

**KELSALL AND WILLINGTON
NEIGHBOURHOOD DEVELOPMENT
PLAN**

**BASIC CONDITIONS STATEMENT
MAY 2016**

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1. INTRODUCTION

- 1.1 This Basic Conditions Statement has been produced to explain how the proposed Kelsall and Willington Neighbourhood Development 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 considered to have been met.

Background to the Kelsall and Willington Neighbourhood Development Plan

- 1.2 The Draft Plan has been produced by the Kelsall and Willington Neighbourhood Development Plan Group on behalf of the Kelsall Parish Council. The Group was 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 the distribution of a questionnaire, this was subsequently supported by local residents who attended a village meeting in June 2012.

Supporting documents and evidence

- 1.4 The Kelsall and Willington Neighbourhood Development 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 Development 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 Kelsall and Willington Neighbourhood Development 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)**

Kelsall 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 Kelsall and Willington NP covers the period from 2016 to 2030, a total of 14 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 Kelsall and Willington NP does not relate to more than one neighbourhood area. It is solely related to the area designated by Cheshire West and Chester Council in November 2013. However, The NP area extends beyond the Kelsall Parish boundaries, including bordering areas that are part of Delamere Parish, around the Yeld, Waste Lane and Willington. The purpose of this larger NDP Area is to enable the NDP to include consideration of potential housing

development in the outlying areas, while supporting development closer to the amenities in Kelsall, according to sustainability principles.

- 2.9 The NDP area was agreed with Delamere Parish Council in November 2013 and designated by Cheshire West and Chester on 26th November 2013 (see Appendix 1). Delamere Parish Council was involved in and consulted on the decision for Kelsall Parish Council to take the lead on the NP.
- 2.10 After the NDP area was designated, Cheshire West and Chester conducted a governance review that resulted in changes to the Parish boundaries: Kelsall Parish grew to include more of the NP area to the east, and Willington was created as a parish in its own right, part of which is within the NP area. Willington Parish Council was also involved and consulted in preparing the NDP.
- 2.11 **(2)**
There are no other NPs in place for the Kelsall and Willington 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 Kelsall and Willington 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 area covered by the Kelsall and Willington NP is partly within Green Belt and the NP has been prepared with full regard to the Green Belt restrictions on development.
- 3.5 The NP seeks to:
- Support a prosperous rural economy [Para 28]
 - Promote/encourage sustainable transport [Para 29 to 41]
 - Deliver a wide choice of high quality homes [Para 47 to 55]
 - Achieve good design respecting local character in any development [Para 56 to 68]

- Conserve and enhance the natural environment [Para 109 to 125]
 - Conserve and enhance the historic environment [Para 126 to 141]
- 3.6 The Kelsall and Willington Neighbourhood Plan includes a clear Vision and supporting Goals and Objectives that describe in broad terms how the NP policies seek to shape the area.
- 3.7 To that end, the NP sets out the following specific groups of policies that are intended to support and strengthen the local community and economy within the constraints of the NPPF and Local Plan:
- Policy Section 1⁽¹⁾ – Development Locations
 - Policy Section 2 – Growth
 - Policy Section 3 - Housing
 - Policy Section 4 - Design
 - Policy Section 5 – Environment
 - Policy Section 6 – Economic Policy
 - Policy Section 7 – Infrastructure
 - Policy Section 8 – Viability and Planning Obligations
- 3.8 The policies, in so far as they are applicable to the NP area, given Kelsall’s status as a key service centre and that it is partly covered by an area of Green Belt, have been embodied throughout the Kelsall and Willington NP.

Supporting a prosperous rural economy

- 3.9 The NP Vision foresees Kelsall functioning as a service centre to the local area with facilities and services developing in the village centre. The Kelsall and Willington NP sets out the following specific policies that are intended to support a prosperous rural economy:
- Policy L3 – Location Within Kelsall
... guiding development towards a central location for non-residential uses.

¹ Due to introductory sections, in the NP document the policy chapters are numbered 3 to 10.

- Policy L4 – Brownfield Sites
... allowing for small business or retail development on appropriately located brownfield sites.
 - Policy G4 – Allocation of Central Sites
... identifying a specific location and opportunity for mixed-use development and key housing.
 - Policies EC1 & EC2 – Retail and Business
... encouraging the provision of live/work units and new or expanded business premises.
 - Policy I1 – Connection to Main Roads
... seeking to ensure that development has suitable and adequate access to the road network.
- 3.10 The Kelsall and Willington NP is in general conformity with supporting a prosperous rural centre.

Promoting sustainable transport

- 3.11 Para 37 of the NPPF states that policies should aim for a balance of land uses within their area, allowing for people to be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.
- 3.12 The Kelsall and Willington NP sets out the following policies that are intended to promote sustainable transport:
- Policy L3 – Location Within Kelsall; and,
Policy G4 – Allocation of Central Sites
... guiding development towards a centrally located sites to ensure accessibility.
 - Policy G5 – Allocation of Central Sites; and,
Policy D7 – Infrastructure
... requiring the provision of links to pedestrian routes and improved pedestrian/cycle access.
 - Policy E5 - Footpaths and Sites of Open Space Value
... protecting existing footpaths.
 - Policy EC2 – Retail and Business:
... minimising impact of development on the transport network.

- Policy I1 – Connection to Main Roads
... improving connections from development sites to main roads via the provision of suitable pavements/pedestrian crossings.
 - Policy I2 – Connectivity:
... reserving future access points between existing and future development sites for improved connectivity.
- 3.13 The Kelsall and Willington NP is in general conformity with the promoting sustainable transport policy of the NPPF, seeking to maximise opportunities for sustainable methods of transport and making provision for developing necessary infrastructure.

Delivering a wide choice of high-quality homes

- 3.14 Paragraph 47 of the NPPF requires that planning authorities use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.
- 3.15 Paragraph 50 of the NPPF states that housing should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, based on:
- [...] current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
 - the size, type, tenure and range of housing that is required in particular locations, reflecting local demand
- 3.16 The Kelsall and Willington NP sets out the following policies that are intended to deliver a wide choice of high-quality homes:
- Policy H1 – Market Housing Mix
... ensuring that the size of dwellings provided reflects expressed needs.
 - Policy H2 – Entry-Level Homes
... making the smallest dwelling sizes available on the open market as well as affordable tenures.

- Policy H3 – Lifetime Homes
... requiring that a proportion of dwellings are designed to Lifetime Homes Standards, to adapt to the needs of all sections of the population.
 - Policies H4, H5 and H6 – Housing for Older Residents
... encouraging the delivery of housing specifically for older sections of the population, to meet expressed local needs not served by the market; including a proportion of bungalows on larger developments; and making those available to other mobility-impaired residents.
 - Policy H7 and H8 - Self-build
...encouraging the delivery of self-build sites and plots on larger developments.
 - Policy H9 and H10 – Allocation of Affordable Housing
... supporting access to Affordable Housing for people with local connections.
 - Policies G4 and G5, Site Allocation, also aim to ‘promote mixed and inclusive communities’ by requiring that retirement housing is located centrally and close to amenities and areas heavily used by other sections of the population.
- 3.17 The Kelsall and Willington NP is in general conformity with NPPF policies to deliver a wide choice of homes. It requires that the varied needs of the local population are met, and specifies policies to meet those needs not well served by recent market housing development.

Requiring good design

- 3.18 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.
- 3.19 The NP sets out policies to address the aim of requiring good design. These include:
- Policies G1 & G2 – Density:
... seeking residential development densities that reflect local character and needs.

- Policy D1 – Building for Life:
... aiming for built development that meets the Design Council’s ‘Design for Life’ aspirations.
 - Policy D2 – Height:
... limiting the height of buildings to two storeys unless it can be demonstrated that taller structures would respond creatively to the immediate environment.
 - Policy D3 – Variety:
... creating texture and character within larger developments with varied style and appearance of buildings.
 - Policies H7/8 on Self-build are also meant to introduce more variety in housing design.
 - Policy D4 – Sandstone:
... reflecting local materials in the design of buildings and structures.
 - Policies D5 & D6 – Boundaries:
... achieving a gradual and sympathetic transition between the built form and the open countryside to reflect the open rural character of the Plan area by retaining its visual permeability.
 - Policy D7 – Infrastructure:
... allowing for linkages to green open spaces.
- 3.20 The Kelsall and Willington NP is in general conformity with the promotion of good design as set out in the NPPF. As well as protecting the local character of the area it seeks to incorporate locally distinctive features through the design of any new development.

Conserving and enhancing the natural environment

- 3.21 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.
- 3.22 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.

- 3.23 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.
- 3.24 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.
- 3.25 The Plan sets out the following policies to conserve and enhance the natural environment:
- Policy L4 – Brownfield Sites:
... ensuring that previously developed land should be re-used before undeveloped land.
 - Policy D9 – Sustainable Urban Drainage Systems:
... mitigating any adverse effects from surface water run-off.
 - Policy E4 – Local Green Space
Policy E5 – Footpaths and Sites of Open Space Value:
... identifying and protecting Local Green Spaces, sites of Open Space Value and footpaths.
 - Policies E6 to E12 – Biodiversity
... creating conditions whereby flora and fauna can survive and flourish regardless of the impacts of development.
 - Policies E13 to E15 – Trees
...valuing, conserving and protecting existing trees and indicating opportunities for new tree-planting.
- 3.26 The Kelsall and Willington NP is in general conformity with the conservation and enhancement of the environment, as set out in the NPPF

Conserving and enhancing the historic environment

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

- 3.28 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.
- 3.29 The Plan sets out the following policy to conserve and enhance the historic environment:
- Policy E17 – Heritage Assets
... preventing from harm, as a result of development, both designated and non-designated heritage assets.
 - Policy D4 on Sandstone also aims to conserve locally significant historical design features.

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 Kelsall and Willington NP contributes to the achievement of sustainable development by:
- Supporting the local economy and encouraging economic development
 - Helping to create the conditions under which sustainable transport choices can be made
 - Seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
 - Protecting and enhancing the natural environment
 - Preserving and valuing heritage.

Goals and Objectives

- 4.2 The following list shows the goals of the NDP and the objectives necessary to reach those goals:

A. Sustainable - Encourage balanced and sustainable development

- A1. Amenities and infrastructure should keep pace with housing development in Kelsall so as to provide an excellent quality of life for all residents.
- A2. Development in Kelsall should be in locations closest to amenities and suitable for its purpose.
- A3. Kelsall and Willington should remain separate settlements.

B. Environmental - Preserve the rural character and open aspect of the Plan area

- B1. To protect the long views, both from within the Plan area and of the sandstone ridge from the plains below.
- B2. To ensure that development respects village character and local topography, and contributes towards local distinctiveness.

- B3. To ensure that where development borders countryside, the edge of the built area is designed so as to achieve a soft transition into the open countryside.
- B4. To protect the landscape and character of the area from inappropriate development on residential gardens.
- B5. To ensure that heritage assets are protected from inappropriate and harmful development, and that distinctive local features are retained.
- B6. To maintain and enhance green infrastructure.
- B7. To ensure that there is no net loss of biodiversity (ideally a net gain) and that proposals provide suitable compensation for the loss of any semi-natural habitat.
- C. Housing - Ensure that sufficient housing provides all sections of the population with dwellings appropriate for their needs and a good quality of life**
 - C1. Provide the right mix of housing, in terms of size, tenure, design, and affordability to meet the needs of all sections of the population.
 - C2. Meet the local need for housing for the elderly.
 - C3. Improve access to Affordable Housing for people with local connections.
- D. Social – Improve quality of life through accessible community facilities and services**
 - D1. Enhance the recreational and other community facilities in the Plan area.
 - D2. Support expansion of the primary school so as to accommodate all resident children of the Plan area who wish to attend.
 - D3. Support the development of community health facilities to keep pace with further housing expansion.
- E. Economic – support retail, business, and employment in the village**
 - E1. To retain existing retail and business premises and support their growth to provide additional employment opportunities - if suitable infrastructure can be provided.
 - E2. To encourage new retail premises and small-scale business enterprises.

F. Building Standards and Design – Ensure that new development is sustainable and of high quality design

- F1. Ensure that density of new housing is consistent with Kelsall village character.
- F2. Ensure that all development is sustainable and of high-quality design.
- F3. Minimise the impact of development on the environment, including water run-off.

G. Infrastructure – Use development to improve infrastructure

Although the NDP is primarily a land-use document, it can reduce development's impact on infrastructure.

- G1. Encourage reduction of car journeys by locating facilities and amenities centrally
- G2. Identify infrastructure priorities for new development, to ensure improvements through S106 agreements /CIL among others.
- G3. Ensure that new developments create cycle and pedestrian connections to minimise car trips, and enhance the existing network of paths.

- 4.3 The Goals and Objectives clearly indicate an aspiration in the plan to the principles of sustainable development.

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 Kelsall and Willington 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 Development Plan

Neighbourhood Plan Policy	Summary	Development Plan Policies being complied with
Development Locations		
L1: Settlement Boundary	Development is directed to within Kelsall's settlement boundary	NPPF Paragraphs 17 and 55, Local Plan (Part One) Strategic Objectives SO9, SO10, Policy STRAT 9 Green Belt and Countryside, Policy ENV2 Landscape, and retained Vale Royal Policy GS5.
L2: Settlement Boundary	Kelsall and Willington should not merge	
L3: Location Within Kelsall	Development close to the village centre should be for schools, recreation and leisure, retail, healthcare and housing for the elderly	NPPF Core Planning principles, Paragraphs 30, 37, 50, 55, 69, and 70; and Local Plan (Part One) Strategic Objectives SO5, SO8, SO11, Policies STRAT1, on <i>"promoting healthy and inclusive communities while reducing</i>

Neighbourhood Plan Policy	Summary	Development Plan Policies being complied with
		<i>the need to travel” and “good accessibility to facilities and public transport”, STRAT 8 on Key Service Centres providing a “good range of facilities and services”, and specifying that “Development should not exceed the capacity of existing services and infrastructure unless the required improvements can be made”.</i>
L4: Brownfield Sites	Development of brownfield sites can occur where impacts are acceptable	NPPF Core Planning principles, Paragraphs 17, 89 and 111, and Local Plan (Part One) Strategic Objectives SO3, SO9, policies STRAT 1 on Sustainable Development and STRAT 8
Growth		
G1 & G2: Density	Guides the density of new housing development	NPPF Paragraphs 47and 58, and Local Plan (Part One) Strategic Objectives SO3, SO12, and Policies STRAT 8 and ENV6
G3: Phasing	Education and health providers to ensure that services have capacity to accommodate development impacts	NPPF Core Planning Principles, Paragraphs 70 and 72, and Local Plan (Part One) Strategic Objectives SO5 and SO11, Policies SOC3, STRAT 8, and STRAT 11
G4: Allocation of Central Sites	Allocates a site for mixed use development and one for retirement and/or sheltered housing and greenspace	NPPF requirements for social inclusion, healthy communities, and provision of facilities and suitable housing: i.e., Core Planning principles, Paragraphs 30, 37, 69, 70 and 50, and Local Plan (Part One) Objectives SO5, and Policies STRAT 1, STRAT 8, SOC3 and SOC5
G5: Allocation of Central Sites	Requires improved public and pedestrian access to sites	
Housing		
H1: Market Housing Mix	Provides for a range of property sizes to meet local needs	NPPF Paragraphs 47 and 50, and Local Plan (Part One) Strategic Objective SO6, Policy SOC3
H2: Entry Level Homes	Facilitates smaller open market housing	
H3: Lifetime Homes	A proportion of homes should be built to ‘Lifetime Homes’ standards	NPPF Paragraph 50, 57, and Local Plan (Part One) Strategic Objective SO6, Policies SOC1 and SOC3
H4: Housing for Older Residents	Encourages the provision of housing for older residents	NPPF Paragraphs 50 and 57, and Local Plan (Part One) Strategic Objective SO6, and Policy SOC3
H5: Housing for Older Residents	Seeks the inclusion of bungalows in developments	

Neighbourhood Plan Policy	Summary	Development Plan Policies being complied with
H6: Housing for Older Residents	Promotes the availability of housing for disabled residents	
H7 & H8: Self Build	Facilitates self-build properties	NPPF paragraphs 50, and 57, Local Plan (Part One) Strategic Objective SO6, and Policy SOC3 (7.23)
H9: Allocation of Affordable Housing	Provides for affordable housing	NPPF Paragraphs 47,185, Local Plan (part1) Strategic Objective SO6, and Policy SOC1
H10: Allocation of Affordable Housing	Facilitates affordable housing for the elderly	
Design		
D1: Building For Life 12	Requirement for development to use Building for Life 12 criteria	NPPF Paragraphs 58, 64 and 69, and 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
D2: Height	Limitations on usual height for new development to two storeys	
D3: Variety	Creation of character by variation of appearance or style in larger developments	
D4: Sandstone	Incorporation of sandstone features into development	
D5: Boundaries	Sympathetic transition between the built form and the open countryside	
D6: Boundaries	Reflecting the open rural character of the Plan area in new developments	
D7: Infrastructure	Linking of green spaces	
D8: Infrastructure	Guidance on car parking locations	
H7 & H8: Self Build	Facilitates self-build properties	
D9: Sustainable Urban Drainage Systems	Measures to limit surface water run-off	NPPF Section 10 – Meeting the Challenge of Climate change, Flooding and Coastal Change, Section 7 – Requiring Good Design, and Local Plan (Part One) Policies ENV 1 Flood Risk and Water Management, ENV 6 High Quality Design and Sustainable Construction

Neighbourhood Plan Policy	Summary	Development Plan Policies being complied with
Environment		
E1: Views	Protecting views of the sandstone ridge	NPPF Section 11: Conserving and Enhancing the Natural Environment, and Local Plan (Part One) Policy ENV 2
E2: Views	Preserving key view points and lines of sight	
E3: Views	Encouraging the provision of new views	
E4: Local Green Space	Designation of Local Green Spaces	NPPF Paragraphs 76 and 77, and Local Plan (Part One) Policies ENV2 and ENV 3.
E5: Footpaths and Sites of Open Space Value	Application of mitigation hierarchy to footpaths and sites of Open Space Value	
E6: Biodiversity	Protecting Local Wildlife Sites	NPPF Paragraphs 109 and 117, and Local Plan (Part One) Policy ENV 3 Green Infrastructure and Policy ENV 4 Biodiversity and Geodiversity.
E7: Biodiversity	Designating and protection Wildlife Corridors	
E8: Biodiversity	Retention of existing areas of wildlife value	
E9: Biodiversity	Requirement for ecological surveys	
E10: Biodiversity	Application of mitigation strategy	
E11: Biodiversity	Requirement for habitat creation	
E12: Biodiversity	Introduction of habitation management schemes	
E13: Trees	Protection and retention of trees	
E14: Trees	Planting of additional trees	
E15: Trees	Large tree provision in bigger development schemes	
E16: Gardens	Guidance on new dwellings in existing garden space	NPPF Paragraph 54
E17: Heritage Assets	Protection of designated and non-designated heritage assets	NPPF Paragraphs 135 and 131, and Local Plan (Part One) Policies ENV5 and ENV6.

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 Kelsall and Willington 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 Kelsall and Willington 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 Kelsall and Willington 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 Kelsall and Willington 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

Spatial Planning

Mrs Natalie Read
8 The Wynd
Kelsall
Tarporley
CW6 0PX

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:
NP022/CM		Catherine Morgetroyd 01244 973804	2 December 2013

Dear Natalie

Neighbourhood Planning (General) Regulations 2012

Proposal: Application for the designation of a neighbourhood area

Location: The area of Kelsall, Upper Kelsall and Willington Corner

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

I can confirm that Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area was approved and designated on 26 November '13.

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:-

- Kelsall, Upper Kelsall and Willington Corner 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
and Chester

Cheshire West & Chester Council

Yours faithfully

C. Morgetroyd

Catherine Morgetroyd

Principal Planning Officer

Tel: 01244 973804

Email: NeighbourhoodPlanning@cheshirewestandchester.gov.uk



Cheshire West
and Chester

CHESHIRE WEST AND CHESTER COUNCIL

DELEGATED REPORT

DATE: 21 November 2013

NEIGHBOURHOOD APPLICATION AREA: Kelsall, Upper Kelsall and Willington Corner

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

DATE APPLICATION FIRST PUBLICISED: 19 September 2013

AREA NAME: Kelsall, Upper Kelsall and Willington Corner

APPLICANT NAME: Kelsall Parish Council

WARD: Tarvin and Kelsall

WARD MEMBERS: Cllrs Hugo Deynem, John Leather

CASE OFFICER: Catherine Morgetroyd

RECOMMENDATION: Approve

1 INTRODUCTION

- 1.1 This delegated report relates to the assessment of the application for the designation of the Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area.
- 1.2 The application for the designation of Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area was publicised on 19 September. 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 Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area includes the area covered by Kelsall Parish Council and also includes three areas administered by Delamere Parish. These are:

- on the north of the village, the land and properties on both sides of Yeld Lane and Morreys Lane (the boundary on the east side is the edge of Delamere Forest);
- on the east, land to the east of Waste Lane (the boundary on the east side is the edge of Delamere Forest);
- to the south of the village, land to the south of Green Lane and both sides of Willington Lane, up to and including Chapel Lane at Willington Corner, up to its junction with Waste Lane.

2.2 Kelsall Parish Council and Delamere Parish Council met on 18 November to discuss the Neighbourhood Area and proposed neighbourhood plan and Delamere Parish Council have confirmed that they are happy to support the neighbourhood area and for Kelsall Parish Council to be the lead parish.

2.3 A map of the proposed Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area is attached to this report.

3 PUBLICITY

3.1 The application was publicised by public notice in the Chester Standard on 19 September 2013.

3.2 Details of the application were also published on the Council's website from 19 September until 31 October 2013:

http://www.cheshirewestandchester.gov.uk/your_council/policies_and_performance/council_plans_and_strategies/planning_policy/neighbourhood_planning/kelsall_area_application.aspx

3.3 Copies of a notice advertising the application were displayed on noticeboards within the Neighbourhood Area on 19 September 2013.

3.4 Local Councillors were informed of the application with the call-in cut off date of 7 November 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 19 September until 31 October 2013.

3.6 The neighbouring parish councils of Delamere, Ashton Hayes and Tarvin were notified of the application by letter on 19 September. No community governance currently exists for the neighbouring area of Willington, which therefore could not be notified.

- 3.7 The publicity arrangements complied with section 6 of the regulations.
- 3.8 The following internal consultees were notified: Housing Strategy and Enabling; Legal; Partnerships and Development; Regeneration; Specialist Environmental Services; Development Management.
- 3.9 The Council received representations from English Heritage, United Utilities, Natural England and the Environment Agency. These representations did not include any objections to the proposed neighbourhood area. However, the representation from the Environment Agency noted that an area on the western boundary of the proposed Neighbourhood Area is located within areas of medium and high flood risk (flood zone 2 and 3) from Salters Brook.

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. The designated neighbourhood area of Ashton Hayes is adjacent to the proposed Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area and the boundaries match up and do not overlap.
- 4.3 Kelsall 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. The proposed Neighbourhood Area is the area covered by Kelsall Parish Council and part of Delamere Parish Council. Delamere Parish Council has agreed that Kelsall Parish Council should act as the lead authority for the group.
- 4.4 The Neighbourhood Area is considered appropriate as it follows the boundary of the area covered by Kelsall Parish Council and adjacent parts of Delamere Parish Council. According to the information submitted as part of the Neighbourhood Area application, these areas are considered to function as part of Kelsall village. The residents within the part of Delamere to be included in the Neighbourhood Area are dependent on

Kelsall for their daily needs: local shops, sports and social clubs, school and doctors surgeries. They must also travel through Kelsall for access to the main road (A54). The residents of the Willington Lane section strongly identify themselves as living in Kelsall. The additional areas are also immediately adjacent to the village and any housing development would have a visual impact on the village.

- 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 Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area complied with the requirements of the regulations. The application was publicised in accordance with the regulations and no representations were received that objected to the proposed boundary.
- 5.2 The Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Kelsall Parish Council is the relevant body to undertake Neighbourhood Planning in this area (and Delamere Parish Council have confirmed that they are happy for Kelsall to be the lead parish).
 - The Neighbourhood Plan Area follows the boundary of the area covered by Kelsall Parish Council and part of Delamere Parish Council and it is appropriate for development in this area to be guided by a Neighbourhood Plan.

6 DECISION

- 6.1 That the Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area is approved and is formally designated.
- 6.2 The reason for this decision is that the Kelsall, Upper Kelsall and Willington Corner Neighbourhood Development Plan Area is considered appropriate because:
- No other applications have been made for Neighbourhood Areas covering all or part of the area.
 - Kelsall Parish Council is the relevant body to undertake Neighbourhood Planning.
 - The Neighbourhood Plan Area follows the boundary of the area covered by Kelsall Parish Council and part of Delamere 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 Kelsall Parish Council and Delamere 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 Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area

Signed



Jeremy Owens
Strategic Manager – Spatial Planning

Date

26 November '13

APPENDIX 2. ENVIRONMENTAL SCREENING AND HABITATS REGULATION ASSESSMENT STATEMENT

Strategic Environmental Assessment (SEA)
Screening and Habitats Regulation
Assessment (HRA) Screening Determination
for Kelsall Neighbourhood Plan

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

June 2016

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Appendix 1: Overview of policies and identified effects of the Kelsall Neighbourhood Plan	
Appendix 2: Comments received on the initial SEA Screening Opinion (May 2015)	

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 Strategic Environmental Assessment (SEA) screening determination for the Kelsall Neighbourhood Plan. It also sets out the decision on whether separate screening and a Habitats Regulations Assessment (HRA) is required under European Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2010 (as amended).

In May 2015, an initial SEA screening assessment was produced based upon emerging policies in the pre-submission draft Kelsall Neighbourhood Plan. The screening concluded that no significant environmental effects would result from the emerging plan, and that full SEA and HRA would not, therefore, be required.

As required by the regulations, the Council then consulted four specified environmental organisations on the SEA screening assessment – Countryside Agency and English Nature (now merged to form Natural England); English Heritage (now known as Historic England) and the Environment Agency. Due to the proximity to the Welsh border Natural Resources Wales and CADW were also consulted. Responses were received from the Environment Agency, who had no comment to make, and Natural England who agreed with the outcome of the initial screening exercise. The other consultees did not respond and it was therefore assumed that they had no comments. Details of the consultation responses are provided in Appendix 2.

Between November 2015 and January 2016, the pre-submission Kelsall neighbourhood plan was subject to public consultation for a period of 6 weeks. In response to comments made on the plan, amendments were made and a final draft version of the plan prepared for formal submission to Cheshire West and Chester Council.

This SEA and HRA screening determination is based on the findings of the initial screening assessment. It also takes account of amendments to the Draft Neighbourhood Plan policies since that original screening was undertaken. Although many changes have been made to the plan, those changes are not considered to be significant in relation to the SEA screening and do not alter the conclusion that it is unlikely there will be any significant environmental effects arising from the Kelsall Neighbourhood Plan. The conclusion remains that a Strategic Environmental Assessment is not required. Likewise, the Kelsall Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010), alone or in combination with other plans and projects.

Location and geographical scope of the Kelsall Neighbourhood Plan

The village of Kelsall is located in the centre of the borough of Cheshire West and Chester. It has a population of 2,609 (2011 Census). The settlement provides key services including a primary school, a range of shops and facilities. It acts as a rural centre providing higher order services to surrounding villages.

The Kelsall Neighbourhood Plan covers the area identified as the Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area. This consists of the area covered by Kelsall Parish Council, as well as three areas of Delamere Parish Council (see Map 1). These areas are:

- on the north of the village, the land and properties on both sides of Yeld Lane and Morreys Lane (the boundary on the east side is the edge of Delamere Forest);
- on the east, land to the east of Waste Lane (the boundary on the east side is the edge of Delamere Forest);
- to the south of the village, land to the south of Green Lane and both sides of Willington Lane, up to and including Chapel Lane at Willington Corner, up to its junction with Waste Lane.

Kelsall Parish is within the former Chester District, whilst those areas of Delamere Parish are within the former Vale Royal District.

Relationship to other plans and programmes

Once 'made' the Neighbourhood Plan will form part of development plan for Cheshire West and Chester, alongside the adopted Local Plan policies in place at the time it is made.

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

The current adopted Local Plan for the area is the Cheshire West and Chester Local Plan (Part One) – Strategic Policies (adopted January 2015). This plan sets out the overall spatial strategy and strategic planning policies for the borough to 2030. Work on the Local Plan (Part Two) – Land allocations and detailed policies – is currently underway. Until that plan is adopted, a number of policies within the Chester District Local Plan (adopted May 2006) and the Vale Royal Local Plan (adopted June 2006) remain in place and form part of the development plan for the Kelsall neighbourhood area.

The adopted Local Plan policy framework forms the baseline for the SEA and HRA screening assessment. The screening assessment has considered the potential effects of the Neighbourhood Plan over and above the Cheshire West and Chester Local Plan (Part One).

The key Local Plan (Part One) Strategic Policies applicable to Kelsall are:

- STRAT1 (Sustainable Development);
- STRAT2 (Strategic Development);
- STRAT8 (Rural Area)
- SOC1 (affordable housing),
- SOC2 (Rural exception sites),
- SOC3 (Housing mix and type),
- SOC 5 (health and well being),
- SOC6 (Open space sport and recreation),
- ENV2 (landscape),
- ENV3 (green infrastructure),
- ENV4 (biodiversity),
- ENV5 (historic environment),
- ENV6 (high quality design and construction).

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

Scope of Neighbourhood Plan

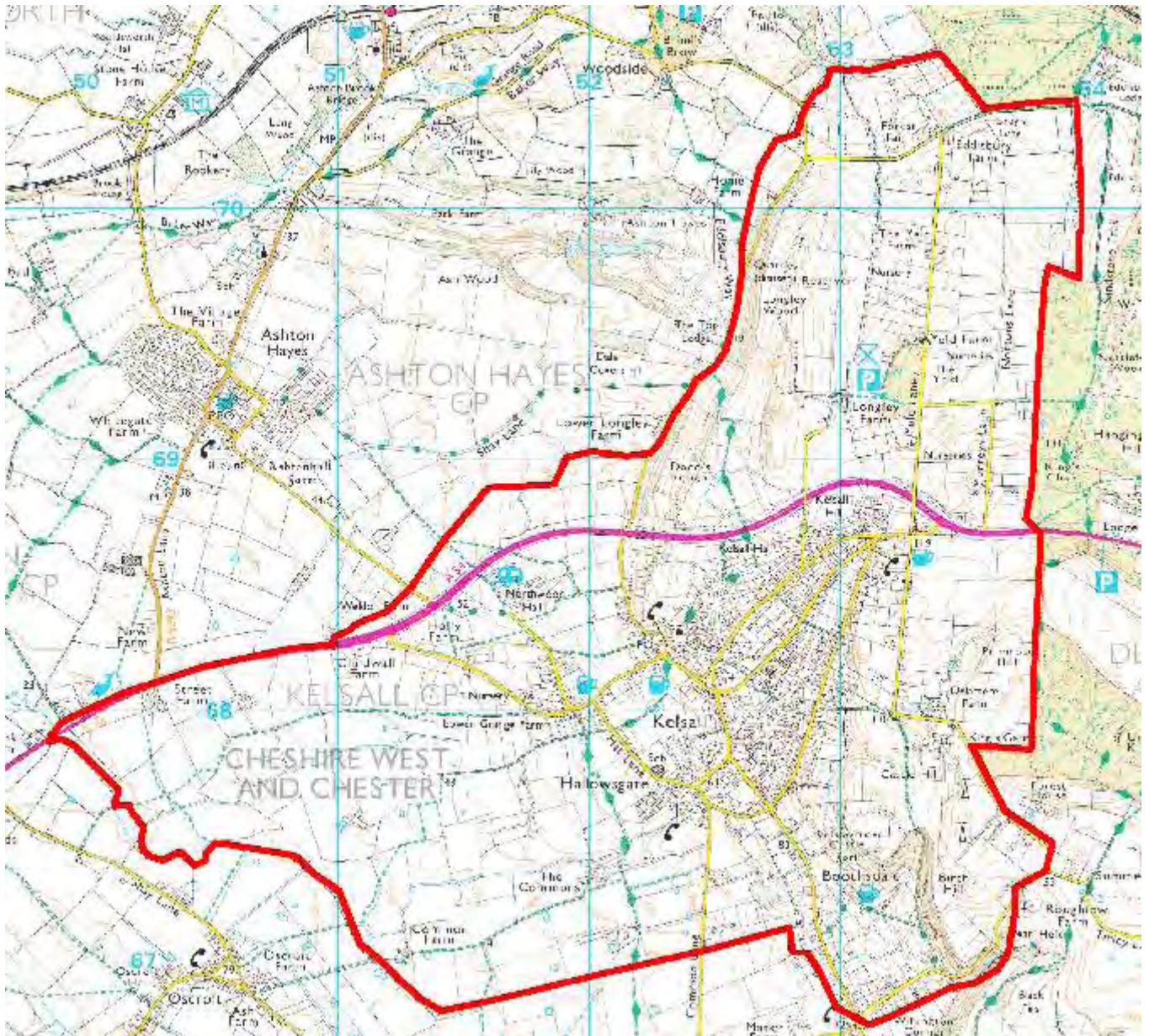
Key objectives for the neighbourhood plan are:

- Encouraging balanced and sustainable development – ensuring that amenities and infrastructure keep pace with development
- Preserving the rural character and open aspect of the plan area –protecting long views and respecting local character and distinctiveness
- Ensuring that sufficient housing is provided that meets the needs of all sections of the population
- Improving quality of life through accessible community facilities and services
- Supporting retail, business and employment in the village
- Ensuring that new development is sustainable and of high quality design
- Supporting improvements to infrastructure and reducing the need for car journeys

The neighbourhood plan sets out a suite of policies under the themes of development locations; growth, housing, design, environment, economic policy, infrastructure and viability and planning obligations.

These policies work within the strategic framework set by the Local Plan (Part One) Strategic Policies. The proposed policies in the Kelsall Neighbourhood Plan do not propose a level of development outside of the levels proposed in the local plan or significantly alters the planning policy position for the area. It provides local level guidance on how the future development set by the Local Plan should come forward.

- Map 1 – Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area



2.0 Strategic Environmental Assessment Screening

Legislative Background and Methodology

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

Neighbourhood Development Plans fall within the scope of this legislation. They are a plan as defined by Article 3(2) of the SEA regulations and Regulation 5 paragraph 2 of the Environmental Assessment of Plans and Programmes Regulations 2004. However, Neighbourhood Plans are land use planning documents prepared at the local level to determine land use in a small area.

Under Article 3(2) of the SEA Directive and Regulation 5 paragraph 6 of the Environmental Assessment of Plans and Programmes Regulations 2004, Strategic Environmental Assessment (SEA) is only required for documents that determine land use in small areas at the local level where it is considered that they are likely to have 'significant environmental effects'. This is carried out through a screening determination.

Screening methodology

The role of the screening exercise is to determine whether the effect of 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 2 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 first step for carrying out the screening is to work out the relationship of the proposed elements of the Neighbourhood Plan and their interactions with the environment (and sustainability). This is set out in table 1 below. It shows where the draft policies in the plan are likely to have an impact on the topics areas of the SEA Directive. The second step is to determine whether the effects of the impacts identified will be significant. This is set out in table 2.

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.

Conclusion

The screening assessment has found, that whilst potential environmental effects have been predicated as a result of the Neighbourhood Plan policies (see Table 1), these are not likely to be significant. The screening has concluded that there will not be significant environmental effects arising from the submission draft Kelsall

Neighbourhood Plan (May 2016). A full Strategic Environmental Assessment of the Kelsall Neighbourhood Plan is therefore not required.

Table 1: Testing of significant effects	
	Significance Test
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,	<p>The Neighbourhood Plan is a local level land use planning document to determine land use in a small area. Once made, it will work within the planning policy framework for the borough, alongside the Local Plan.</p> <p>The Neighbourhood Plan will provide a local planning policy framework for Kelsall 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 Kelsall Neighbourhood Plan will not impact on the location, nature, and scale of new development over and above that set by adopted Local Plan for the borough. It will provide local level guidance within the strategic framework on the nature of development in the Kelsall Neighbourhood Area. The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management measures and environmental protection legislation.</p>
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	<p>The Neighbourhood Plan will be the lowest level of planning policy for the area. It has to be in general conformity with the strategic policies of the adopted Local Plan and must contribute to the achievement of sustainable development. The content of the neighbourhood plan may influence the emerging Local Plan (Part Two) but will have limited influence over changing the policies in plans at the higher strategic level.</p>
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	<p>The Neighbourhood Plan is required, as one of the basic condition tests, to contribute to the achievement of sustainable development. Whether this basic condition is met will be tested during the examination of the Neighbourhood Plan. However, the framework for the promotion of sustainable development is set by the Government's Strategy for Sustainable Development, the National Planning Policy Framework and the policies in the adopted Local Plan for the borough. The Neighbourhood Plan will have limited influence over changing the sustainable development policies in plans and policies at the higher strategic level.</p>

<p>What are the environmental problems relevant to the plan or programme?</p>	<p>The Sustainability Appraisal Scoping Report for the Local Plan (Part One): Strategic Policies is a comprehensive overview of the issues in Cheshire west and Chester. There are no specific additional environmental problems identified for the Kelsall area. Some of the environmental issues/problems identified specific to Kelsall are as follows:</p> <ul style="list-style-type: none"> • Scale and type of new housing, including affordable housing and those for specific groups (in particular older people) • Development pressure as a popular place to live • Need to conserve, preserve and enhance greenspaces, key views and landscape features and the separation between settlements • Reduce dependence on the use of the car • Continued provision and access to improved local services and community facilities including education and healthcare <p>The Kelsall Neighbourhood Plan, in the context of the strategic policies of the adopted Local Plans for the Borough, will seek to address some of these environmental issues in the local context, not exacerbate them.</p>
<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</p>	<p>The Neighbourhood Plan will have no direct role in the delivery of community legislation on the environment. It does include policies on these matters. The Neighbourhood Plan has been subject to Habitats Regulation Assessment screening as set out in Part Two of this document.</p>

Table 2: Characteristics of the plan's effects and of the area likely to be affected¹

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
Separation of settlements	As the intent of the plan is to prevent any merging of Kelsall with Willington, this is a likely, long-term, infrequent, and permanent effect.	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Retention of countryside	As the intent of the plan is to prevent any development outside of the settlement, this is a likely, long-term, infrequent, and permanent	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

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

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	effect.									
Protection of the landscape	As the intent of the plan is to prevent damaging development in sensitive areas around the settlement, this is a likely, long-term, infrequent, and permanent effect.	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Retention of views	As the intent of the plan is to prevent damaging development in sensitive areas around the settlement, this is a likely, long-term, infrequent,	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	and permanent effect.									
Retention of local character	Policies in the Local Plan (Part One) and the draft Kelsall require new development to respect existing character.. As such, there are likely to be some regular and permanent positive effects.	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Loss of green-space within settlement	The policies within the Local Plan (Part One) and the draft Kelsall neighbourhood Plan do allow for some additional	The level of greenspace within the settlement has been significantly reduced over recent	None	None	Local, small scale impact, at neighbourhood level.	Potential local, small-scale loss of natural characteristics.	None	Local, small scale intensification, at neighbourhood level.	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	development. However, use of existing greenspace land is resisted through policies within these plans. As such, it is possible that there could be some infrequent, but permanent effects.	years. Further loss could have a significant additional impact.								
Loss of natural site	Two sites are allocated in the Kelsall Neighbourhood Plan for development with open space. If delivered, the partial loss of	The level of greenspace within the settlement has been significantly reduced over recent years. Further loss	None	None	Local, small scale impact, at neighbourhood level.	Potential local, small-scale loss of natural characteristics.	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	these undeveloped sites will be permanent and long-term.	could have a significant additional impact.								
Retention of greenspace	The level of greenspace within the settlement has been significantly reduced over recent years. As such, policies within the Local Plan (Part One) and the Kelsall Neighbourhood Plan strongly support the retention of any remaining greenspace. Whilst the	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	Council can demonstrate a 5 year housing land supply, the effect is likely to be permanent, and long-term.									
Creation of greenspace	The level of greenspace within the settlement has been significantly reduced over recent years. As such, policies within the Local Plan (Part One) and the Kelsall Neighbourhood Plan support the creation of new greenspace. Whilst the	The creation of new green-spaces will have an additional health benefit for the residents, as well as create habitats for wildlife.	None	None	Local, small scale impact, at neighbourhood level.	Potential local, small-scale gain of natural characteristics.	None	Local, small scale reduction, at neighbourhood level.	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	Council can demonstrate a 5 year housing land supply, the effect is likely to be permanent, and long-term.									
Prevention of greenspace loss	The level of greenspace within the settlement has been significantly reduced over recent years. As such, policies within the Local Plan (Part One) and the Kelsall Neighbourhood Plan strongly support the prevention of the loss of any	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	remaining greenspace. Whilst the Council can demonstrate a 5 year housing land supply, the effect is likely to be permanent, and long-term.									
Retention of trees and hedgerows	The Local Plan (Part One) and the Kelsall Neighbourhood Plan both direct new development towards the existing settlement. As such, there is likely to be minimal threats to existing	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	hedgerows. Most potential development sites do have some tree cover that would be under threat. The protection offered by these plans should see the permanent retention of as much of this Green Infrastructure as possible.									
Creation of biodiversity and habitats	The Local Plan (Part One) and the Kelsall Neighbourhood Plan both direct new development	The creation of new habitats will have an additional health	None	None	Local, small scale impact, at neighbourhood level.	Potential local, small-scale gain of natural characteristics.	None	Local, small scale reduction, at neighbourhood level.	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	towards the existing settlement. As such, there is likely to be minimal threats to existing biodiversity and habitats. Some potential development sites are greenfield that would be under threat. The protection offered by these plans should see the permanent retention of as much of this Green Infrastructure as	benefit for the residents, as well as create habitats for wildlife.								

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	possible.									
Protection of private greenspace	The Local Plan (Part One) and the Kelsall Neighbourhood Plan both direct new development towards the existing settlement. As such, there is likely to be minimal threats to existing biodiversity and habitats. Some potential development sites are greenfield that would be under threat. The protection	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	offered by these plans should see the permanent retention of as much of this Green Infrastructure as possible.									
Protection of habitats	The Local Plan (Part One) and the Kelsall Neighbourhood Plan both direct new development towards the existing settlement. As such, there is likely to be minimal threats to existing biodiversity and	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	habitats. Some potential development sites are greenfield that would be under threat. The protection offered by these plans should see the permanent retention of as much of this Green Infrastructure as possible.									
Reduction in surface water flooding	The Local Plan (Part One) sets out that all new development should be designed to reduce flooding,	As more development incorporates SUDS and other flood prevention	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	where technically feasible. The Kelsall Neighbourhood Plan supports a specific measure to address this. The effects are likely, long-term and permanent.	or reduction measures, the potential impact of flooding will reduce.								
Support for and retention of local services	The Local Plan (Part One) sets out a minimum expectation for 200 houses within Kelsall by 2030. The Kelsall Neighbourhood Plan adds a small number of additional	As more development comes forward, the potential pool of customers for local services increases.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	housing for older people to this figure. Coupled with criteria that should be met before buildings used by local services can change their use, should mean a strong likelihood that services will be retained within the village for the foreseeable future.									
Provision of improved health services	The scale of the development set out in the Local Plan (Part One), coupled with the allocation of a	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	site which could accommodate a new health facility could have a long-term and permanent positive effect on the provision of health care. The only concern would be over the likelihood of its delivery.									
Support for adequate level of local services	The Local Plan (Part One) sets out a minimum expectation for 200 houses within Kelsall by 2030. The Kelsall Neighbourhood	As more development comes forward, the potential pool of customers for local	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	Plan adds a small number of additional housing for older people to this figure. Coupled with criteria that should be met before buildings used by local services can change their use, should mean a strong likelihood that services will be retained within the village for the foreseeable future.	services increases.								
Safe, accessible developme	Safe accessible development is supported by	The greater proportion of develop-	None	None	Local, small scale impact, at	None	None	None	None identified – see HRA screening and	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
nt	both the Local Plan (Part One) and the Kelsall Neighbourhood Plan. This is likely to be long-term and permanent.	ment that is safely accessible, then it would be expected to see a corresponding low proportion of injuries and deaths on the roads.			neighbourhood level.				no impact on Conservation Area.	
Provision of housing for older people, and the disabled	The Local Plan (Part One) and Kelsall Neighbourhood Plan both set out the requirement to meet local needs for residential	Provision of appropriate homes for residents, or prospective residents, should have benefits for	None	None	Local, small scale impact, at neighbourhood level.	None	None	Potential local, small scale intensification, at neighbourhood level.	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	provision. Whilst the development will be permanent, the trends as to what constitutes local need will shift. This is not likely to be significantly different over the short to medium-term.	health, and could have additional benefits for local services.								
Provision of appropriate type and mix of new residential development	The Local Plan (Part One) and Kelsall Neighbourhood Plan both set out the requirement to meet local needs for residential provision. Whilst	Provision of appropriate homes for residents, or prospective residents, should have benefits for health, and	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	the development will be permanent, the trends as to what constitutes local need will shift. This is not likely to be significantly different over the short to medium-term.	could have additional benefits for local services.								
Positive impact on human health of adequate living space	The use of space standards for new development, if applied, would be long-term and permanent.	Provision of appropriate sized development for residents, or prospective residents, should have benefits for	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
		health.								
Retention of local businesses	The Local Plan (Part One) and Kelsall Neighbourhood Plan are supportive of proposals for business developments of an appropriate scale which have no adverse impact on neighbouring uses. Effects should be positive and long term	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Development of brownfield sites	The drive to protect greenfield sites in both the Local	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbour-	None	None	Potential local, small scale intensificati	None identified – see HRA screening and no impact on	No

Identified effects	The probability, duration, frequency and reversibility of the effects	The cumulative nature of the effects	The trans-boundary nature of the effects	The risks to human health or the environment	The magnitude and spatial extent of the effects	Effect on special natural characteristics or cultural heritage	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes with recognised protection status.	Likely significant effect?
	Plan (Part One) and the Kelsall Neighbourhood Plan should see the corresponding development of brownfield sites. The effects of which are likely to be long-term and permanent.				hood level.			on, at neighbourhood level.	Conservation Area.	
Protection of heritage assets	Heritage assets are identified and protected in the Local Plan (Part One). The retention of these will be likely, long-term, and permanent.	There are no likely cumulative effects.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

2.0 Habitats Regulations Assessment Screening

Legislative Background

The Conservation of Habitats and Species Regulations 2010 (as amended in 2012) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.

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

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

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

Inter-relationship with the Local Plan HRA

The Local Plan 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. Each of the Natura 2000 sites within 15km of Kelsall, Upper Kelsall and Willington Corner Neighbourhood Area were assessed at the Local Plan level. This appraisal forms the baseline for the HRA screening assessment of the Kelsall Neighbourhood Plan with the prime consideration being the potential effects of the Neighbourhood Plan over and above those of the already assessed for the Local Plan. The Local Plan was screened out through this process, as not leading to a likely significant effect on European Sites.

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

Habitats Regulation Assessment Screening Report to assess the effect on European Sites would be required.

Context

There are 5 European designated sites identified within a 15km buffer from the boundaries of the Kelsall Neighbourhood Plan. There is 1 Ramsar site, 3 SAC's, and 1 SPA.

These are shown in Map 2.

Outcome of high level screening

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

No.

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

The Neighbourhood Plan sets out how new development should come forward in Kelsall. It does not set a level of development as it looks to support that set out in the Local Plan (Part One). The Neighbourhood Plan does identify 2 sites for mixed use development including retirement/sheltered housing.

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

Yes, the Cheshire West and Chester Local Plan (Part One): Strategic Policies, and the policies retained from the Chester Local Plan and the Vale Royal Local Plan.

- 4. Are there any potential impacts on the integrity of a European site?*

No. The Neighbourhood Plan will not work in isolation and will be used alongside the other development plan policy documents for determining planning applications for new development. The level of development to come forward in Kelsall in the future has been set by Local Plan policy. The Neighbourhood Plan will guide how this should come forward locally.

Whether the Neighbourhood Plan alters the policy position significantly for the area, with reference to the potential impact on European sites, is set out below. Please note that this screening determination is based on the policies included in the submission draft Kelsall Neighbourhood Plan. The list of policies has changed quite significantly from those in the pre submission draft plan which was

subject to the original screening. However, the overall conclusion that there is unlikely to be any significant impact on European sites remains unchanged.

Policy	Significant Change? Y/N
Policy L1. Settlement Boundary	N
Policy L2. Settlement Boundary	N
Policy L3. Location within Kelsall	N
Policy L4. Brownfield Sites	N
Policy G1. Density	N
Policy G2. Density	N
Policy G3. Phasing	N
Policy G4. Allocation of Central Sites	N
Policy G5. Allocation of Central Sites	N
Policy H1. Market Housing Mix	N
Policy H2. Entry Level Homes	N
Policy H2. Housing Provision for older residents	N
Policy H3. Lifetime Homes	N
Policy H4. Housing for Older Residents	N
Policy H5. Housing for Older Residents	N
Policy H6. Housing for Older Residents	N
Policy H7. Self Build	N
Policy H8. Self Build	N
Policy H9. Allocation of Affordable Housing	N
Policy H10. Allocation of Affordable Housing	N
Policy D1. Building for Life 12	N
Policy D2. Height	N
Policy D3. Variety	N
Policy D4. Sandstone	N
Policy D5. Boundaries	N
Policy D6. Boundaries	N
Policy D7. Infrastructure	N

Policy	Significant Change? Y/N
Policy D8. Infrastructure	N
Policy D9. SuDs	N
Policy E1. Views	N
Policy E2. Views	N
Policy E3. Views	N
Policy E4. Local Green Space	N
Policy E5. Footpaths and Sites of Open Space Value	N
Policy E6. Biodiversity	N
Policy E7. Biodiversity	N
Policy E8. Biodiversity	N
Policy E9. Biodiversity	N
Policy E10. Biodiversity	N
Policy E11. Biodiversity	N
Policy E12. Biodiversity	N
Policy E13. Trees	N
Policy E14. Trees	N
Policy E15. Trees	N
Policy E16. Gardens	N
Policy E17. Heritage Assets	N
Policy EC1. Retail & Business	N
Policy EC2. Retail & Business	N
Policy I1. Connection to Main Roads	N
Policy I2. Connectivity	N
Policy I3. Road Layout	N
Policy P1. Viability of New Developments	N
Policy P2. Planning Obligations	N
Policy P3. Mitigation by Design	N

There are no specific issues highlighted in the HRA of the Local Plan (Part One) in relation to Kelsall, although there are other more general potential impacts

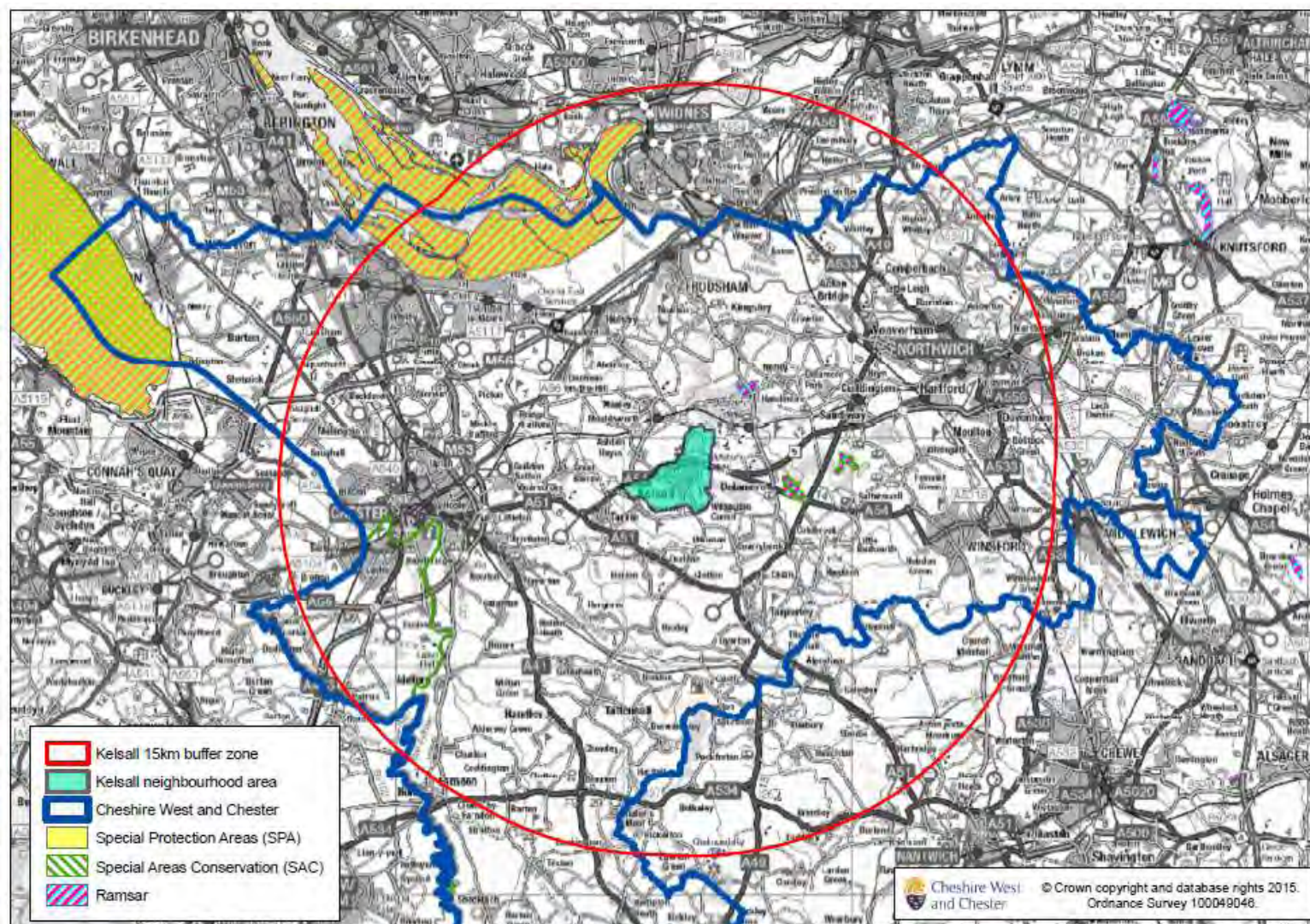
highlighted as a result of the level and location of development proposed for the borough as a whole. It is considered that there are sufficient mitigation and control measures in the policy framework of the Local Plan (Part One) to avoid and mitigate any of these adverse effects on the integrity of European sites.

It is considered that any proposals coming forward for Kelsall 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 Kelsall 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.

Map 2- European Designations within a 15km distance of the Kelsall Neighbourhood Plan



Appendix 1

Table 3: Overview of Policies and Identified Effects of the Kelsall Neighbourhood Plan.

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

The table below shows the identified effects from the amended policies in the submission draft neighbourhood plan.

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<p><i>Settlement Boundary Policy L1.</i></p> <p><i>L2</i></p>	<p>1. <i>Planning applications for development within the settlement boundary of Kelsall will be supported provided they are consistent with all other policies in the Plan. Applications to increase school capacity will not be constrained by the settlement boundary</i></p> <p>2. <i>No planning application will be supported where it would contribute to the merging of the villages of Kelsall and Willington.</i></p>	<ul style="list-style-type: none"> • <i>Retention of countryside</i> • <i>Separation of settlements</i> • <i>Loss of greenspace within settlement</i> • <i>Development of brownfield sites</i> • <i>Protection of landscape</i> 	<p><i>The Local Plan (Part One) sets out the level of development expected within Kelsall (STRAT8). STRAT 9 restricts development in the countryside to only that which requires a countryside location.</i></p> <p><i>HO4 of the Chester Local Plan sets out a definition of infill that restricts development to the built-up envelope of towns and villages. HO7 sets out that new dwellings in the open countryside will not be permitted (unless demonstrably for agricultural workers).</i></p> <p><i>GS5 of the Vale Royal Local Plan sets out the protection of the character and appearance of the open countryside.</i></p>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<p><i>Policy L3. Location within Kelsall</i></p>	<p>1. <i>Planning applications for development of sites within 400 metres walking distance of the village centre will only be supported for the following uses:</i></p> <ul style="list-style-type: none"> - <i>schools</i> - <i>recreation and leisure</i> - <i>retail</i> - <i>healthcare</i> - <i>housing for the elderly.</i> 	<ul style="list-style-type: none"> • <i>Support for and retention of local services</i> • <i>Safe, accessible development</i> • <i>Provision of improved health services</i> • <i>Provision of housing for older people, and the disabled</i> 	<p><i>The Local Plan (Part One) identifies Kelsall as a Key Service Centre (STRAT8) that has a level of services and facilities that enable it to be considered a more sustainable location for development. HO5 of the Chester Local Plan sets out requirements that development should meet on non-allocated land within the built-up envelope of towns and villages. This includes access to services.</i></p> <p><i>BE1 of the Vale Royal Local Plan sets out general criteria for new development, including location and accessibility.</i></p>
<p><i>Policy L4. Brownfield sites</i></p>	<p><i>Planning applications for new small businesses or retail premises on brownfield sites will be permitted provided there is no severe detrimental impact on the amenity of adjoining sites, highway conditions, and parking facilities.</i></p>	<ul style="list-style-type: none"> • <i>Safe, accessible development</i> • <i>Support for and retention of local services</i> 	<p><i>Local Plan policy STRAT1 encourages the use and redevelopment of previously developed sites in sustainable locations. STRAT 8 supports development that sustains vibrant rural communities. STRAT10 requires that traffic from new development can be accommodated safely and that adequate parking is provided.</i></p> <p><i>BE1 of the Vale Royal Local Plan sets out general criteria for new development, including accessibility and road safety.</i></p>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<p><i>Policy G1. Density</i></p> <p>G2</p>	<p><i>The net housing density, gross density and % developable area of any new development shall not exceed the figures shown in the Kelsall Housing Density Table 1.</i></p> <p><i>Net housing density exceptions can be made for sheltered and affordable housing, as long as the gross housing density complies with policy G1</i></p>	<ul style="list-style-type: none"> • <i>Retention of local character</i> • <i>Provision of housing for older people, and the disabled</i> 	<p><i>The Local Plan does not include a policy specifically on density. Policy STRAT8 requires that development should be appropriate in scale and design to conserve each settlement's character and setting.</i></p>
<p><i>Policy G3. Phasing</i></p>	<p><i>Applicants will be required to show that local education and health providers have been contacted to establish their capacity. Applications will only be supported if: capacity is present or a business plan is in place to deliver the extra capacity required, or, practical steps are made to help meet demand (beyond the provision of S106 money) such as allocation of land.</i></p>	<ul style="list-style-type: none"> • <i>Support for adequate level of local services</i> • <i>Provision of improved health services</i> 	<p><i>Policy STRAT8 aims to ensure that development does not exceed the capacity of existing services and infrastructure unless the requirements improvements can be made. Policy STRAT11 supports the timely provision of appropriate new infrastructure.</i></p>
<p><i>Policy G4 – Allocation of Central Sites</i></p>	<p><i>The sites between Kelsall Green and Flat Lane, as shown on Figure 1 below, will be allocated as follows:</i></p> <p><i>Site One, which will provide vehicular access for Site Two, is allocated for mixed use, excluding further residential development. Development may only include combinations of healthcare or</i></p>	<ul style="list-style-type: none"> • <i>Provision of improved health services</i> • <i>Provision of housing for older people, and the disabled</i> 	<p><i>The CWaC Local Plan (Part One) does not include allocations within Kelsall. Policy SOC5 does support new or improved health facilities across the borough, SOC3 supports the provision of a range of housing to meet local needs, and both SOC5 and ENV3 support the creation of</i></p>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
	<p><i>community, small-scale retail, or employment, facilities, and, if the need can be established, live/work units.</i></p> <p><i>Site Two is allocated for the development of retirement and/or sheltered housing. This scheme will include a significant proportion of green space, to be no less than 50%, accessible to the public from Kelsall Green and the footpath to Flat Lane. This development must be suitable for older residents or those with disabilities, and should comprise individual dwellings and a central unit offering services and apartments.</i></p> <p><i>For both sites:</i></p> <p><i>General market housing will not be considered to be a suitable use and there shall be no vehicular access from Flat Lane in its current state.</i></p>	<ul style="list-style-type: none"> • <i>Loss of natural site</i> 	<p><i>publically accessible greenspace.</i></p>
<i>Policy G5 – Allocation of central sites</i>	<i>Any development scheme in this area must demonstrate improved public pedestrian and cycle access to all neighbouring sites; Flat Lane, Chester Road, and Kelsall Green.</i>	<ul style="list-style-type: none"> • <i>Safe, accessible development.</i> 	<i>Policy STRAT10 encourages proposals to maximise use of sustainable modes of transport</i>
<i>Policy H1 – Market</i>	<i>Proposals for developments of five or more units must provide a range of property sizes suitable</i>	<ul style="list-style-type: none"> • <i>Provision of appropriate type and mix of new</i> 	<i>SOC3 of the Local Plan (Part One) supports the provision of a range of</i>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<i>Housing Mix</i>	<i>to meet the housing needs of local and borough households, as evidenced by the most up to date Kelsall Housing Needs Survey and SHMA (Strategic Housing Market Assessment) households and housing needs figures.</i>	<i>residential development</i>	<i>housing types to meet local need.</i>
<i>Policy H2 – Entry-Level Homes</i>	<i>In a development providing both market housing and Affordable Housing, the smallest dwelling sizes provided should be available on the open market as well as for Affordable tenures.</i>	<ul style="list-style-type: none"> <i>Provision of appropriate type and mix of new residential development</i> 	<i>SOC1 of the Local Plan (Part One) requires the provision of affordable housing in new development over a specified threshold. SOC3 supports the provision of a range of housing types to meet local need.</i>
<i>Policy H3 – Lifetime Homes</i>	<i>Planning applications for new housing developments must include a proportion of dwellings meeting the requirements of the Lifetime Homes Standards. This shall apply to both open-market housing and Affordable Housing.</i>	<ul style="list-style-type: none"> <i>Provision of appropriate type and mix of new residential development</i> 	<i>SOC1 of the Local Plan (Part One) requires the provision of affordable housing in new development over a specified threshold. SOC3 of the Local Plan (Part One) supports the provision of a range of housing types to meet local need.</i>
<i>Policy H4, H5 and H6 – Housing for Older</i>	<i>H4 - Proposals providing housing suitable for older residents will be encouraged; these could include Sheltered, Supported and/or Extra Care Housing.</i>	<ul style="list-style-type: none"> <i>Provision of appropriate type and mix of new residential development</i> 	<i>SOC3 of the Local Plan (Part One) supports the provision of a range of housing types to meet local need.</i>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<i>Residents</i>	<p><i>H5 - Proposals for 10 or more market dwellings must include at least two bungalows.</i></p> <p><i>H6 - Properties available under this policy shall also be made available to disabled local residents.</i></p>		
<i>Policy H7 and H8 – Self Build</i>	<p><i>H7 - Planning applications for a development consisting of plots available exclusively to people wishing to build their own homes would be encouraged.</i></p> <p><i>H8 Developments comprising more than ten market dwellings should include one or more plots to be made available to people with local connections wishing to build their own homes. This could be part of the affordable component of the scheme.</i></p>	<ul style="list-style-type: none"> <i>Provision of appropriate type and mix of new residential development</i> 	<i>SOC3 of the Local Plan (Part One) supports the provision of a range of housing types to meet local need.</i>
<i>Policy H9 and H10 – Affordable Housing</i>	<p><i>H9 - The allocation of Affordable Housing shall be consistent with the customized Allocation Policy detailed in the table. Any exceptions must be agreed by CWAC Housing with the Parish Council (Kelsall or Willington as appropriate).</i></p> <p><i>H10 - A proportion of the Affordable Housing required of larger sites must be properties designed for the needs of, and available</i></p>	<ul style="list-style-type: none"> <i>Provision of appropriate type and mix of new residential development</i> 	<i>SOC1 of the Local Plan (Part One) requires the provision of affordable housing in new development over a specified threshold. SOC3 of the Local Plan (Part One) supports the provision of a range of housing types to meet local need.</i>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
	<i>specifically to, older residents, as justified by the latest local housing needs figures.</i>		
<i>Policy D1 – Building for Life 12</i>	<i>All housing development shall demonstrate the use of “Building for Life 12” and will be required to meet as many “greens” as possible, minimise “ambers” and avoid “reds”, justifying any “greens” they are unable to meet.</i>	<ul style="list-style-type: none"> <i>Provision of housing for older people, and the disabled</i> 	<i>SOC3 of the Local Plan (Part One) supports the provision of a range of housing types to meet local need.</i>
<i>Policy D2 - Height</i>	<i>New buildings and extensions shall be no higher than two-storeys unless responding creatively to the hilly topography, or the immediate context; and the resultant design is not over dominant from any one aspect.</i>	<ul style="list-style-type: none"> <i>Protection of the landscape</i> <i>Retention of views</i> 	<p><i>ENV2 of the Local Plan (Part One) supports the principle of landscape character protection.</i></p> <p><i>HO4 and HO5 of the Chester Local Plan contain criteria regarding the design of new development that include landscape considerations.</i></p> <p><i>BE1 of the Vale Royal Local Plan sets out general criteria for new development, including landscape and various design considerations. Further, NE7 sets out requirements for consideration on the protection and enhancement of landscape features.</i></p>
<i>Policy D3 - Variety</i>	<i>Developments shall vary the built form and appearance or style of development to help</i>	<ul style="list-style-type: none"> <i>Retention of local character</i> 	<i>Policy ENV6 requires that development respects local character and achieves a</i>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
	<i>create areas with different character within larger developments.</i>		<i>sense of place through appropriate layout and design</i>
<i>Policy D4 - Sandstone</i>	<i>Appropriate red sandstone features in design are encouraged and sandstone features present already on site, such as walls, gateposts, quarries, banks and wells, shall be preserved.</i>	<ul style="list-style-type: none"> <i>Retention of local character</i> 	<i>Policy ENV6 requires that development respects local character and achieves a sense of place through appropriate layout and design</i>
<i>Policy D5 and D6 - Boundaries</i>	<p><i>Development next to open land should be designed to achieve a gradual and sympathetic transition between the built form and the open countryside.</i></p> <p><i>D6 Boundary treatment should reflect the open rural character of the Plan area by retaining its visual permeability.</i></p>	<ul style="list-style-type: none"> <i>Retention of local character</i> 	<i>Policy ENV6 requires that development respects local character and achieves a sense of place through appropriate layout and design</i>
<i>Policy D7 and D8 - Infrastructure</i>	<p><i>D7 - New development should provide linkages to green spaces, Public Open Spaces, and the Rights of Way network, where possible.</i></p> <p><i>D8 Parking spaces must be adjacent to the dwelling they serve. There shall be no Public Open Space between a dwelling and its allocated parking space(s). Separate parking</i></p>	<ul style="list-style-type: none"> <i>Retention of greenspace</i> <i>Retention of local character</i> 	<i>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) support the protection of landscape character and the retention and provision of green spaces.</i>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
	<i>courts shall not be permitted.</i>		
<i>Policy D9 - SuDS</i>	<i>Development shall, where appropriate, include design measures to reduce the surface water run-off and incorporate Sustainable Urban Drainage Systems (SuDs).</i>	<ul style="list-style-type: none"> • <i>Reduction in surface water flooding</i> 	<i>Local Plan policy ENV1 encourages new development to be designed to reduce surface water run-off through the incorporation of SuDs and other measures</i>
<i>Policy E1, E2 and E3 - Views</i>	<p><i>E1 - Development on the scarp shall not obstruct or interfere with the view of the Sandstone Ridge skyline looking up from public areas within the Plan Area.</i></p> <p><i>E2 - Proposed new buildings or extensions shall not obscure the views from the Key View Points as depicted on map 4. Existing visual connections with the surrounding countryside from the Key View Points shall be maintained by providing unobstructed lines of sight.</i></p> <p><i>E3 - Proposals are expected to provide views along streets and across open spaces to the surrounding countryside from within new developments. Later extensions must not obscure those.</i></p>	<ul style="list-style-type: none"> • <i>Protection of landscape</i> • <i>Retention of local character</i> 	<i>ENV2 of the Local Plan (Part One) supports the principle of landscape character protection.</i>
<i>Policy E4 – Local Greenspac</i>	<i>The eight sites indicated on Map 5 below are designated Local Green Spaces.</i>	<ul style="list-style-type: none"> • <i>Retention of greenspace</i> 	<i>SOC5, SOC6, and ENV3 of the Local Plan (Part One) support the identification of</i>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
e			greenspaces.
<i>Policy E5 – Footpaths and Sites of Open Space Value</i>	<i>Planning applications affecting any site of Open Space Value or Footpath must apply the mitigation hierarchy and can only be permitted if the community gains equivalent or improved benefit.</i>	<ul style="list-style-type: none"> • <i>Retention of greenspace</i> 	<i>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) would support the protection of landscape character and the retention of green spaces.</i>
<i>Policies E6 to E12 - Biodiversity</i>	<p><i>E6 Development should not adversely affect Local Wildlife Sites, or UK priority habitats or protected/priority species within and outside the conservation sites.</i></p> <p><i>E7 This Plan designates the Kelsall Indicative Wildlife Corridors North and South as identified on Map 6 below. Development should not adversely affect the Wildlife Corridors.</i></p> <p><i>E8 Development proposals must be designed to retain existing areas of wildlife value wherever possible such as trees, hedgerows or other semi-natural habitat.</i></p> <p><i>E9 Ecological surveys should be submitted in support of development planning applications.</i></p> <p><i>E10 The mitigation hierarchy – avoid, mitigate, compensate and enhance – should be followed</i></p>	<ul style="list-style-type: none"> • <i>Retention of trees and hedgerows</i> • <i>Creation of biodiversity and habitats</i> 	<p><i>ENV3 and ENV4 of the Local Plan (Part One) support the protection of biodiversity and the retention of trees and hedgerows.</i></p> <p><i>ENV21 of the Chester Local Plan sets out the expectation that trees, woodlands, and hedgerows should be integrated into developments. Further, ENV22 requires landscape works in new development.</i></p> <p><i>BE1 of the Vale Royal Local Plan sets out general criteria for new development, including the protection of trees and hedgerows. Further NE9 sets out considerations on trees and woodland.</i></p>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
	<p><i>at all times.</i></p> <p><i>E11 Development should include onsite habitat creation or enhancement using locally native species, including trees and hedges.</i></p> <p><i>E12 Where habitat creation/enhancement schemes are required as part of new development, management plans should be produced with provision made for long term maintenance.</i></p>		
Policy E13, 14 and 15 - Trees	<p><i>E13 Development proposals must be designed to retain mature or trees of known importance, e.g. those with a TPO or in a Conservation Area. Where removal of a tree of recognised importance is proposed, a replacement of similar amenity value should be provided on site. Where trees are not in this category developments should be designed to meet the recommendations set out in British Standard 5837:2012.</i></p> <p><i>E14 All developments are expected to plant potentially large native species of trees in on-site public open spaces where due consideration has been given to:</i></p>	<ul style="list-style-type: none"> • Retention of trees and hedgerows 	ENV3 and ENV4 of the Local Plan (Part One) support the retention of trees and hedgerows.

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
	<ul style="list-style-type: none"> • <i>an adequately designed tree pit</i> • <i>appropriate potential rooting space</i> • <i>a suitable location where it can grow to maturity without intervention</i> <p><i>Where there is no public open space, the developer shall provide financial contributions and work with the Parish Council and other land owners to identify suitable sites for such trees.</i></p> <p><i>E15 Proposals for ten or more dwellings shall provide for the planting of at least one potentially large native species of tree for every eight dwellings.</i></p>		
Policy E16 - Gardens	<p><i>Proposals for new dwelling(s) within a private residential garden shall only be permitted where:</i></p> <ul style="list-style-type: none"> • <i>the reduction of garden space within the site and the impact in terms of amenity, density, scale and massing of development is not detrimental to adjoining sites and the landscape character of the surrounding neighbourhood.</i> • <i>access to the highway can be readily provided without significant loss of existing traditional boundary walls or hedges.</i> 	<ul style="list-style-type: none"> • <i>Protection of private greenspace</i> • <i>Retention of local character</i> 	<p><i>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) support the protection of landscape character and the retention of green spaces.</i></p> <p><i>HO4 and HO5 of the Chester Local Plan contain criteria regarding the design of new residential development.</i></p> <p><i>BE1 of the Vale Royal Local Plan sets out general criteria for new development, including residential amenity.</i></p>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<p><i>Policy E17 – Heritage Assets</i></p>	<p><i>Designated and non-designated heritage assets enhance local distinctiveness and should be protected in a manner appropriate to their significance. Planning applications that would result in harm to heritage assets and their settings will be considered inappropriate unless this is outweighed by overriding public benefits. In addition to designated heritage assets there are many local non-designated heritage assets that are considered important to the historic environment of the area.</i></p>	<ul style="list-style-type: none"> • <i>Protection of heritage assets</i> • <i>Retention of local character</i> 	<p><i>ENV5 of the Local Plan (Part One) support the retention of the historic environment, and other historic assets.</i></p> <p><i>HO4 and HO5 of the Chester Local Plan contain criteria regarding the design of new residential development. Further, ENV35, ENV36, ENV37 and ENV38 all consider the potential impact of development in conservation areas.</i></p> <p><i>BE1 of the Vale Royal Local Plan sets out general criteria for new development, including the historic environment.</i></p>
<p><i>Policy EC1 and EC3 – Retail and Business</i></p>	<p><i>EC1 Planning applications for development that combines living and small scale employment space will be supported provided there is no detrimental impact on nearby residential areas.</i></p> <p><i>EC2 - Proposals for new small-scale retail and business premises, or expansion of existing premises, will be supported provided there is no detrimental impact on the amenity of neighbours or on the environment, and where the impact on the transport network and parking conditions is not severe.</i></p>	<ul style="list-style-type: none"> • <i>Retention of local businesses</i> 	<p><i>ECON2 of the Local Plan (Part Two) supports the retention of facilities and services.</i></p>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<p><i>Policy I1, I2 and I3 – Connection to Main Roads, Connectivity and Road Layout</i></p>	<p><i>I1 Planning applications (other than infill) on sites not accessed from Chester Road shall be required to take steps to improve connection from the proposed site to Chester Road, having regards to the following criteria:</i></p> <ul style="list-style-type: none"> <i>• adequate road width to allow safe passing of vehicles along the whole length,</i> <i>• provision of adequate pavement along the whole length,</i> <i>• pedestrian crossing where need identified by NDP (see Appendix 10).</i> <p><i>I2 The design of new developments must keep possible access points to neighbouring undeveloped sites, to allow for suitable connectivity at later dates.</i></p> <p><i>I3 - Roads in new developments must be of adequate width and design to allow for legitimate on–street parking without inconveniencing neighbours or other street users.</i></p>	<ul style="list-style-type: none"> <i>• Safe, accessible development.</i> 	<p><i>Policy ENV6 requires development to ensure ease of movement and legibility with priority for pedestrians and cyclists.</i></p> <p><i>STRAT10 requires development to demonstrate that it additional traffic can be accommodated safely and satisfactorily within the highway network.</i></p>
<p><i>Policy P1 – Viability of New</i></p>	<p><i>Where proposals for new developments do not meet the policies of this Plan, then applicants will be expected to justify any alternative</i></p>	<ul style="list-style-type: none"> <i>• Impacts uncertain</i> 	<p><i>No applicable policies</i></p>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
<i>Developments</i>	<i>proposals through the submission of a full open book viability appraisal of proposed schemes.</i>		
<i>Policy P2 – Planning Obligations</i>	<p><i>1. It will not be considered acceptable for a developer to avoid planning obligations by submitting separate applications for smaller sections of a scheme. Where subsequent applications prove to be part of one contiguous or neighbouring site, or built by the same developer, or in the same ownership, the total number of dwellings or area of the site will be taken into account for setting of planning obligations and other policies listed by this plan.</i></p> <p><i>2. When drafting developers' contributions, Chester West and Chester should have regard to the community needs listed in this Plan, and consult the Parish Council prior to agreeing planning obligations with applicants.</i></p>	<ul style="list-style-type: none"> <i>Support for adequate level of local services</i> 	<i>Policy STRAT11 supports the timely provision of appropriate new infrastructure.</i>
<i>Policy P3 – Mitigation by Design</i>	<p><i>Applicants will be required to demonstrate</i></p> <p><i>1. how they have adapted designs to cope with any challenges posed by a site, first avoiding and then reducing impacts of development, only then mitigating those, rather than using higher infrastructure investment,</i></p>	<ul style="list-style-type: none"> <i>Retention of local character</i> 	<i>ENV2, ENV3, SOC5 and SOC6 of the Local Plan (Part One) support the protection of landscape character and the retention of green spaces.</i>

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics)	Relationship to adopted Local Plan
	<i>2. how the proposed development integrates with the surrounding spaces by including meaningful streetscapes and elevations showing neighbouring properties and features.</i>		

Appendix 2: Comments received during consultation on draft Screening Assessment – May 2015

Agency	Date Consulted	Response
Environment Agency	26 May 2015	See correspondence below
English Heritage	26 May 2015	No response received
Natural England	26 May 2015	See correspondence below
Natural Resources Wales	26 May 2015	No response received
CADW	26 May 2015	No response received

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

Our ref: SO/2009/105235/OR-33/IS1-L01
Your ref: 150528/NH26

Date: 03 July 2015

FAO Graham Bench

Dear Sir

Kelsall Neighbourhood Plan SEA/HRA Screening Assessment

Thank you for consulting us with the above application which was received in this office 1st June 2015.

We have no comments to make with regards to the SEA/HRA screening assessment for Kelsall.

However any future housing or dwellings created should be connected to mains sewer. Discharge to foul sewer is the preferred option as the sewage is conveyed to a purpose built and closely monitored sewage treatment plant, so development proposals in sewered areas should connect to public sewer.

We look forward to consultation on further consultation on Neighbourhood Plan.

Yours faithfully

Ms DAWN HEWITT
Planning Liaison Officer

Direct dial 01925 542499
Direct fax 01925 415961
Direct e-mail dawn.hewitt@environment-agency.gov.uk

Date: 07 July 2015
Our ref: 154758
Your ref: Kelsall Neighbourhood Plan SEA/HRA Screening Assessment



Graham Bench
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BY EMAIL ONLY

Dear Mr Bench,

Kelsall Neighbourhood Plan – Draft Strategic Environmental Assessment and Habitats Regulations Assessment Screening Statement

Thank you for your consultation on the above dated and received by Natural England on 01 June 2015.

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

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

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

Other Advice

Draft Neighbourhood Plan

If the Neighbourhood Plan (NP) offers support to additional development over and above what is required in the Local Plan, we advise including wording to the effect that only development that is in conformity with the Cheshire West and Chester Local Plan Part One biodiversity policy (ENV 4: Biodiversity and geodiversity) will be supported.

We would also advise ensuring that the area's Best and Most Versatile agricultural land is conserved through making the links to policy STRAT 1 Sustainable development in the Local Plan.

Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposals.

Consideration should be given as to whether the plan or proposal has any impacts on protected species. To help with this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey

information, you should undertake further consultation with Natural England. [Natural England Standing Advice](#)

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

For any queries relating to the specific advice in this letter only please contact Kathryn Kelsall on 0300 060 4342. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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

Yours sincerely

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