

**Environmental Screening and Habitats**  
**Regulation Assessment Statement for Norley**  
**Neighbourhood Area Plan**  
**(February 2015)**

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

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## **1.0 Introduction**

This screening statement determines whether or not the draft Norley Neighbourhood Plan (November 2014) requires a Strategic Environmental Assessment (SEA), and/or a Habitat Regulations Assessment (HRA) in accordance with the European Directive 2001/42/EC, and the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended in 2012).

The screening has been based upon the policies set out in the draft Norley Neighbourhood Plan, November 2014. The draft plan went out to public consultation between 14 November and 31 December 2014. A draft screening statement was published and consulted upon between 3<sup>rd</sup> December 2014 and 16<sup>th</sup> January 2015. The statutory environmental bodies were consulted and responses were received from Natural England and English Heritage, who agreed with the outcome of the screening exercise. The responses received during the consultation are set out at Appendix 2 of this document.

### **Location and profile of the Norley Neighbourhood Area Plan**

The Norley Neighbourhood Area follows the Norley Parish Council boundaries. It is located within the Kingsley Ward, in the North of the Borough, close to Frodsham. It includes the settlements of Norley and Hatchmere and their surrounding rural areas (see Map 1).

The Norley Neighbourhood Area has a population of 1186, and a predominantly ageing demographic profile. There are a number of services and businesses within the area, including a Primary School, employment units, retail/restaurant units, and a number of venues for community uses.

The Vision for the Norley Neighbourhood Area Plan identifies that 'settlements in Norley Parish are characterised by low density, dispersed development of small groups of housing interspersed with open fields and views into the surrounding countryside situated within and surrounded by the Green Belt'.

### **Relationship to other plans and programmes**

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

The Neighbourhood Plan must have regard to national policy; be in general conformity with the strategic policies in the adopted Local Plan; must contribute to

the achievement of sustainable development and meet EU obligations and human rights requirements.

The current adopted Local Plan for the area is Cheshire West and Chester Local Plan Part 1 – Strategic Policies (adopted January 2015). This plan sets out the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough to 2030. Some of the policies in the existing Vale Royal Local Plan (adopted 2006) and the Cheshire Replacement Minerals and Waste Local Plans are to be retained alongside the Local Plan (Part One) until such time that they are to be replaced by the Local Plan (Part Two). Preparation of the Local Plan (Part Two) began in Autumn 2014.

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

The policies in the emerging Local Plan applicable to Norley are STRAT1 (Sustainable Development); STRAT2 (Strategic Development); STRAT8 and STRAT9 (Rural Area) and the suite of economic, social and environmental policies accompanying them.

The Local Plan Part 1: 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 emerging Local Plan Part One sets out the impacts of the strategic policies that apply to Norley.

## **Scope of Neighbourhood Plan**

The Community sets out the aims of the Norley Neighbourhood Area Plan as:

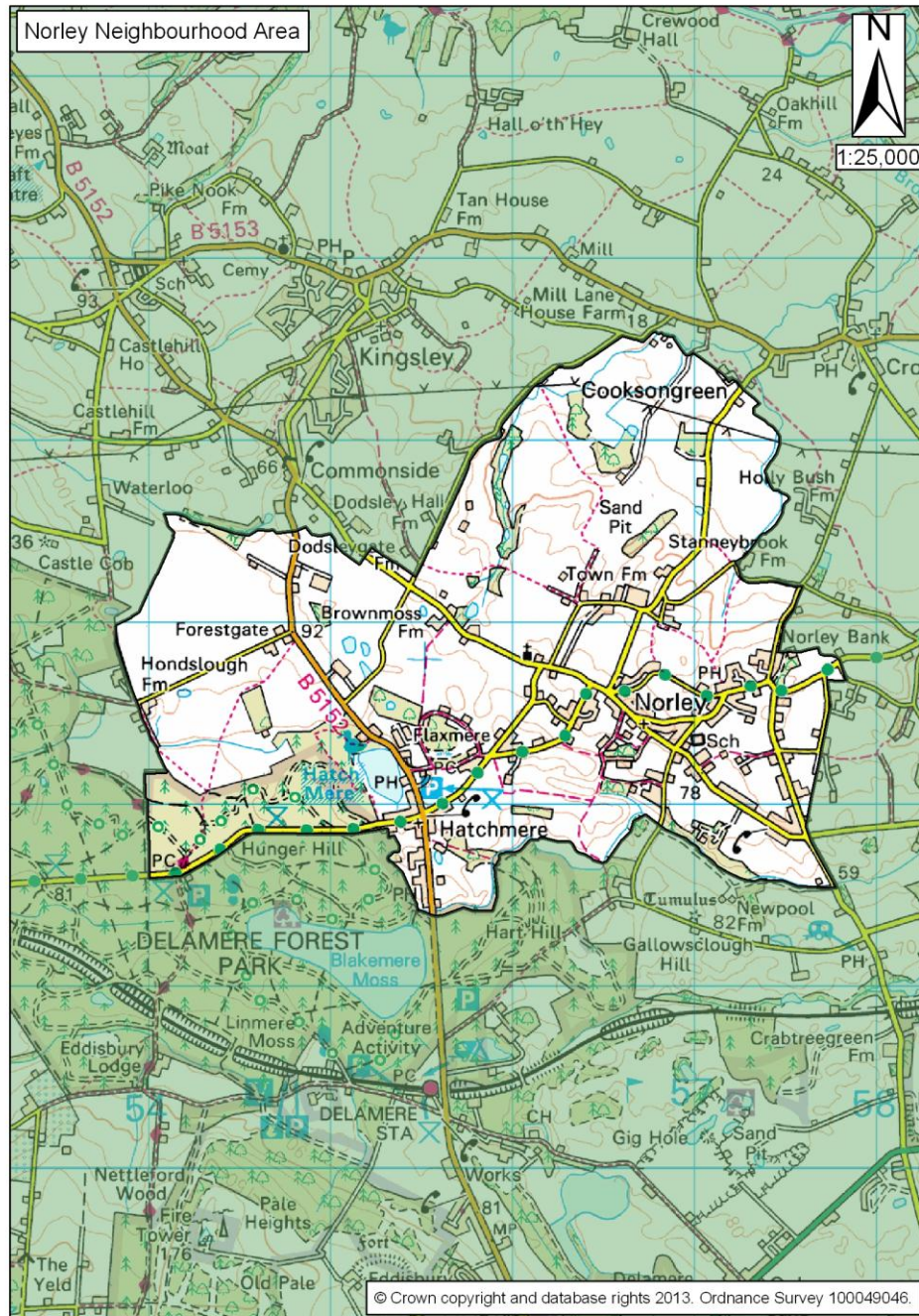
- To provide sufficient homes to meet the local needs of Norley for the period of the plan, to 2030.
- To encourage limited small scale sensitive development which protects and enhances the existing character, built form and landscape setting of the village.
- To sustain and improve local services and community facilities to meet the changing needs of Norley until 2030
- To strengthen and support economic activity in Norley
- To secure on going improvements to transport, infrastructure and digital connectivity for the area.
- To prioritise local distinctiveness in every element of change and growth.

- To protect existing green spaces and the landscape setting of Norley and to enhance local nature conservation.
- To protect and enhance the natural environment and wildlife habitats in the area.
- To involve local people in the process of plan making, monitoring and delivery of the Neighbourhood Plan.

To achieve this, the proposed Neighbourhood Plan includes policies covering the following areas:

- Housing
- Landscape and Environment
- Local Character
- Transport and Communications
- Local Economy
- Community Infrastructure
- Biodiversity

Map 1 – Norley 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 assessment of the draft Neighbourhood Plan against these criteria is set out in Table 1.

A key part of the Neighbourhood Plan screening has been to consider the context of its preparation and its interaction with the Local Plan (Part One): Strategic Policies for Cheshire West and Chester. 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 in Appendix 1 to this report.



Table 1: Testing of significant effects		
	Significance Test	Significant Environmental Effect?
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 of the Local Plan for the borough.</p> <p>The Neighbourhood Plan will provide a local planning policy framework for Norley 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 Norley Neighbourhood Plan will not impact on the strategic location, nature, size and operating conditions of new development over and above that set by current adopted Local Plan for the borough. It will provide local level guidance within the strategic framework on the nature of development in the Norley 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>	No
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Neighbourhood Plan will be the lowest level of planning policy for the area. It has to be in general conformity with the strategic policies of the adopted Local Plan and must contribute to the achievement of sustainable development. It will therefore have limited influence over changing the policies in plans at the higher strategic level.	No
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,	The Neighbourhood Plan is required, as one of the basic condition tests, to contribute to the achievement of sustainable development. Whether this basic condition is met will be tested during the examination of the Neighbourhood Plan. However, the framework for the promotion of sustainable development is set by the Government's Strategy for Sustainable Development, the National Planning Policy Framework and the policies in the adopted and emerging Local Plans for the borough. The Neighbourhood Plan will have limited influence over changing the sustainable development policies in plans and policies at the higher strategic level.	No
What are the environmental problems relevant to the plan or programme?	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 Norley area.	No
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).	The Neighbourhood Plan will have no direct role in the delivery of community legislation on the environment. It does include policies on these matters. The Neighbourhood Plan has been subject to Habitats Regulation Assessment screening as set out in part 2 of this document.	No

Summarised identified effects (see Appendix 1)	The probability, duration, frequency and reversibility of the effects,	The cumulative nature of the effects	The transboundary nature of the effects,	The risks to human health or the environment (e.g. due to accidents),	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes which have a recognised national, Community or international protection status.	Significant Environmental Effect?
<b>Benefits to population and human health of new housing and economic development, including local affordable housing</b>	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible.	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Re-use of brownfield land</b>	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent due to the scale of acceptable development within the area. Impacts would be long term and irreversible.	None of note. Cumulative effects would be to reduce the amount of brownfield land within the Neighbourhood Plan area.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Loss of Greenfield land</b>	Low probability of Greenfield loss due to the level of proposed development within the Neighbourhood Plan area as set out in the Local Plan (Part One): Strategic Policies. Impacts would be long term and irreversible, but infrequent.	Cumulative impact of Greenfield loss is highly dependent on the Greenfield use. Potentially limited due to only allowing development within the settlement boundary.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Summarised identified effects (see Appendix 1)	The probability, duration, frequency and reversibility of the effects,	The cumulative nature of the effects	The transboundary nature of the effects,	The risks to human health or the environment (e.g. due to accidents),	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes which have a recognised national, Community or international protection status.	Significant Environmental Effect?
<b>Re-use, conversion and adaptation of rural buildings</b>	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible.	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Protection of village character</b>	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible.	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Protect and enhance local landscape quality</b>	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible.	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Summarised identified effects (see Appendix 1)	The probability, duration, frequency and reversibility of the effects,	The cumulative nature of the effects	The transboundary nature of the effects,	The risks to human health or the environment (e.g. due to accidents),	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes which have a recognised national, Community or international protection status.	Significant Environmental Effect?
<b>Protection and enhancement of PROW</b>	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible.	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Improved Internet connectivity</b>	Probability is difficult to assess as dependent on the nature, scale, and details of proposed development, however proposals are likely to be infrequent. Impacts would be long term and irreversible.	Each new development has the potential to benefit the local population. There would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Increased traffic</b>	Medium probability as levels of potential development are small and infrequent. Impacts could be seen in the short, medium or long term, and could be reversed.	Cumulative increases with each new development unless managed and mitigated.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Protection and enhancement of community facilities</b>	High probability as Neighbourhood Plan seeks to enhance and protect community facilities. Impacts would be long term	Each new development has the potential to harm or benefit the local cultural landscape. There	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

Summarised identified effects (see Appendix 1)	The probability, duration, frequency and reversibility of the effects,	The cumulative nature of the effects	The transboundary nature of the effects,	The risks to human health or the environment (e.g. due to accidents),	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),	Effect on special natural characteristics or cultural heritage,	Effect on environmental quality standards or limit values,	Effect on intensity of land-use.	The effects on areas or landscapes which have a recognised national, Community or international protection status.	Significant Environmental Effect?
	and irreversible.	would be greater potential to maximise these benefits if several developments could have a synergistic cumulative effect.								
<b>Biodiversity loss, including woodlands, trees and hedgerow</b>	Low probability as Neighbourhood Plan policies seek to enhance and protect biodiversity. Also infrequent due to the limited scale of proposed development in this area in the Local Plan (Part One): Strategic Policies. Impacts would be long term and irreversible.	Each new development has the potential to weaken ecological networks and systems. There is a danger that cumulative losses could have a cascade effect.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No
<b>Enhancement and protection of biodiversity</b>	High probability of achievement in all new development, although specifics will depend on the nature, scale, and details of proposed development. Proposals are likely to be infrequent, however due to small scale of potential development in the neighbourhood plan area. Impacts would be long term and irreversible.	Each new development has the potential to enhance and protect biodiversity. There is a greater potential to maximise these benefits as the Neighbourhood Plan works towards an Ecological Network approach.	None	None	Local, small scale at neighbourhood level.	None	None	None	None identified – see HRA screening.	No

## **Conclusion**

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

A Strategic Environmental Assessment of the Norley Neighbourhood Area Plan is not required.

### **3.0 Habitats Regulations Assessment Screening**

#### **Legislative Background**

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

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

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

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

#### **Inter-relationship with the Local Plan HRA**

The 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 sites within 15km of the Norley Neighbourhood Area were assessed at the Local Plan level. This appraisal forms the baseline for the HRA screening assessment of the Norley Neighbourhood Area 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 Norley Neighbourhood Area Plan. There are 2 Ramsar sites (Meres and Mosses), 2 SAC's (Oakmere, and West Midland Mosses), and 1 SPA (Mersey Estuary).

These are shown in Map 2.

## Outcome of high level screening

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

No

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

No

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

Yes, the existing Vale Royal Local Plan and the Local Plan (Part One): Strategic Policies.

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

The Neighbourhood Plan will not work in isolation and will be used alongside other development plan policies including the Local Plan (Part One): Strategic Policies and retained policies in the existing Vale Royal Local Plan for determining planning applications for new development. The quantum of future development to come forward in the Rural Area will be set by Local Plan policy. The Neighbourhood Plan will guide how this should come forward locally.

Whether the Neighbourhood Plan alters the policy position for the area is set out in table 3 below.



**Table 3: Screening of policies for altering Local Plan Policy**

<b>Policy</b>	<b>Change in policy position in emerging Local Plan and policies to be retained? Y/N</b>
Policy HOU1 – Scale of Housing Development	N
Policy HOU2 – Housing to meet local needs	N
Policy HOU3 – Design	N
Policy LC1 - Built Environment	N
Policy LC2 - Landscape Quality	N
Policy LC3 – Woodland, Trees and Hedgerows	N
Policy LC4 – Extensions and Alterations to Existing Buildings	N
Policy LC5 – Infill and Replacement Development	N
Policy LC6 – Backland Development	N
Policy ENV1 – Open Space within the Parish	N
Policy ENV2 –Green Space Policy	N
Policy ENV3 – Rural Need	N
Policy ENV 4 – Agricultural Buildings	N
Policy ENV 5 – Footpaths	N
Policy BIO 1 – Core Sites, wildlife corridors and habitats/species of principal importance	N
Policy BIO2 - Achieving no net loss of biodiversity	N
Policy BIO3 - Achieving a net gain in biodiversity	N
Policy CI 1 – Existing and New Facilities	N
Policy CI 2 – Contributions to Community Infrastructure	N
Policy ECON 1 – New Business	N
Policy ECON 2 – Loss of Employment	N
Policy ECON 3 – Use of Rural Buildings	N
Policy ECON 4 – Scale, Design and Amenity	N
Policy TRANS 1 – Public Rights of Way	N

Policy TRANS 2 – Fibre to Premises	N
Policy TRANS 3 – Traffic	N

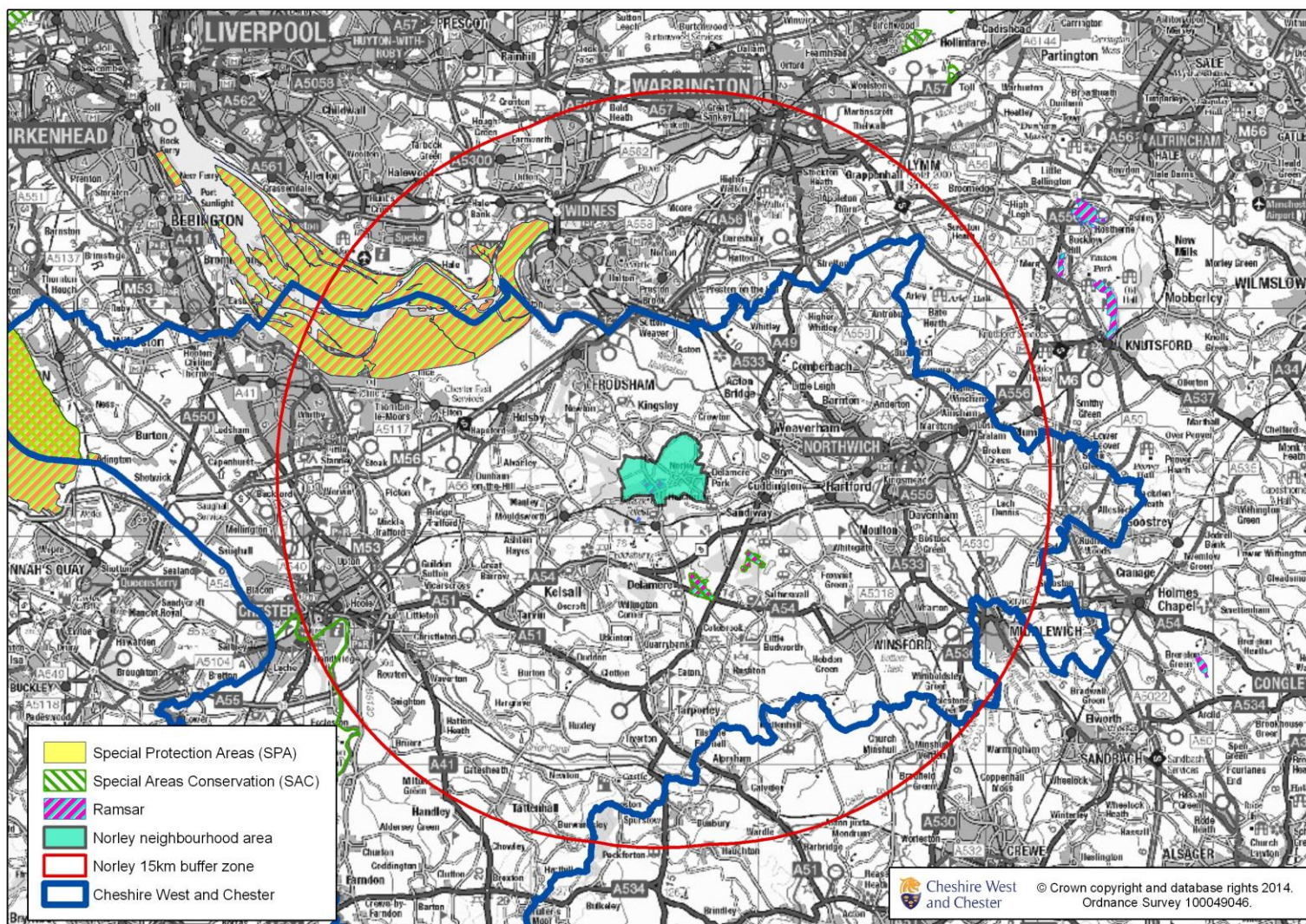
There are no specific issues highlighted in the HRA of the emerging Local Plan in relation to Norley Neighbourhood Area , although there are other more general potential impacts highlighted as a result of the quantum and location of development proposed for the borough as a whole in the Local Plan Part One. However, it is considered there are sufficient mitigation and control measures in the policy framework of the Local Plan Part One to avoid and mitigate any of these adverse effects on the integrity of European in the emerging Local Plan.

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



## Appendix 1: Overview of policies and identified effects of the Norley Neighbourhood Plan.

Neighbourhood Plan Policy	Policy Content	Identified potential effects of policy (taking into account SEA topics of Biodiversity, Flora and Fauna; Population; Human Health; Soil; Water; Air; Climatic Factors; Material Assets; Cultural Heritage; Landscape)	Relationship to Local Plan (Part One); Strategic Policies and retained policies in the Vale Royal Local Plan.
Policy HOU1 – Scale of Housing Development	<p>New development will be supported in principle provided that it is small scale and in character with the settlements, phased over the period of the Plan and falling within the following categories:</p> <p>A) Brownfield within the Parish The redevelopment of brownfield sites within the Parish, where they are neither suitable for nor capable of employment development, to meet the local needs of Norley and satisfy in all other respects the policies contained in the Neighbourhood Plan.</p> <p>B) Greenfield within the Settlement Boundaries Infill housing development of a small gap in an otherwise built up frontage of up to two dwellings, in character with adjoining developments Rural exception sites of up to 4 houses to meet local needs and in character with adjoining developments The re-use of redundant or disused buildings to meet local needs, which would lead to an enhancement of the character of the immediate area.</p>	<ul style="list-style-type: none"> <li>• Greenfield loss, particularly amenity space</li> <li>• Benefits to population and human health of housing provision</li> <li>• Re-use of brownfield land and buildings</li> <li>• Negative or positive impacts on cultural heritage or landscape</li> </ul>	<p>Part A of this policy broadly accords with STRAT9 of the Local Plan and the advice in NPPF about development in Green Belts.</p> <p>Part B of this policy has been prepared with the assumption that Norley will be identified as a Local Service Centre in the Part 2 Local Plan. Designation of LSC's is a requirement of the Part 1 Local Plan policy STRAT8. Given the level of services and facilities within the village this approach is considered to be acceptable and in accordance with emerging policy.</p>
Policy HOU2 – Housing to meet local needs	Development that meets a local need identified in the latest parish housing needs survey or, if out of date, the most appropriate objectively assessed review of housing need, will in future be subject	<ul style="list-style-type: none"> <li>• Benefits to population and human health of housing provision</li> </ul>	Policy relates to policy SOC2 of the emerging Local Plan and H16 of the Vale Royal Local Plan.

	<p>to planning conditions and/or planning obligations requiring the first occupants to be residents of Cheshire West with a Norley connection or in the case of essential agricultural dwellings, employed or last employed in agriculture.</p> <p>Any housing provided to meet a local need when it is completed and subsequently becomes vacant shall be made available from that time for a period of 12 months for occupation by people who meet the local need criteria as set out above.</p>		
Policy HOU3 – Design	<p>All new housing proposals should be in small groups to reflect the dispersed character of Norley and will be expected to be of a high quality of design which:</p> <p>a) Complements and enhances where appropriate the size, height, scale, mass, materials, layout, access and density of existing adjoining development</p> <p>b) Demonstrates that the amenities of neighbouring dwellings will not be adversely affected through overlooking, loss of light or outlook, overdominance or general disturbance</p> <p>c) Provides an appropriate level of landscaping which complements and enhances the rural character of the local area</p> <p>d) Provides garden space commensurate with the size of the dwelling proposed, the prevailing pattern of development in the locality and the likely needs of the prospective occupiers</p> <p>e) Provides a mix of housing to meet local needs as identified in the Norley Housing Survey Report and includes an element of low cost market housing.</p> <p>f) Provides for the changing needs and life-</p>	<ul style="list-style-type: none"> <li>• Benefits to population and human health of housing provision</li> <li>• Negative or positive impacts on cultural heritage or landscape</li> </ul>	<p>This policy is in line with ENV6 of the CWAC Local Plan (Part One).</p>

	styles of an ageing population and is built to 'Lifetime Homes' standard in accordance with current national guidance, Building for Life 12		
Policy LC1 - Built Environment	New development will be expected to respond positively to the local character of its immediate environment particularly the low density dispersed nature of small groups of buildings surrounded by open countryside by showing an understanding of the qualities which make up this character. All new development should be accompanied by a Design and Access Statement and demonstrate a high quality of design and a good standard of amenity for existing and future occupiers of the proposed development, at the same time ensuring that the amenities of neighbouring properties will not be adversely affected.	<ul style="list-style-type: none"> <li>• Benefits to population and human health of housing provision</li> <li>• Positive impacts on landscape</li> </ul>	This policy is in line with ENV2 and ENV6 of the CWAC Local Plan (Part One).
Policy LC2 - Landscape Quality	All new development will be expected to respect and enhance the local landscape quality ensuring that important local views and vistas into and out of the settlements and the rural skylines are maintained and where possible enhanced. (See Appendices C and D for a list and map respectively of important local vistas).	<ul style="list-style-type: none"> <li>• Benefits to population and human health</li> <li>• Positive impacts on landscape</li> </ul>	This policy is in line with ENV2 and ENV6 of the CWAC Local Plan (Part One).
Policy LC3 – Woodland, Trees and Hedgerows	Any new development that involves the loss or damage to local woodland, trees or hedgerows that contribute to the character, amenity and rural setting of Norley must demonstrate the need for the development proposed and provide for appropriate replacement planting on site together with a method statement for the ongoing care and maintenance of that planting. Where a new access is created, or, an existing access is widened through an existing hedgerow, to protect the visual amenity of the locality a new hedgerow to match the existing in height and plant species shall be planted on the splay returns into the site to maintain the	<ul style="list-style-type: none"> <li>• Biodiversity gain</li> <li>• Benefits to population and human health;</li> <li>• Negative or positive impacts on cultural heritage or landscape;</li> <li>• Green Infrastructure gain</li> </ul>	This policy is in line with ENV3 and ENV4 of the CWAC Local Plan (Part One), and policy NE7 and NE8 of the Vale Royal Borough Local Plan.



	<p>appearance and continuity of hedgerows within the Parish.</p> <p>All new development close to existing mature trees will be expected to have in place an arboricultural method statement to BS5837 standard or equivalent before any development commences. This will detail tree protection policies to be employed during construction.</p>		
Policy LC4 – Extensions and Alterations to Existing Buildings	<p>Proposed extensions and/or alterations to dwellings should reflect the size and scale of the existing and adjacent building and will be required to be constructed of complementary materials. The design should reflect and enhance the character and appearance of the existing dwelling.</p> <p>Extensions and alterations to non-residential buildings will be designed to reflect the character and appearance of the existing building and to be in keeping with the surrounding development.</p>	<ul style="list-style-type: none"> <li>Negative or positive impacts on cultural heritage or landscape</li> </ul>	This policy is in line with ENV6 of the CWAC Local Plan (Part One).
Policy LC5 – Infill and Replacement Development	<p>Infill development of up to two dwellings will be designed to reflect the size and scale of adjoining development and the prevailing character of the locality.</p> <p>Replacement dwellings will be proportionate to the size of the site and the scale of surrounding existing development</p>	<ul style="list-style-type: none"> <li>Greenfield loss</li> <li>Benefits to population and human health of housing provision</li> <li>Negative or positive impacts on cultural heritage or landscape</li> </ul>	This policy has been prepared with the assumption that Norley will be identified as a Local Service Centre in the Part 2 Local Plan. Designation of LSC's is a requirement of the Part 1 Local Plan policy STRAT8. Given the level of services and facilities within the village this approach is considered to be acceptable and in accordance with emerging policy.
Policy LC6 – Backland Development	<p>Backland development will be resisted if it would impact upon existing residential amenity through overlooking, loss of amenity and intrusion of privacy.</p>	<ul style="list-style-type: none"> <li>Benefits to population and human health of housing provision</li> </ul>	This policy is in line with ENV6 of the CWAC Local Plan (Part One).
Policy ENV1 –	<p>Areas of open space listed in Appendix E that have sport, recreation or amenity value will be</p>	<ul style="list-style-type: none"> <li>Benefits to population and human</li> </ul>	This policy is in line with SOC5 and

Open Space within the Parish	protected from new development unless an overriding need for development can be demonstrated. Where such an overriding need is demonstrated then open space of an equivalent size and value shall be provided within the Parish to replace the space that is lost.	<p>health</p> <ul style="list-style-type: none"> <li>Potential loss of greenspace</li> </ul>	SOC6 of the CWAC Local Plan (Part One), and policy RT2 and RT3 of the Vale Royal Borough Local Plan.
Policy ENV2 – Green Space Policy	<p>The areas listed in Appendix E and shown on the Green Spaces maps in Appendix F are designated ‘Green Spaces’ which are protected from new development. The sites that are identified fall into four categories and these are characteristic open spaces at key entrances to the settlements, buffers between non-contiguous settlements, outstanding outlooks and rural skylines, and sites of nature conservation value (including Sites of Special Scientific Interest, Local Wildlife Sites and Wildlife Corridors).</p> <p>This green space policy does not include current or potential brownfield sites which are covered by policy HOU1.</p>	<ul style="list-style-type: none"> <li>Benefits to population and human health</li> <li>Protection of greenspace</li> </ul>	This policy is in line with SOC5, SOC6, ENV2, ENV3 and ENV4 of the CWAC Local Plan (Part One), and policy NE7 and NE8 of the Vale Royal Borough Local Plan.
Policy ENV3 – Rural Need	New development that requires planning permission within the wider rural area of the Parish must identify a rural need and in all cases demonstrate how the development proposed will protect and enhance the rural character of the surrounding area.	<ul style="list-style-type: none"> <li>Potential Greenfield loss</li> <li>Potential economic benefits of rural diversification</li> </ul>	This policy is in line with ENV2 and ENV6 of the CWAC Local Plan (Part One).
Policy ENV 4 – Agricultural Buildings	New agricultural buildings, stables and animal field shelters that require planning permission must be sited in the least obtrusive location and be of a size, scale, design and appearance appropriate to their intended use and the rural area	<ul style="list-style-type: none"> <li>Potential economic benefits of rural diversification</li> <li>Potential negative or positive impacts on cultural heritage or landscape</li> </ul>	This policy is in line with ENV2 and ENV6 of the CWAC Local Plan (Part One), and policy RE3 of the Vale Royal Borough Local Plan.
Policy ENV 5 –	Improvements to the existing public footpath	<ul style="list-style-type: none"> <li>Benefits to population and human</li> </ul>	This policy is in line with SOC5 and



Footpaths	network in the Parish will be supported. The construction and appearance of new paths, tracks or links between existing footpaths must be appropriate and sensitive to the character of the locality and the surrounding area.	<p>health;</p> <ul style="list-style-type: none"> <li>• Green Infrastructure gain</li> </ul>	ENV6 of the CWAC Local Plan (Part One).
Policy BIO 1 – Core Sites, wildlife corridors and habitats/species of principal importance	Sustainable development should not result in the loss of or negatively impact upon Core Sites, identified wildlife corridors and habitats/species of principal importance unless very special circumstances can be demonstrated. <i>(Negative impacts have the potential to occur where watercourses, catchments, habitat linkages and land within a minimum of 15 metres of Core Sites are developed)</i>	<ul style="list-style-type: none"> <li>• Biodiversity gain</li> <li>• Green Infrastructure gain</li> </ul>	This policy is in line with ENV3 and ENV4 of the CWAC Local Plan (Part One), and policy NE7 and NE8 of the Vale Royal Borough Local Plan.
Policy BIO2 - Achieving no net loss of biodiversity	All new developments should contribute to the government's commitment to halt the overall decline in biodiversity. Where appropriate all proposals must: <ul style="list-style-type: none"> <li>• submit a scheme to protect and enhance wildlife by incorporating green corridors, native species planting (local provenance) and provision for long-term habitat management. Where this cannot be achieved on site, enhancements should be secured off site</li> <li>• integrate measures for sustainable water management that also provide opportunities for biodiversity enhancement</li> </ul>	<ul style="list-style-type: none"> <li>• Biodiversity gain</li> <li>• Green Infrastructure gain</li> <li>• Potential water management gain</li> </ul>	This policy is in line with ENV3, ENV4 and ENV6 of the CWAC Local Plan (Part One).
Policy BIO3 - Achieving a net gain in biodiversity	New development proposals must seek to provide net gains in biodiversity and ideally facilitate the enhancement, restoration and long-term management of core sites, wildlife corridors and roadside verges for the benefit of pollinators and other species. This should be achieved through developers or their agents working with local landowners and the local authority.	<ul style="list-style-type: none"> <li>• Biodiversity gain</li> <li>• Green Infrastructure gain</li> </ul>	This policy is in line with ENV3, ENV4 and ENV6 of the CWAC Local Plan (Part One).

Policy CI 1 – Existing and New Facilities	<p>The retention, continued use, refurbishment and improvement of all the community buildings and their associated uses together with the shop and public houses will be supported. The relocation of services or facilities within the Parish will be supported where it can be demonstrated that there will be no loss but there will be an equal level or greater level of service and accessibility for the community.</p> <p>The loss of the shop, public houses and other community infrastructure from the Parish will be resisted unless it can be demonstrated that the existing uses have been marketed for at least 12 months and any replacement use will provide equal or greater benefits to the community, including benefits through contributions on other sites within the Parish.</p> <p>Proposals for the provision of new community facilities will be supported provided that the proposals would not have significant harmful impacts on the amenities of residents or on other neighbouring uses.</p>	<ul style="list-style-type: none"> <li>• Benefits to population and human health;</li> </ul>	This policy is in line with SOC5 of the CWAC Local Plan (Part One).
Policy CI 2 – Contributions to Community Infrastructure	<p>All new development will be expected to address the impacts and benefits it will have on the community infrastructure and how any impacts can be mitigated.</p> <p>Financial contributions paid directly to the local community as a result of New Homes Bonus or CIL will be pooled to deliver priorities identified in the Neighbourhood Delivery Plan.</p> <p>The provision of community infrastructure by developers in lieu of financial contributions will be supported where such community infrastructure projects are identified in the Neighbourhood Delivery Plan.</p>	<ul style="list-style-type: none"> <li>• Benefits to population and human health;</li> </ul>	This policy is in line with STRAT11 of the CWAC Local Plan (Part One).
Policy ECON 1 –	Proposals which extend existing or promote new small scale sustainable employment opportunities in the Parish will be	<ul style="list-style-type: none"> <li>• Benefits to population and human</li> </ul>	This policy is in line with STRAT9 of the

New Business	supported where it can be demonstrated that the development will positively benefit the local economy and the proposal will not adversely impact upon the character and appearance of the locality or the amenity of adjoining properties and Green Belt Policy.	health;	CWAC Local Plan (Part One).
Policy ECON 2 – Loss of Employment	Loss of existing local employment sites will only be supported where it can be demonstrated that the existing use is no longer viable or required and the premises/site/business has been actively marketed for at least 12 months at an appropriate market price	<ul style="list-style-type: none"> <li>• Potential benefits to population and human health;</li> <li>• Potential negative effects on employment</li> <li>• Potential positive impacts on landscape</li> </ul>	This policy is in line with ECON1 of the CWAC Local Plan (Part One).
Policy ECON 3 – Use of Rural Buildings	<p>The re-use, conversion and adaptation of permanent, structurally sound, rural buildings of substantial construction for small business, recreation or tourism will be supported subject to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <input type="checkbox"/> The building being structurally sound and capable of conversion without substantial reconstruction</li> <li><input type="checkbox"/> <input type="checkbox"/> The proposed use being appropriate to a rural location</li> <li><input type="checkbox"/> <input type="checkbox"/> The conversion and/or adaptation works proposed respecting the local character of the surrounding buildings and local area</li> <li><input type="checkbox"/> <input type="checkbox"/> The local highway network being capable of accommodating the traffic generated by the proposed new use and adequate car parking being provided within the site</li> <li><input type="checkbox"/> <input type="checkbox"/> All applications for the change of use of agricultural buildings, including stables, within 4</li> </ul>	<ul style="list-style-type: none"> <li>• Benefits to population and human health;</li> <li>• Potential economic benefits of rural diversification</li> <li>• Potential traffic issues and resulting air quality issues</li> <li>• Re-use of brownfield land and buildings</li> </ul>	This policy is in line with STRAT9 of the CWAC Local Plan (Part One).

	years of the completion of the building must be accompanied by evidence that the building was used during that period for the intended agricultural use and that the proposed change of use will not generate the need for a replacement structure.		
Policy ECON 4 – Scale, Design and Amenity	<p>All new employment development must be of a high quality of design which:</p> <ul style="list-style-type: none"> <li>□□ Complements and enhances where appropriate the size, height, scale, mass, materials, layout, access and density of existing adjoining development</li> <li>□□ Demonstrates that the amenities of neighbouring dwellings will not be adversely affected through overlooking, loss of light or outlook, overdominance or general disturbance</li> <li>□□ Provides an appropriate level of landscaping which complements and enhances the rural character of the local area</li> <li>□□ Provides on-site car parking that meets the needs of the prospective occupiers</li> </ul>	<ul style="list-style-type: none"> <li>• Benefits to population and human health;</li> <li>• Potential positive impact on landscape</li> </ul>	This policy is in line with ENV6 of the CWAC Local Plan (Part One).
Policy TRANS 1 – Public Rights of Way	Development proposals that are linked to and contribute towards improvements to the existing public rights of way network within the Parish will be supported as will the creation of circular footpath routes to encourage walking within the Parish.	<ul style="list-style-type: none"> <li>• Benefits to population and human health;</li> <li>• Potential positive impact on Green Infrastructure</li> </ul>	This policy is in line with SOC5 of the CWAC Local Plan (Part One).
Policy TRANS 2 – Fibre to Premises	New development should demonstrate how it would contribute to and be compatible with local fibre or internet connectivity. This should be through a 'Connectivity Statement' provided with all relevant planning applications. Such statements could consider such aspects as; the intended land use and the anticipated connectivity requirements of the development, known nearby data networks and their	<ul style="list-style-type: none"> <li>• Benefits to population and human health;</li> <li>• Potential economic benefits of rural diversification</li> </ul>	This policy is in line with STRAT9 of the CWAC Local Plan (Part One).

	<p>anticipated speed, realistic assessments of connection potential or contribution to any such networks.</p> <p>Where possible and desirable, additional ducting should be provided that also contributes to a local network for the wider community.</p> <p>Major infrastructure development must provide ducting that is available for community owned access or strategic fibre deployment. Such developers are encouraged to have early discussions with local broadband groups.</p>		
Policy TRANS 3 – Traffic	<p>New housing and employment development proposals should be accompanied by a mitigation statement that provides an objective assessment of the impact of the additional traffic that will be generated by the development proposed and the effect this may have on pedestrians, cyclists, equestrians, road safety, parking and congestion within the Parish including measures to mitigate any impact. All new development will be encouraged to contribute towards enhancement of the existing networks of cycling, equestrian and pedestrian facilities within the Parish.</p>	<ul style="list-style-type: none"> <li>• Benefits to population and human health;</li> <li>• Potential positive or negative impacts on air quality</li> </ul>	<p>This policy is in line with STRAT10 of the CWAC Local Plan (Part One).</p>

## Appendix 2

### Responses to consultation on draft screening determination

**From:** Forward Planning Land Use Ops (NE) [mailto:ForwardPlanningLandUseOps@naturalengland.org.uk]

**Sent:** 13 January 2015 15:34

**To:** BENCH, Graham

**Subject:** RE: 2015-01-16 138920 SEA/HRA Screening Report for Norley Neighbourhood Plan

Dear Graham,

Natural England are in agreement with the conclusion of no likely significant effect of the HRA Screening report for Norley Neighbourhood Plan as the HRA of the Local Plan has not identified any issues with development in the Norley area.

If you require any further assistance on this matter please do not hesitate to contact me.

Kind regards

Janet Baguley

Lead Adviser – Greater Manchester & Merseyside;

Cheshire, Greater Manchester, Merseyside & Lancashire Area

Natural England

2nd floor, Arndale House, Manchester Arndale

Manchester, M4 3AQ



## ENGLISH HERITAGE

### NORTH WEST

By email: [Graham.Bench@cheshirewestandchester.gov.uk](mailto:Graham.Bench@cheshirewestandchester.gov.uk) Our ref: 1561

Your ref:

8/12/14

Dear Sirs,

#### **Norley Neighbourhood Area Plan SEA/HRA Screening Report**

Thank you for consulting English Heritage about the above document.

#### **Draft SA Scoping Report**

Thank you for consulting English Heritage, on this occasion we have no comment to make on the Draft SA scoping/screening reports, we do not need to be consulted at future stages unless the developing plan proposes significant impacts or changes in relation to designated heritage assets or their setting that would require statutory notification to English Heritage by virtue of government notification procedures, See

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/consultation-and-notification-requirements-for-heritage-related-applications/>

We have attached a list of heritage assets in this area for your information.

#### **By way of guidance:**

English Heritage has produced a document, which you might find helpful in providing guidance on the effective assessment of the historic environment in Strategic Environmental Assessments. This can be found at <http://www.english-heritage.org.uk/publications/strategic-environment-assessment-sustainability-appraisal-historic-environment/>.

English Heritage recommends that a scoping report should:

- Review the objectives of relevant policies, plans and programmes;
- Establish the baseline for the historic environment, including any trends and targets and gaps in the existing information;
- Identify sustainability issues and opportunities for the historic environment and heritage assets;
- Develop sustainability appraisal objectives;
- Identify indicators and targets;
- Consider how alternatives will be assessed;
- Provide sufficient information on the proposed methodology for the appraisal to assess whether effects upon the historic environment will be properly addressed.

English Heritage suggests that scoping reports are tailored to the type, purpose and level of plan under consideration. This accords with the NPPF, which requires that local plans are based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

### **Context**

The report should identify the built environment and its character and distinctiveness and refer to the historic environment. There is the potential for undesignated assets and archaeology on some sites, and these should be referred to within the baseline information.

### **Relevant Plans, Programmes and Policies**

In terms of the plans and policies identified, this needs to cover all those relevant at an international, national and local level that would have a direct bearing for the historic environment. Page 5 and 6 of our guidance provides a list of the most relevant ones and the Scoping Report should be amended to include these.

### **Baseline information**

Baseline information should describe the current and future state of the historic environment, providing the basis for identifying sustainability issues, predicting and monitoring effects and alternative ways of dealing with them. It can use both quantitative and qualitative information and should be kept up to date. It is important that meaningful conclusions can be drawn from the baseline information; what it means for the Local Plan and how the historic environment is to be dealt with.

The baseline information in the scoping report on the historic environment should include all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged. This not only involves undesignated (or local heritage assets) but the potential for unrecorded archaeology, and historic landscape character areas for example. Appendix 1 of our guidance provides a list of other data sources available, which covers a wide variety of the historic environment and Page 8 provides a list of the recommendations that should be used to determine the adequacy of the baseline information.

The NPPF recognises the importance of undesignated heritage assets and therefore this should be included within the baseline data. The source of this information should be included within the Scoping Report and reference made to them and recognise the opportunities for their enhancement and contribution to for example, well being, local identity and tourism.

The importance of local character and identity including the landscape and townscape of an area is an important consideration. The Scoping Report should recognise the importance of this and the source of this information should be included within the Scoping Report and reference made to them in key issues and opportunities.

### **SEA Objectives**

It is important that the role the historic environment plays in sustainable development and the contribution it makes to delivering social, cultural, economic and environmental benefits is recognised. The historic environment underpins sustainable development and therefore, it may warrant including in other objectives including the need for specific reference to landscape character. Our guidance provides further assistance in the various ways the historic environment can be incorporated into the objectives in the scoping report.

English Heritage strongly advises that you engage conservation, archaeology and urban design colleagues at the local and county level to ensure you are aware of all the relevant features of the historic environment and that the historic environment is effectively and efficiently considered as part of the Local Plan, the allocation of any site and in the preparation of the SEA. They are also best placed to advise on local historic environment issues and priorities, including access to data held in the HER (formerly SMR). They will be able to provide you with the Historic Environment Records for the area including any relevant studies, and ensure a joined-up and robust approach is undertaken.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Darren Ratcliffe', is written over a faint, repeating watermark of the word 'electronic'.

**Darren Ratcliffe**

Historic Places Adviser (North West)

Telephone: 0161 242 1425 E-mail: [darren.ratcliffe@english-heritage.org.uk](mailto:darren.ratcliffe@english-heritage.org.uk)