village character and strengthen the existing community.</i></p> <p><i>New residential development should therefore ideally be delivered as schemes with a maximum of 25 houses. Related applications for the same site, adjacent site or sites with a shared access point should not collectively exceed the initial 25 unit limit. Where a scheme exceeds this number then different areas of distinct and discernible character, each no larger than 25 homes, must be designed into the scheme.</i></p>	<ul style="list-style-type: none"> • Impact upon existing cultural heritage and landscape • Protection of the character of the village. • Positive impacts of design on human health. 	<ul style="list-style-type: none"> • STRAT2 and STRAT5 in the Local Plan Part One seek to protect the high quality environment of CWaC and maintain the character and individuality of the settlements which form the wide built up area of Northwich. • ENV6 of the Local Plan (Part One) identifies the need to respect local character. • SOC5 of the Local Plan (Part One) supports proposals that incorporate improvements to health and well-being. • BE1 of the Vale Royal Local Plan seeks to safeguard and improve the quality of the environment.
<p>Draft Policy VC2</p>	<p>The Open Countryside and Local Green Space between Davenham Village and other settlements is to be maintained with no further development outside of the defined settlement boundary.</p>	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. 	<p>ENV2 – Landscape</p> <p>GS5 – VRBC Retained Policy</p>

VC2	<i>The Countryside and Local Green Space between Davenham Village and other settlements is to be maintained with no further development outside of the defined settlement boundary, other than that considered appropriate under STRAT 9 of the CWAC Local Plan</i>	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. • Protection and enhancement of the landscape. • Retention and protection of views. • Protection and enhancement of biodiversity. • Improvement to human health through increased walking and cycling. 	<p>STRAT9 – protects the character and beauty of the countryside</p> <p>Policy ENV2 Landscape – support the designation of Local Green Space</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 the importance of safeguarding and enhancing biodiversity.</p> <p>Policy GS5 of the Vale Royal Local Plan seeks to protect the character and appearance of the open countryside.</p>
Draft Policy VC3	The design of new development must ensure that it does not detrimentally impact on the character of Davenham Village centre including, but not limited to, visual impact, services and through traffic.	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. 	<p>ENV6 – High Quality Design</p> <p>BE1 – VRBC Retained Policy</p>
VC3	<i>To protect the character and identity of Davenham Village and maintain</i>	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and 	STRAT9 – protects the character and beauty of the countryside

	<p><i>the green spaces between settlements, this Plan designates a limited number of carefully selected areas of land as Local Green Space. These areas border the settlement boundary and are special to the people of Davenham and Whatcroft.</i></p>	<p>landscape.</p> <ul style="list-style-type: none"> • Protection and enhancement of the landscape. • Retention and protection of views. • Protection and enhancement of biodiversity. • Improvement to human health through increased walking and cycling. 	<p>Policy ENV2 Landscape – support the designation of Local Green Space</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 the importance of safeguarding and enhancing biodiversity.</p> <p>Policy GS5 of the Vale Royal Local Plan seeks to protect the character and appearance of the open countryside.</p>
Draft Policy VC4	<p>Proposed development must be of a high quality design, incorporating local materials and complement the built character of Davenham Village. The proposal must relate closely to the form, scale and styles in the immediate vicinity of the site.</p>	<ul style="list-style-type: none"> • Benefits to population and human health. • Protection and enhancement of existing cultural heritage and landscape 	<p>ENV6 – High Quality Design</p> <p>BE1 – VRBC Retained Policy</p>
VC4	<p><i>The layout of and access to new residential and commercial development must not detrimentally impact on the historic Village centre including, but not limited to, visual</i></p>	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape • Protection of the character of the 	<p>ENV5 – Protects the borough's unique and significant heritage assets including their setting.</p> <p>ENV6 of the Local Plan (Part One) identifies the need to respect local</p>

	<p><i>impact, services and through traffic.</i></p> <p><i>Proposals for new development, including change of use, must where appropriate, meet the following criteria:</i></p> <ul style="list-style-type: none"> <i>•have adequate vehicular access arrangements onto the highway</i> <i>•be appropriate in terms of impact on the local highway network capacity and road safety</i> <i>•provide adequate vehicular and cycle parking in accordance with standards adopted by CWAC</i> <i>•be appropriately accessed by public transport</i> <i>•make provision for the safe and efficient movement of the mobility impaired, pedestrians and cyclists.</i> 	<p>village.</p> <ul style="list-style-type: none"> • Potential impact on climate through carbon reduction by promoting the use of public transport. • Improving safety • Management and mitigation of traffic impacts 	<p>character.</p> <p>STRAT10 – sets the criteria for new development in terms of access and parking provision.</p> <p>BE1 - Vale Royal Local Plan - states that development should incorporate adequate arrangements for access, servicing, safe vehicular access and egress arrangements and safe pedestrian access.</p>
Draft Policy VC5	<p>In keeping with existing buildings, new development should be of modest height (no more than 2 storeys high) and windows in roofs should be within the roof plane.</p>	<ul style="list-style-type: none"> • Benefits to population and human health. • Protection and enhancement of existing cultural heritage and landscape 	<p>ENV6 – High Quality Design</p> <p>BE1 – VRBC Retained Policy</p>
VC5	<p><i>Proposed new buildings must be of a high quality design, incorporating</i></p>	<ul style="list-style-type: none"> • Benefits to population and human 	<p>ENV5 – Protects the borough's unique and significant heritage assets</p>

	<i>local materials and detailing, and complement the built character of Davenham Village. The proposals must relate closely to the form, scale and styles in the immediate vicinity of the site, and should fully consider the impact on the significance and setting of surrounding heritage assets, both designated and undesignated.</i>	<p>health.</p> <ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape 	<p>including their setting.</p> <p>ENV6 – promotes sustainable, high quality design and construction which respects local character.</p> <p>BE1 – Vale Royal Local Plan – proposals for all new development will be expected to achieve a high standard of design.</p>
Draft Policy VC6	Improvements to the current housing stock are encouraged. Replacement dwellings or extensions to existing dwellings would generally be acceptable provided such proposals comply with the policies in this Neighbourhood Plan	<ul style="list-style-type: none"> • Benefits to population and human health. • Protection and enhancement of existing cultural heritage and landscape. 	<p>ENV6 – High Quality Design</p> <p>H8 – VRBC Retained Policy</p>
VC6	<i>Alterations and extensions to existing buildings must be carefully designed and implemented to ensure that any positive character of the building, and its contribution to the character of the wider area, is not harmed and that any impact on significant heritage assets and their setting is minimised. The cumulative impact of small changes should be assessed and considered as this can be detrimental to the character of the area if not carefully controlled.</i>	<ul style="list-style-type: none"> • Benefits to population and human health. • Protection and enhancement of existing cultural heritage and landscape. 	<p>ENV5 – Protects the borough's unique and significant heritage assets including their setting.</p> <p>ENV6 – promotes sustainable, high quality design and construction which respects local character.</p> <p>BE1 – Vale Royal Local Plan – proposals for all new development will be expected to achieve a high standard of design.</p>
VC7	<i>New development should be of modest height, in keeping with existing buildings in the immediate vicinity. Windows in roofs should be</i>	<ul style="list-style-type: none"> • Benefits to population and human health. • Protection and enhancement of 	<p>ENV5 – Protects the borough's unique and significant heritage assets including their setting.</p>

	<i>within the roof plane.</i>	<p>existing cultural heritage and landscape</p> <ul style="list-style-type: none"> • Protection of the character of the village. 	<p>ENV6 – promotes sustainable, high quality design and construction which respects local character.</p> <p>BE1 – Vale Royal Local Plan – proposals for all new development will be expected to achieve a high standard of design.</p>
VC8	<i>Improvements to the current housing stock are encouraged. Replacement dwellings or extensions to existing dwellings would generally be acceptable provided such proposals comply with the policies in this Neighbourhood Plan and the CWAC Local Plan. Replacement dwellings in the open countryside must no larger than those formerly on the site.</i>	<ul style="list-style-type: none"> • Benefits to population and human health. • Protection and enhancement of existing cultural heritage and landscape • Protection of the character of the village. 	<p>STRAT1 – encourages the use and redevelopment of previously developed land and buildings in sustainable locations.</p> <p>STRAT9 – allows for replacement buildings and the re-use of existing rural buildings in the countryside, outside of the settlement boundary.</p>
Draft Policy HL1	All new development must be either within the defined settlement boundary or on a brownfield site.	<ul style="list-style-type: none"> • Biodiversity loss. • Benefits to population and human health. • Loss of greenfield land and soil loss. • Negative or positive impacts upon existing cultural heritage and landscape • Environmental impacts of the development e.g. flooding; increased water consumption; air 	<p>STRAT2 – Strategic Development in the Local Plan Part One in relation to the use and redevelopment of previously developed land and buildings in sustainable locations and minimising the loss of greenfield land and high grade agricultural land.</p>

		quality damage etc	
HL1	<i>All new development must be either within the defined settlement boundary, other than that considered appropriate under STRAT 8 & 9 of the CWAC Local Plan.</i>	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. • Biodiversity loss. • Benefits to population and human health. • Loss of greenfield land and soil loss. • Negative or positive impacts upon existing cultural heritage and landscape • Environmental impacts of the development e.g. flooding; increased water consumption; air quality damage etc 	<p>STRAT2 – Strategic Development in the Local Plan Part One in relation to the use and redevelopment of previously developed land and buildings in sustainable locations and minimising the loss of greenfield land and high grade agricultural land.</p> <p>STRAT5 seeks to maintain the character and individuality of the settlements which form the wide built up area of Northwich.</p> <p>STRAT9 – protects the countryside by restricting development to that which requires a countryside location.</p>
Draft Policy HL2	Development of greenfield sites in Davenham Parish should be avoided unless such brownfield opportunities are exhausted	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. 	STRAT2 – Strategic Development in the Local Plan Part One in relation to the use and redevelopment of previously developed land and buildings in sustainable locations and minimising the loss of greenfield land and high grade agricultural land.

Draft Policy S&LN 1	Proposals for new housing, in excess of five dwellings, must demonstrate either that the existing service capacity of Davenham Village (including, but not limited to, school places) will be sufficient to accommodate increased need, or provide a fully funded and credible proposal for the provision of improved infrastructure and services. Particular regard should be given to the cumulative impact of smaller developments.	<ul style="list-style-type: none"> • Protection and enhancement of community assets and infrastructure 	STRAT11 – Infrastructure BE4 – VRBC Retained Policy
S&LN 1	<i>Proposals for new housing, in excess of five dwellings, must demonstrate either that the existing service capacity of Davenham Village (including, but not limited to, school places) will be sufficient to accommodate increased need, or provide a fully funded and credible proposal for the provision of improved infrastructure and services whether on site, through Section 106 contributions or through contributions to the Community Infrastructure Levy. Particular regard should be given to the cumulative impact of smaller developments.</i>	<ul style="list-style-type: none"> • Protection and enhancement of community assets and infrastructure • Impact on health and well-being through provision of community facilities. 	STRAT11 – supports the timely provision of additional facilities, services and infrastructure to meet identified needs, whether arising from new developments or existing community need.
Draft Policy S&LN 2	New housing proposals must reflect the housing need in Davenham Village; i.e. smaller houses (3 bed or less) and bungalows. There is a negligible requirement for larger	<ul style="list-style-type: none"> • Potential effects on population and human health through provision of a mix and type of new housing, to meet specific needs. 	SOC3 – supports mixed, balanced and sustainable communities and seeks to provide a mix of housing types, tenures and sizes.

	properties.	<ul style="list-style-type: none"> • Provision of housing. • Provision of housing for older people. 	
S&LN 2	<i>New housing proposals must reflect the latest housing need assessment for the Parish, as supported by the Neighbourhood Plan Consultation i.e. smaller houses (3 bed or less) and bungalows. Presently there is a negligible requirement for larger properties.</i>	<ul style="list-style-type: none"> • Potential effects on population and human health through provision of a mix and type of new housing, to meet specific needs. • Provision of housing. • Provision of housing for older people. 	SOC3 – supports mixed, balanced and sustainable communities and seeks to provide a mix of housing types, tenures and sizes.
Draft Policy S&LN 3	The Neighbourhood Plan supports the CWAC Local Plan policies for affordable housing. Affordable Housing to be developed must be consistent with housing types that are needed within the Parish, as identified in policy S&LN 2.	<ul style="list-style-type: none"> • Potential effects on population and human health through the provision of affordable housing. 	SOC1 – Affordable housing
S&LN 3	<i>The Neighbourhood Plan supports the CWAC Local Plan policies for affordable housing. Affordable Housing to be developed must be consistent with housing types that are needed within the Parish, as identified in policy S&LN 2.</i>	<ul style="list-style-type: none"> • Potential effects on population and human health through the provision of affordable housing. 	SOC1 - The Council will seek to maximise the proportion of affordable housing provided up to a target of 30%.
Draft Policy S&LN 4	All new residential developments are encouraged to conform to the 'Code for Sustainable Homes' (level 6) or equivalent.	<ul style="list-style-type: none"> • Benefits to population and human health • Effects on Climatic factors and Water - Contribution to developing renewable energy supplies. 	STRAT1 - Sustainable development ENV6 - high quality design and sustainable construction BE1 – VRBC Retained Policy Safeguarding and Improving the

			Quality of the Environment BE21 – VRBC Retained Policy Renewable Energy
Draft Policy BS1	Proposals for new development must consider the following and adopt as many as practicable: • Orientation and the impact on a properties potential for solar power • Thermal insulation and its suitability • Rainwater harvesting • Lifecycle sustainability of construction materials used including transport distances and manufacturing energy requirements • Ground heat source pumps • Heat recovery from ventilation • Photovoltaic and/or other solar power • Recycling of 'grey' water • Water permeable drives and hard standings • Renewable fuels • Roof pitches and usable roof voids	<ul style="list-style-type: none"> • Benefits to population and human health • Effects on Climatic factors and Water - Contribution to developing renewable energy supplies. 	STRAT1 - Sustainable development ENV6 - High quality design and sustainable construction BE1 – VRBC Retained Policy Safeguarding and Improving the Quality of the Environment BE21 – VRBC Retained Policy Renewable Energy
BS1	<i>Proposals for new development must be in line with current Building Regulations</i>	<ul style="list-style-type: none"> • Benefits to population and human health • Potential impact on climate through carbon reduction by energy efficiency standards. 	STRAT1 -identifies the need to mitigate and adapt to the effects of climate change. ENV6 – promotes sustainable, high quality design and construction.
Draft Policy	Any new development of five	<ul style="list-style-type: none"> • Protection and enhancement of 	ENV2 – Landscape

L&PA 1	<p>dwellings or more must provide green spaces including, but not limited to, wildlife mitigation areas to provide natural buffers around the site - see Appendix 6.</p>	<p>existing cultural heritage and landscape.</p> <ul style="list-style-type: none"> Continued open space provision for local population Protection and enhancement of biodiversity. 	<p>SOC6- Open space Sport and Recreation</p> <p>RT3 - Retained VRBC Policy Recreation and Open Space</p>
L&PA 1	<p><i>All residential or commercial development must, where warranted by the size of the development and in any case for 25 units or above, provide green public open spaces to a minimum of 20% of the site area, with appropriate terms of maintenance in place, including, but not limited to, wildlife mitigation areas to provide natural landscape buffers around the site, (in particular between existing properties and any proposed new development)</i></p>	<ul style="list-style-type: none"> Protection and enhancement of existing cultural heritage and landscape. Continued open space provision for local population Protection and enhancement of biodiversity. 	<p>ENV2 – Landscape – seeks to protect and, wherever possible enhance landscape character and local distinctiveness.</p> <p>SOC6- Open space Sport and Recreation – seeks to protect, manage and enhance existing open spaces.</p> <p>ENV4 Biodiversity – development should not result in any net loss of natural assets.</p>
<p>Draft Policy</p> <p>L&PA 2</p>	<p>Mature trees are valuable green infrastructure. Design and layout of a development site should aim to incorporate existing trees into communal or public open space as opposed to garden land of individual dwellings. Where it is not possible to incorporate trees within communal or open space, separation distances between properties and trees should take account of future growth and potential shading.</p>	<ul style="list-style-type: none"> Protection and enhancement of existing cultural heritage and landscape. Protection and enhancement of biodiversity. 	<p>ENV3 – Green Infrastructure</p> <p>SOC6 - Open space Sport and recreation.</p> <p>Retained policy NE9 of the Vale Royal Local Plan.</p>

L&PA 2	<i>Mature trees are valuable green infrastructure. Design and layout of a development site should aim to incorporate existing trees into communal or public open space as opposed to garden land of individual dwellings. Separation distances between properties and trees should take account of future growth and potential shading. Planting of appropriate replacement trees and additional trees and soft landscaping should be considered where feasible.</i>	<ul style="list-style-type: none"> • Protection and enhancement of existing cultural heritage and landscape. • Protection and enhancement of biodiversity. 	ENV3 – Green Infrastructure – supports increased planting of trees and woodland, particularly in urban areas and the urban fringe.
Draft Policy L&PA 3	Development proposals must retain and protect existing footpaths and ensure that the most direct footpath routes are retained throughout the Village.	<ul style="list-style-type: none"> • Potential effects on population and human health through the protection of local footpaths. 	SOC6 – Open space Sport and recreation.
L&PA 3	<i>Residential development proposals must retain and protect existing footpaths and ensure that the most direct footpath routes are retained throughout the Village. The existing footpath network should be extended where possible.</i>	<ul style="list-style-type: none"> • Potential effects on population and human health through the protection of local footpaths. 	SOC6 – Open space sport and recreation - seeks to improve the quality and quantity of open space including public rights of way.
Draft Policy W 1	All development proposals must demonstrate that the mitigation hierarchy has been adhered to in relation to protected/priority species and habitats (avoid, mitigate, compensate). Compensation measures should only be agreed as a last resort when all other avoidance and mitigation	<ul style="list-style-type: none"> • Protection and enhancement of biodiversity. 	ENV4 biodiversity and geodiversity

	strategies have been employed. All mitigation/compensation measures must secure long term funding for ongoing habitat maintenance work.		
W1	<i>All built development proposals must demonstrate that the mitigation hierarchy has been adhered to in relation to protected/priority species and habitats (avoid, mitigate, compensate). Where it can be demonstrated compensation measures should only be agreed as a last resort when all other avoidance and mitigation strategies have been employed. Arrangements must be secured for long term management / maintenance work.</i>	<ul style="list-style-type: none"> • Protection and enhancement of biodiversity. 	ENV4 – Biodiversity and Geodiversity – sites will be protected from loss or damage taking account of the hierarchy of designations. Mitigation and compensation will be required to ensure there is no net loss of environmental value.
Draft policy W 2	Developers are required to demonstrate that 'no net loss' (and ideally a net gain) of biodiversity can be achieved using appropriate evaluation methodologies. All areas identified in this Neighbourhood Plan as having high or medium ecological value/distinctiveness will require detailed evaluation at the appropriate time of year for the purpose of demonstrating no net loss. In accordance with national and local planning policies, development on high ecological value priority	<ul style="list-style-type: none"> • Protection and enhancement of biodiversity. 	ENV4 biodiversity and geodiversity

	habitat should be avoided.		
W2	<p><i>Developers are required to demonstrate and implement schemes such that 'no net loss' (and ideally a net gain) of biodiversity can be achieved using appropriate evaluation and protection methodologies. All areas identified in this Neighbourhood Plan as having high or medium ecological value/distinctiveness will require detailed evaluation at the appropriate time of year for the purpose of demonstrating no net loss. In accordance with national and local planning policies, development on high ecological value priority habitat should be avoided. Any and all identified newt ponds within the Parish must be protected.</i></p>	<ul style="list-style-type: none"> • Protection and enhancement of biodiversity. 	<p>ENV4 biodiversity and geodiversity – development should not result in any net loss of natural assets, and should seek to provide net gains. Where there is unavoidable loss or damage to habitats, sites or features because of exceptional overriding circumstances, mitigation and compensation will be required to ensure there is no net loss of environmental value.</p>
W 3	<p>A Davenham natural wildlife corridor network has been identified and recognised in this Neighbourhood Plan. Development within the wildlife corridor network should be avoided. Any development close to the corridor must clearly demonstrate that there will be no adverse impacts, particularly in relation to noise, lighting, surface water/pollution and recreational disturbance. A 15 metre buffer zone to protect the corridor is recommended.</p>	<ul style="list-style-type: none"> • Protection and enhancement of biodiversity. • Benefits to Population and health through the identification of wildlife corridors. 	<p>ENV3 – Green Infrastructure ENV4 - Biodiversity and geodiversity</p>

<p>Draft Policy</p> <p>G1</p>	<p>Development proposals for two or more properties must demonstrate that the increases in traffic flow can be accommodated taking into account the daily working life and traffic routes identified in this plan.</p>	<ul style="list-style-type: none"> • Management and mitigation of traffic impacts. • Promotion of sustainable travel 	<p>STRAT10 – Transport and Accessibility</p>
<p>G1</p>	<p><i>When analysing the benefits generated by a development proposal, each planning decision should be on its merits with reference to national and local policies and the weight given to various policies will vary with each site. The following hierarchy is suggested:</i></p> <ul style="list-style-type: none"> • <i>Loss of Green Fields can not be out-weighed by any other type of benefit generated by a development proposal; economic or otherwise.</i> • <i>Social and welfare benefits (eg open green spaces and community facilities) outweigh economic benefits.</i> • <i>Short term benefits, e.g. construction jobs have a negligible weighting.</i> • <i>The benefits associated with employment from new residents only have a weighting if the jobs exist in the Northwich area.</i> 	<ul style="list-style-type: none"> • New economic development and employment opportunities • Benefits to population and human health. • Continued and enhanced open space provision for local population. • Protection and enhancement of community assets and infrastructure 	<p>STRAT1 – Sustainable development – seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption in favour of sustainable development.</p>

Draft policy G2	<p>When analysing the benefits generated a scheme the following hierarchy is to be used:</p> <ol style="list-style-type: none"> 1. Loss of Green Fields cannot be out-weighed by any other type of benefit generated by a scheme; economic or otherwise. 2. Social and welfare benefits (eg open green spaces and community facilities) outweigh economic benefits. 3. Short term benefits, e.g. construction jobs have a negligible weighting. 4. The benefits associated with employment from new residents only have a weighting if the jobs exist in the Northwich area. 	<ul style="list-style-type: none"> • New economic development and local employment opportunities • Benefits to population and human health. • Continued and enhanced open space provision for local population. • Protection and enhancement of community assets and infrastructure 	<p>ECON1 – Economic growth, employment and enterprise</p> <p>ENV2 – Landscape</p> <p>STRAT11 – Infrastructure</p> <p>SOC6 – Open space sport and recreation</p>
G2	<p><i>Developers will be required to put in place a Benefits Realisation Plan against which the benefits of their proposals are measured</i></p>	<ul style="list-style-type: none"> • Benefits to population and human health. 	<p>STRAT1 – Sustainable development – seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption in favour of sustainable development.</p>
GS3	<p>Developers are to put in place a Benefits Realisation Plan against which the benefits of their proposals are measured with failure to deliver those benefits leading to significant recompense.</p>	<ul style="list-style-type: none"> • Benefits to population and human health. 	<p>STRAT1 – Sustainable Development</p>

**Appendix 2: Comments received during consultation on draft Screening
Report – December – January 2015/6**

Agency	Date Consulted	Response
Environment Agency	10th December 2015	See correspondence below
Historic England	10th December 2015	See correspondence below
Natural England	10th December 2015	See correspondence below

Cheshire West and Chester Council
Development Management
4 Civic Way
Ellesmere Port
CH65 0BE

Our ref: SO/2009/105235/OR-42/IS1-L01

Date: 15 January 2016

FAO Charlotte Aspinall

Dear Madam

SEA Screening Report Consultation - Draft Davenham Neighbourhood Plan

Thank you for consulting us with the above consultation which was received in this office 10th December 2015.

We have no comments to make with regards to the SEA screening report for Davenham Neighbourhood Plan.

Yours faithfully

Ms DAWN HEWITT
Planning Advisor

Direct dial 02030250535
Direct e-mail dawn.hewitt@environment-agency.gov.uk

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
End



Historic England

Charlotte Aspinall
Place Strategy
Cheshire West and Chester Council
4 Civic Way
Elsmere Port
CH65 0BE

Our ref: 1960
Your ref: E-mail, 10th Dec 2015
Telephone: 07500 121974

14th December 2015,

Dear Charlotte,

Re: SEA Screening Opinion Report- Draft Davenham Neighbourhood Plan.

Thank you for your email dated 10th December.

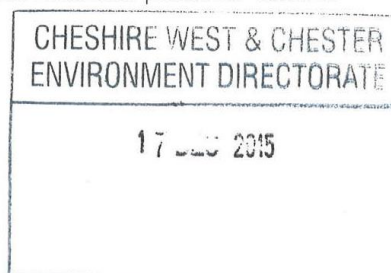
The Plan documentation is accompanied by a request for a formal Screening Opinion from Historic England in compliance with the *Environmental Assessment of Plans and Programmes Regulations 2004*. The draft Opinion produced for the Davenham NP Forum concludes that a Strategic Environmental Assessment is not required. We note that the Plan appears to propose no 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. If changes are made to the NP resulting in a more than minor likely effect upon the historic environment please re-consult Historic England.

Please can you forward the following advice to the Davenham 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.



Natural England agrees with the conclusion in the screening document that the NP does not require a Habitat Regulations Assessment or Strategic Environmental Assessment.

These conclusions are based on the policies and detail contained in the draft Neighbourhood Plan, if these policies alter then it may be necessary to rescreen the Habitats Regulations Assessment and the Strategic Environmental Assessment (SEA) screening.

Kind regards
Kathryn

Miss Kathryn Kelsall
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www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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