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

Utkinton and Cotebrook Neighbourhood Plan

Prepared on behalf of Utkinton and Cotebrook Neighbourhood Plan Neighbourhood
Plan Steering Group by

Cheshire West and Chester Council

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1.0 Introduction

In accordance with European Directive 2001/42/EC and the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), this document is the screening determination of the need for Strategic Environmental Assessment (SEA) for the Utkinton and Cotebrook Neighbourhood Plan. This document also sets out the findings of the Habitats Regulations Assessment screening and identifies whether Appropriate Assessment is required under European Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2017.

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

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

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

A draft screening opinion was produced in October 2019 based upon the policies set out in the draft Utkinton and Cotebrook Neighbourhood Plan (October 2019) alongside the regulation 14 consultation. The Council has a duty to consult Natural England, Historic England and the Environment Agency. Details of the bodies consulted and the responses received on SEA and HRA are provided in Appendix 6. Responses were received from Environment Agency and Natural England, who agreed with the outcome of the initial screening exercise, that SEA is not required.

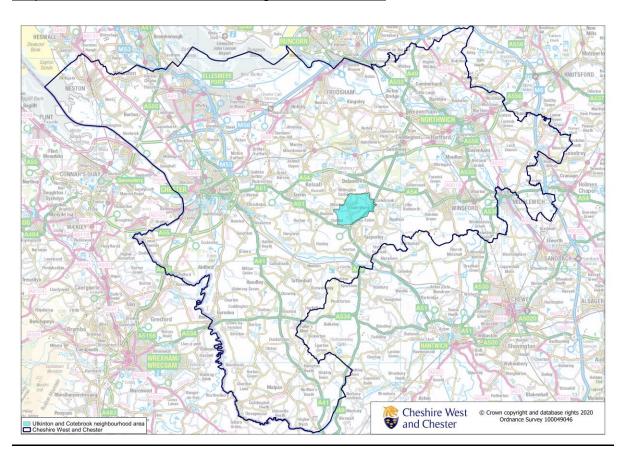
Location and geographical scope of the Utkinton and Cotebrook Neighbourhood Plan

The Parish of Utkinton and Cotebrook is situated in West Cheshire, nine miles from the city of Chester and lies between the 2 key service centres of Kelsall and Tarporley. The Parish has a population of 706 people in the 2011 census and covers an area of approximately 823ha. The Neighbourhood Area includes the local service centre of Utkinton, and surrounding countryside which includes Cotebrook.

The Utkinton and Cotebrook Neighbourhood Area is shown in map 1 below.

There was a small boundary change to the Parish in 2018, after the designation of the Neighbourhood Area, between Willington Parish and Utkinton and Cotebrook Parish. The Neighbourhood Area was modified to align with the Parish Council boundary in October 2019. The Neighbourhood Area does not include any land outside the administrative boundary for Utkinton and Cotebrook Parish Council.

Map 1: Utkinton and Cotebrook Neighbourhood Area



¹ The Cheshire West and Chester Borough Council (Reorganisation of Community Governance) (Utkinton) (Amendment) Order 2018 and The Cheshire West and Chester Borough Council (Reorganisation of Community Governance) (Willington) (Amendment) Order 2018

Relationship to other plans and programmes

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

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

The current adopted Local Plan for the area is Cheshire West and Chester Local Plan (Part One) Strategic Policies (adopted January 2015) and the Local Plan (Part Two) Land Allocations and Detailed Policies (adopted July 2019). The Part One plan sets out the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough to 2030, with supporting policies in Part Two.

The Local Plan policy framework has been taken into account when carrying out the screening exercise. This forms the baseline for the SEA and HRA screening assessment. It has considered the potential effects of the Neighbourhood Plan over and above the current adopted Local Plan (Part One) and the Local Plan (Part Two).

Scope of Neighbourhood Plan

The strategy for the neighbourhood plan is to address issues/concerns in relation to:

- Providing homes that would meet the needs of local people
- Protecting the built environment
- Provision of increased and better facilities for local people, communications and infrastructure
- Supporting the small but developing local economy
- Increased and better facilities for local people
- Provision of improved public transport
- Supporting local distinctiveness within new development
- Protecting the unique landscape of the locality and the area
- Protect and conserve nature and wildlife in the Parish

The Draft Utkinton and Cotebrook Neighbourhood Plan (April 2020) has been prepared in general conformity with the strategic policies in the adopted Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and

Detailed Policies. The Draft Neighbourhood Plan does not propose land allocations for development, and policies are compatible with the overall type and level of development established in the Local Plan within local service centres (Utkinton) and the countryside.

2.0 Strategic Environmental Assessment Screening

Legislative background and methodology

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

The Utkinton and Cotebrook Neighbourhood Plan falls within the scope of this legislation as it is a plan prepared for town and country planning or land use and will set the framework for future development consent of projects, in accordance with Part 3(2) of the SEA Directive. However, Neighbourhood Plans are land use planning documents prepared at the local level to determine land use in a small area.

Under Article 3(3) of the SEA Directive and Part 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004, SEA is only required for documents that determine land use of a small area at local level and minor modifications to plans and programmes where it is considered that it is likely to have significant environmental effects. Assessment of whether the plan is likely to have significant environmental effects is carried out through the screening process.

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

Screening methodology

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

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

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

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

In order to undertake the identification of the likely significance of effects, an assessment has been undertaken of each policy of the Neighbourhood Plan, its potential effects and its relationship to Local Plan (Part One) strategic policies and the policies in the Local Plan (Part Two). This helps to assess the impact that the Neighbourhood Plan will have above and beyond the impact of existing Local Plan policies. This assessment is set out in the table in Appendix 1.

The assessment of the significant environmental effects of the draft Neighbourhood Plan is set out in Appendix 2. The characteristics of the plans effects and the area likely to be affected are set out in Appendix 3.

Conclusion

In accordance with Part 2(9) of the Environmental Assessment of Plans and Programmes Regulations, as a result of the SEA screening assessment, Cheshire West and Chester Council consider that it is unlikely there will be any significant environmental effects arising from the Utkinton and Cotebrook Neighbourhood Plan. As such, a Strategic Environmental Assessment of the Utkinton and Cotebrook Neighbourhood Plan is not required.

3.0 Habitats Regulations Assessment Screening

Legislative background

The Conservation of Habitats and Species Regulations 2017 transposed the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.

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

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

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

Inter-relationship with the Local Plan HRA

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

The HRA for the Local Plan (Part One) identified 12 European sites to include within the HRA: Oak Mere SAC; Midlands Meres and Mosses Ramsar site; West Midlands Mosses SAC; River Dee and Bala Lake SAC; Mersey Estuary SPA and Ramsar; Dee Estuary SAC, SPA and Ramsar; Liverpool Bay SPA; Berwyn and South Clwyd Mountains SAC; Mersey Narrows and North Wirral Foreshore Ramsar and SPA; Sefton Coast SAC; Ribble and Alt Estuaries SPA and Ramsar site; and River Eden SAC

Information about all of these sites, the reasons for designation, pressures and pathways of impacts are provided in the HRA for the Local Plan (Part One and Part Two).

Map 2 shows the European sites that are within 15km of the Neighbourhood Plan area. All of the other European sites have been screened out from this assessment as impacts would not occur due to the distance or would be so small and insignificant in scale that they would not have a Likely Significant Effect, even when combined with other plans or projects. The following sites have been screened out as they are outside the 15km radius for the Utkinton and Cotebrook Neighbourhood Area:

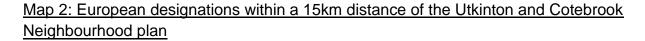
- Dee Estuary SAC, SPA and Ramsar;
- Liverpool Bay SPA;
- Berwyn and South Clwyd Mountains SAC;
- Mersey Narrows and North Wirral Foreshore Ramsar and SPA;
- Sefton Coast SAC;
- Ribble and Alt Estuaries SPA and Ramsar site; and
- River Eden SAC.

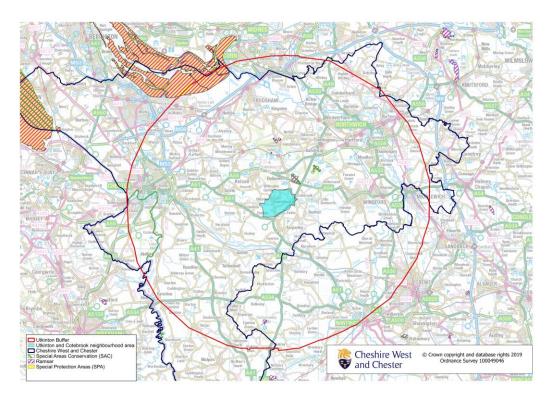
Due to the distance and scale of anticipated development proposed through the Neighbourhood Plan, it is not considered relevant to include these sites in the HRA Screening of the Utkinton and Cotebrook Neighbourhood Plan.

The European protected sites that fall within a 15km radius of the Neighbourhood Area (as shown on Map 2) are included within the HRA Screening and are included in Appendix 4. Due to the pathways of impact on these sites, the scale and location of the Neighbourhood Plan area and the scale of potential future developments means that some of the European sites can be screened out and do not require further assessment:

- River Dee and Bala Lake SAC;
- Mersey Estuary SPA and Ramsar;

Due to the distance and scale of anticipated development proposed through the Neighbourhood Plan, it is not considered relevant to include these sites in the HRA Screening.





Appendix 4 identifies whether there could be potential impacts arising from the policies in the Neighbourhood Plan, on the European protected site and their reasons for designation.

The conservation objectives of the European sites will be taken into account. These include maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species
- The distribution of qualifying species within the site.

The HRA undertaken for the Local Plan (Part One) and (Part Two) forms part of the baseline for the HRA screening assessment of the Utkinton and Cotebrook Neighbourhood Plan. The potential effects of the Neighbourhood Plan over and above those already assessed for the Local Plan have been considered. The Local

Plan (Part One) was identified through the HRA process, as not leading to a Likely Significant Effect on European Sites. The HRA of the Local Plan (Part Two) concluded that, in the context of the over-arching strategic policies contained within the Local Plan (Part One) comprises a sufficient policy framework to enable the subsequent delivery of necessary measures that would avoid or adequately mitigate adverse effects on internationally designated sites and thus enable a conclusion of no adverse effect on integrity.

The European sites are also subject to certain pressures that are outside the scope of the Local Plan and Neighbourhood Plans and therefore have not been included in the table above. Table 1 below identifies the potential pressures (which may be relevant to one or several of the European sites) and explains why it is not considered relevant to the HRA of the Neighbourhood Plan.

Table 1: Potential pressures outside the scope of the HRA

Pressure	Reasons outside scope of this HRA
Disturbance of sediment releasing legacy heavy metal pollution that is bound into the sediment.	The policies within the Neighbourhood Plan relate to land-based uses and operations, which will not disturb sediment within European sites.
Pollution via commercial shipping by chemical or noise pollution and dumping of litter at sea	The policies within the Neighbourhood Plan will not have a significant impact on commercial shipping.
Navigational / aggregate dredging resulting in physical loss and alteration of coastal processes or damage of marine benthic habitat	The policies within the Neighbourhood Plan will not have a significant impact on navigational or aggregate dredging.
Overfishing of particular species	Fishing levels are not controlled through Neighbourhood Plans.
Overgrazing of ungrazed / little grazed saltmarsh	Grazing levels are not controlled through Neighbourhood Plans.
Damage of marine benthic habitat directly from fishing methods	Commercial fishing methods and levels are not controlled through Neighbourhood Plans.
The need to manage continuing coastal erosion at protected sites outside CWaC	Neighbourhood Plans within CWaC will not impact on management of coastal erosion in areas outside CWaC.
The need to develop and maintain management practices which sustain the conservation value of the area for protected sites outside CWaC.	Neighbourhood Plans cannot influence management practices for protected sites outside CWaC.
Loss or damage of habitat as a result of increasing off-shore exploration and production activity associated with oil and natural gas on	Neighbourhood Plans within CWaC cannot control oil and gas exploration and production activity

protected sites outside CWaC.	outside CWaC.
Coastal squeeze from land reclamation and coastal flood defences and drainage in European sites outside CWaC.	Neighbourhood Plans within CWaC will not have a significant impact on coastal squeeze resulting from land reclamation, coastal flood defences and drainage in areas outside CWaC.

HRA screening

The Neighbourhood Plan is not directly connected with, or necessary to the management of a European site for nature conservation and therefore needs to be assessed for Likely Significant Effects.

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 and Part Two) HRA Screening Report and do not have Likely Significant Effects beyond this, then Appropriate Assessment of the Neighbourhood Plan will not be required. The Neighbourhood Plan does not allocate sites for development, which makes It less likely to have significant effects resulting from specific development supported through the Plan.

Appendix 5 identifies whether the Neighbourhood Plan alters the policy position for the area. It also assesses whether each policy has a Likely Significant Effect alone. If a Likely Significant Effect is identified, the policy would be taken forward for further investigation through Appropriate Assessment. If there is no Likely Significant Effect when considering the policy alone, the final column assesses whether the policy could have a Likely Significant Effect when combined with the effects of other relevant policies, plans or projects.

Conclusion

The Neighbourhood Plan will not work in isolation and will be used alongside other development plan policies including the Local Plan Part One and Local Plan (Part Two) for determining planning applications for new development. The quantum of development to come forward in Utkinton and Cotebrook in the future will be set by Local Plan policy. The Neighbourhood Plan will guide how this should come forward locally.

There are no specific issues highlighted in the HRA of the emerging Local Plan in relation to Utkinton and Cotebrook, although there were other more general potential impacts resulting from the quantum and location of development proposed for the borough as a whole in the Local Plan (Part One and Part Two). However, this was considered within the HRAs for the Local Plan (Part One and Part Two) and the HRAs concluded that there were sufficient mitigation and control measures in the policy framework of the Local Plan (Part One and Part Two) to avoid and mitigate any of these adverse effects on the integrity of a European site in the emerging Local Plan. The policies and proposals within the Neighbourhood Plan will not add significantly to the impacts and will not prevent the mitigation and control measures from avoiding and mitigating the effects sufficiently.

Therefore, it is considered that any proposals coming forward for Utkinton and Cotebrook 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 and Part Two) Habitats Regulation Assessment Report.

The Screening determination made by Cheshire West and Chester Council is that the Utkinton and Cotebrook Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects. As such, Appropriate Assessment is not considered to be required.

Appendix 1: SEA Screening - Overview of policies and identified effects of the Utkinton and Cotebrook Neighbourhood Plan.

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
Policy 1: Housing	Housing development is of a scale appropriate to the character of Utkinton, Cotebrook and the countryside. Sets criteria for new small scale housing development in Utkinton settlement boundary: (i) Infill development (ii) Redevelopment of brownfield land (iii) Change of use and sub-division of suitable buildings Rural exception sites adjacent Utkinton supported where evidence of need. Proposals in Cotebrook and the countryside will be supported; (i) Conversions	Population and Human Health Cultural heritage and landscape Housing (no SEA topic) Climatic factors and air	Local Plan (Part One) Strategic Policies - STRAT9 (countryside) - SOC1 Delivering affordable housing - SOC2 rural exception sites - SOC3 housing mix and type - ENV2 landscape - ENV6 high quality sustainable design and construction Local Plan (Part Two) Land allocations and Detailed Policies: - R1 development in the rural area
	(ii) Replacements (iii) Reuse or redevelopment of		

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
Policy 2 Built environment (housing style)	All development should be inkeeping with character. Developments should conform to density and scale To meet housing needs, new dwellings should be 3 bedrooms or less. A majority of new homes should be limited to one third detached, the rest bungalows, terraced or semi detached. Consideration of live/work units. Retain or enhance original features Extensions and alterations should have adequate off road parking.	Population and Human Health Cultural heritage and landscape Housing (no SEA topic) Climatic factors and air	Local Plan (Part One) Strategic Policies - STRAT9 (countryside) - SOC1 Delivering affordable housing - SOC2 rural exception sites - SOC3 housing mix and type - ENV2 landscape - ENV6 high quality sustainable design and construction Local Plan (Part Two) Land allocations and Detailed Policies:
Policy 3 Built environment	Materials, roof pitches, dormers, gable ends, porches and chimneys should blend with the setting and character of existing	Population and Human Health Cultural heritage and landscape	- R1 development in the rural area Local Plan (Part One) Strategic Policies - STRAT9 (countryside)

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
(housing design)	neighbouring buildings. Driveway materials should be permeable. Future development should respect 'dark skies' with sympathetic lighting. Developers should give details of lighting and lux levels in design and access statements. Adequate garden space should be provided, sufficient separation between properties maintained. Development should not erode the undeveloped gaps between Utkinton and Cotebrook.	Housing (no SEA topic) Climatic factors and air	 SOC1 Delivering affordable housing SOC2 rural exception sites SOC3 housing mix and type ENV2 landscape ENV6 high quality sustainable design and construction Local Plan (Part Two) Land allocations and Detailed Policies: R1 development in the rural area
Policy 4: Community / Building assets	Provide adequate parking for community buildings Creation of new play and recreational facilities supported (PC explore land to the rear of Woodlands Close Cotebrook for community orchard and picnic space) Improvement of facilities at: Utkinton village hall and multisports area,	Population and Human Health Cultural heritage and landscape	Local Plan (Part One) Strategic Policies - STRAT9 (countryside) - SOC5 health and well being - SOC6 open space, sport and recreation - ENV2 landscape

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
	Cotebrook Village Hall, Utkinton St Paul's C of E Primary School, playing field opposite, St John and the Holy Cross Church.		 ENV6 high quality sustainable design and construction Local Plan (Part Two) Land allocations and Detailed Policies: T5 Parking and access
Policy 5: local economy	(a) Applications for changes of use relating to agricultural, retail, tourism or leisure must specify need (b) respect character, by scale and design, not harm landscape and safeguard residential amenity and road safety (c) applications for new business must include off road parking set back from highway frontage	Economic development (no SEA topic) Cultural Heritage and Landscape Climatic factors and air	Local Plan (Part One) Strategic Policies - STRAT9 (countryside) - STRAT10 Transport and accessibility - ECON1 economic growth, employment and enterprise - SOC5 health and well being - ENV2 landscape Local Plan (Part Two) Land allocations and Detailed Policies: - GBC2 Protection of landscape

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
Policy 6: Broadband	Make provision for high speed broadband Should be consistent with the efficient operation of the network Sympathetic to surroundings and camouflaged	Cultural Heritage and Landscape	Local Plan (Part One) Strategic Policies - STRAT11 Infrastructure - ENV2 landscape
Policy 7: Footpaths, cycleways and highways	Support development proposals affecting PROW and cycle network where; a) Promote access, usage and maintenance b) Route is protected and enhanced and improves safety c) Signage and gateways are inkeeping with the rural environment d) Would not lead to the loss or degradation of existing routes Construction of new tracks, paths or links encouraged e) Appropriate to character	Population and human health Landscape Air and climatic factors Soil	Local Plan (Part One) Strategic Policies - STRAT9 (countryside) - STRAT10 Transport and accessibility - STRAT11 Infrastructure - SOC5 health and well being - ENV2 landscape

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
	f) Provides easy, accessible, traffic free routes New development should provide safe routes and take account of non-motorised users. Include measures for community safety. Long term sustainable transport projects and priorities supported.		
Policy 8: Transport	 (a) developments that generate significant traffic must be supported by an independent transport assessment (b) Consider the impact of traffic on road users and pedestrian safety. Should include mitigation measures and timetable for works. (c) Other than the A49, Cotebrook should have 20mph speeds (d) support for installation of gateways and signage on approaches to Utkinton and Cotebrook 	Air and climatic factors Population and human health Soils Cultural Heritage and landscape	STRAT10 Transport and accessibility STRAT11 Infrastructure

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
Policy 9: Landscape distinctiveness	a) Applications for development should include landscape assessment b) Applications must demonstrate minimising visual impact on landscape c) Protected and mature trees, aboricultural assessment needed Landscaping d) Retain distinctive features such as Cheshire railings and sandstone e) Boundary features should respect local tradition, materials and mix of species f) Use of local materials, resist high	Cultural heritage and landscape Biodiversity, fauna and flora Water Soil	Local Plan (Part One) Strategic Policies - ENV1 flood risk and water management - ENV2 landscape - ENV3 green infrastructure - ENV4 biodiversity and geodiversity Local Plan (Part Two) Land allocations and Detailed Policies: - GBC2 Protection of landscape - DM44 natural environment
	solid timber fences, encourage planting and hedgerows g) Use of native species in		

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
	hedgerows encouraged h) Development adjoining open countryside should have a sympathetic transition and integrate with wildlife corridors i) Respect local character, retain existing and mature trees		
Policy 10 Wildlife	 a) Monitor hedgerows and replace with native species b) Create links to the wildlife corridor network c) Improve quality of the wildlife corridor network d) Retain watercourse and wetland features e) Protect wildlife species and habitat mapping f) Preserve hedgerows, trees and watercourses that make a significant contribution to amenity, biodiversity and landscape 	Biodiversity, flora and fauna Cultural Heritage and landscape Water Population and human health	Local Plan (Part One) Strategic Policies - ENV1 flood risk and water management - ENV2 landscape - ENV3 green infrastructure - ENV4 biodiversity and geodiversity - ENV5 historic environment Local Plan (Part Two) Land allocations and Detailed Policies: - DM44 Natural environment

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
Policy 9: Local Green Spaces	character g) Retention of trees, hedgerows and watercourses preferable h) New developments will include suitable planting of trees. (a) to protect character and identity, policy designates protected local green space (b) development must respect important views in and out of the Parish (c) applications should demonstrate how they have reflected local character of these views and vistas through sympathetic design and materials (d) development should assess damage to views and vistas (e) proposals should consider how the impacts on character have been considered and mitigated (f) consider the impact on local businesses and tourists	Cultural Heritage and landscape Population and human health	Local Plan (Part One) Strategic Policies - SOC5 health and well being - ENV2 landscape - ENV3 green infrastructure - ENV4 biodiversity and geodiversity - ENV5 historic environment - ECON3 Visitor economy

Appendix 2: SEA Screening – Assessment of significant environmental effects of the Utkinton and Cotebrook Neighbourhood Plan

SEA Directive	Characteristics of the plan	Significant environmental effect?
The degree to which the plan or	The Neighbourhood Plan is a local level land	No
programme sets a framework for projects	use planning document to determine land use	
and other activities, either with regard to	in a small area. Once made, it will work within	
the location, nature, size and operating	the planning policy framework of the Local	
conditions or by allocating resources	Plan for the borough.	
	The Neighbourhood Plan will provide a local planning policy framework for Utkinton and Cotebrook 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 Utkinton and Cotebrook Neighbourhood Plan will not impact on the strategic location,	
	nature, size and operating conditions of new development over and above that set by the	

SEA Directive	Characteristics of the plan	Significant environmental effect?
	adopted Local Plan for the borough.	
	The Neighbourhood Plan policies will work	
	alongside the strategic policies in the	
	development plan; other development	
	management measures and environmental	
	protection legislation.	
The degree to which the plan or	The Neighbourhood Plan has to be in general	No
programme influences other plans and	conformity with the strategic policies of the	
programmes including those in a	adopted Local Plan and must contribute to the	
hierarchy	achievement of sustainable development. It	
	will therefore have limited influence over	
	changing the policies in plans at the higher	
	strategic level or lead to the development of	
	further plans below it.	
The relevance of the plan or programme	The Neighbourhood Plan is required, as one	No
for the integration of environmental	of the basic condition tests, to contribute to	
considerations in particular with a view to	the achievement of sustainable development.	
promoting sustainable development	Whether this basic condition is met will be	
	tested during the examination of the	
	Neighbourhood Plan. However, the	

SEA Directive	Characteristics of the plan	Significant environmental effect?
	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.	
Environmental problems relevant to the	The Sustainability Appraisal scoping reports	No
plan or programme	for the Local Plan (Part One and Part Two)	
	provide a comprehensive overview of the	
	issues in Cheshire West and Chester. There	
	are no specific additional environmental	
	problems identified for the Utkinton and	
	Cotebrook area.	
	Some of the environmental issues and	
	problems for Utlkinton and Cotebrook include:	
	Homes to meet the needs of local people	

SEA Directive	Characteristics of the plan	Significant environmental effect?
	Measures to protect the built environment Support the local economy Increased and better facilities for local people Lack of public transport Communications and infrastructure Supporting local distinctiveness Protecting the unique landscape Protect and conserve nature and wildlife The Neighbourhood Plan will seek to address these issues.	
The relevance of the plan or programme	The Neighbourhood Development Plan will	No
for the implementation of Community	have no direct role in the delivery of	
legislation on the environment (e.g. plans	community legislation on the environment. It	
and programmes linked to waste-	does include policies on these matters. The	
management or water protection)	Neighbourhood Plan has been subject to	
	Habitats Regulation Assessment screening as	
	set out in part 2 of this document.	

Appendix 3: SEA Screening – Characteristics of the plan's effects and of the area likely to be affected

Identified effects of the proposed policies	(a) the probability, duration, frequency and reversibility of the effects	(b) the cumulative nature of the effects	(c) the trans- boundary nature of the effects. ²	(d) the risks to human health or the environment (e.g. due to accidents)	(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	(f) value and vulnerability of effect on on (i) special natural characteristics or cultural heritage	(ii) effect on environmental quality standards or limit values	(iii) effect on intensity of land-use	(g) the effects on areas or landscapes which have a recognised national, community or international protection status	Significant environmental effect?
Population and Human Health	Dependant on the scale and nature of development proposed. The NDP provides a positive framework to support facilities, but does not allocate specific sites/schemes. Improving access to open space, positive effect on health and well being.	Dependant on the nature and location of development. Unlikely.	None	None	Local small scale impact at the neighbourhood level.	None	None	None	None identified	No
Cultural heritage and landscape	High probability as policies support the protection and enhancement of heritage and landscape. Long term over the plan period.	Potential small scale positive cumulative effect.	None	None	Local, small scale at the neighbourhood level.	None – the policies aim to protect and enhance landscape	None	None	None identified	No
Housing (no SEA Topic)	Dependant on the nature and location of development. High probability as policies support small scale housing development to meet need in appropriate locations long term. The NDP does not allocate sites and unlikely to result in a significant increase in housing above existing levels.	Dependant on the nature and location of development. Unlikely cumulative effects.	None	None	Local, small scale at the neighbourhood level.	Dependant on the location and scale of development. Unlikely to be an effect.	None	None	None identified	No
Climatic factors and air	Low probability, long term. Policy supports accessibility by sustainable transport modes.	Potential small scale, positive effects.	None	None	Local, small scale at the neighbourhood level.	None	None	None	None identified – see HRA Screening	No
Economic Development (no SEA topic)	Low probability, long term. depending on scale and type of employment development proposed.	Potential for small scale cumulative effects, depending on nature and location of development proposed	None	None	Local, small scale at the neighbourhood level.	Dependant on the location and scale of development. Unlikely to be an effect.	None	None	None identified	No

² The assessment here has considered whether the effect of the policy goes beyond the UK and impacts upon other EU territories. Given scale and nature of Neighbourhood Plan the effects are not considered to be transboundary.

Identified effects of the proposed policies	(a) the probability, duration, frequency and reversibility of the effects	(b) the cumulative nature of the effects	(c) the trans- boundary nature of the effects. ²	(d) the risks to human health or the environment (e.g. due to accidents)	(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	(f) value and vulnerability of effect on on (i) special natural characteristics or cultural heritage	(ii) effect on environmental quality standards or limit values	(iii) effect on intensity of land-use	(g) the effects on areas or landscapes which have a recognised national, community or international protection status	Significant environmental effect?
Soil	Low probability as development takes place.	Potential for small scale cumulative effects, depending on nature and location of development proposed.	None	None	Local, small scale at the neighbourhood level.	None	None	None	None identified	No
Biodiversity, flora and fauna	High probability, policies seek to protect and enhance habitats/wildlife. Short, medium and long term.	Potential small scale positive cumulative effect.	None	None	Local, small scale at the neighbourhood level.	None	None	None	No identified – see HRA screening	No
Water	High probability, policies seek to protect and enhance habitats/wildlife around watercourses. Short, medium and long term.	Potential small scale positive cumulative effect.	None	None	Local, small scale at the neighbourhood level.	None	None	None	None	No

Appendix 4 – SEA Screening - European sites relevant to the Neighbourhood Plan

European site	Reason for inclusion	Reason for designation	Existing pressures and potential impacts
Oak Mere SAC	Located within Cheshire West and Chester	Water body with clear water of low nutrient status characteristics of oligotrophic waters and a marginal zone of shoreweed (Littorella uniflora). Site supports an assemblage of plants that are rare in the lowlands of England, including bog moss (Sphagnum sppl) and the scarce narrow small-reed (Calamagrostis stricta).	 Water pollution / enrichment. Hydrological changes - reduction in size of the mere due to natural lowering of the local water table caused by successive droughts, resulting in threat to shoreline communities from desiccation and invasion by birch and willow. Atmospheric pollution from nearby roads. The pressures and potential impacts to consider in the NP Screening are; Atmospheric pollution Water pollution
Midlands Meres and Mosses Ramsar site	Located within Cheshire West and Chester	Series of open water and peatland sites supporting a diverse range of habitats from open water to raised bog. This includes natural dystrophic lakes and ponds and transition mires and quaking bogs with floating bog moss.	 Water pollution / enrichment. Hydrological changes. Despite number of visitors to some of the meres and mosses, interest features are resilient to recreational
West Midlands Mosses SAC	Located partly within Cheshire West and Chester	Site supports a number of rare plant species associated with wetlands and an assemblage of rare wetland invertebrates.	pressure and off-track trampling is not a significant issue due to the hazardous nature of the sites away from designated tracks and boardwalks. - Due to distance to major roads, changes in local air quality are not an issue requiring investigation. The pressures and potential impacts to consider in the NP Screening are; - Water pollution
River Dee and Bala Lake SAC	Located partly within Cheshire West and Chester. Identified as a	The site contains the following Annex 1 habitats: - Water courses of plain to montane levels with the Renunculion fluitantis and Callitricho-Batrachion vegetation The site contains the following Annex II species:	 Recreational activities, specifically fishing. Risk of excessive abstraction resulting in a decrease in freshwater flows and an increase in sediment loading of water such that dehydration of interest features may occur.

European site	Reason for inclusion	Reason for designation	Existing pressures and potential impacts
	source of potable water for Cheshire West and Chester and also the receiving watercourse for waste water treatment works discharge	 Atlantic salmon (Salmo salar) Floating water-plaintain (Luronium natans) Sea lamprey (Petromyzon marinus) Brook lamprey (Lampetra fluviatilis) Bullhead (Cottus gobio) Otter (Lutra lutra) 	 Fish entrainment associated with abstraction. Deterioration in water quality and changes in flow rates dues to ex-industrial runoff, discharge of treated sewage effluent and agricultural runoff. Introduction of invasive species. Due to the distance and scale of anticipated development proposed through the Neighbourhood Plan, it is not considered relevant to the HRA Screening of the Utkinton and Cotebrook Neighbourhood Plan.
Mersey Estuary SPA and Ramsar	Located partially within Cheshire West and Chester	Designated for over-wintering and on passage birds. Over winter – Golden plover (Pluvialis apricaria), Redshank (Tringa tetanus), Dunlin (Calidris alpina alpina), Pintail (Anas acuta), Shelduck (Tadorna tadorna), Eurasian teal (Anas crecca), Wigeon (Anas Penelope), Curlew (Numenius arquata), Grey plover (Pluvialis squatarola), Great crested grebe (Podiceps cristatus), Lapwing (Vanellus vanellus). On passage – Ringed plover (Charadrius hiaticula). It also contains internationally important populations of Shelduck (Tadorna tadorna), Black-tailed godwit (Limosa limosa), Redshank (Tringa tetanus), Eurasian teal (Anas crecca), Pintail (Anas acuta) and Dunlin (Calidris alpina alpina). It also has a 5 year peak mean (1998/99-2002/3) of 89,576 waterfowl.	 Recreational disturbance from abrasion (boating, anchoring, trampling). Selective extraction of species (harvesting, bait digging, recreational fishing) Visual presence of recreational activity. Disturbance to birds from increased recreational pressure and wildfowling. Coastal squeeze and loss of supporting habitat. Deterioration in water quality. Deterioration in air quality. Introduction of non-native species. Due to the distance and scale of anticipated development proposed through the Neighbourhood Plan, it is not considered relevant to the HRA Screening of the Utkinton and Cotebrook Neighbourhood Plan.

Appendix 5: HRA Screening – Screening of Neighbourhood Plan policies for Likely Significant Effect

The pressures and issues to consider, as identified in Appendix 4, are Likely Significant Effects on water pollution and atmospheric pollution (Oak Mere SAC) and water quality (Midlands Meres and Mosses Ramsar site Phase 2 and West Midlands Mosses SAC).

Policy	Comment	Likely Significant Effect (LSE) alone?	LSE in combination?
Policy 1: Housing	Supports housing appropriate to the scale of the area. This is in line with the Local Plan (Part One) and Local plan (Part Two). The plan does not allocate additional sites to the local plan.	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No
Policy 2 Built environment (housing style)	Supports new housing in line with identified needs for smaller properties.	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No
Policy 3 Built environment (housing design)	Supports housing appropriate to the character of the area.	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No
Policy 4: Community / Building assets	Policy relates to community buildings, play and recreational areas. This is in line with Local plan (Part One) and Local plan (Part Two).	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No
Policy 5: local economy	Supports the local economy, changes of use to meet a need. This is in line with Local plan (Part One) and Local plan (Part Two).	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No

Policy	Comment	Likely Significant Effect (LSE) alone?	LSE in combination?
Policy 6: Broadband	Supports provision of high speed broadband. This is in line with Local plan (Part One) and Local plan (Part Two).	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No
Policy 7: Footpaths, cycleways and highways	Promotes access, use and maintenance of the PROW network. Development should provide easy accessible routes to the countryside. This is in line with Local plan (Part One) and Local plan (Part Two).	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No
Policy 8: Transport	Proposals that generate significant transport require a TA, consider the impacts on safety, promotes links to PROW. This is in line with Local plan (Part One) and Local plan (Part Two).	Oak Mere SAC has the potential to be effected from atmospheric pollution from nearby roads. The policy is intended to relate to public safety and mitigation, to address traffic arising from any new development. This is unlikely to have an adverse effect on the SAC or qualifying features. No LSE.	No
Policy 9: Landscape	Policy seeks to protect and enhance landscape quality and character through planting and	No links/pathways with water quality or atmospheric (air) pollution – no LSE	No
Distinctiveness	locally distinctive features. This is in line with Local plan (Part One) and Local plan (Part Two).		
Policy 10: Wildlife	Policy to protect and integrate wildlife corridors, to support wildlife. Relates to tree planting, retaining hedgerows, improving quality of networks, retaining watercourses and wetland features. This is in line with Local plan	Policy aims to protect and enhance the natural environment. No links/pathways with water quality or atmospheric (air) pollution – no LSE.	No

Policy	Comment	Likely Significant Effect (LSE) alone?	LSE in combination?
	(Part One) and Local plan		
	(Part Two).		
Policy 11: Local	Identifies Protected Local	No links/pathways with water quality or atmospheric (air) pollution –	No
Green Spaces	Greenspaces.	no LSE	
	Relates to important views and vistas and minimising		
	landscape and visual impacts		
	from development.		
	This is in line with Local plan		
	(Part One) and Local plan		
	(Part Two).		

Appendix 6

Comments received during consultation on Draft SEA Screening Opinion Draft Utkinton and Cotebrook NP (October 2019)

Statutory consultee	Date Consulted	Response
Environment Agency	11/10/2019	Strategic Environmental Assessment (SEA) Screening Opinion Request – Draft Utkinton and Cotebrook Neighbourhood Plan 2019 Thank you for submitting the above SEA screening opinion request for the Utkinton and Cotebrook (Draft) Neighborhood Plan. This referral was received in office on the 14 th October 2019. As part of this response we have reviewed the following documentation: Draft Utkinton and Cotebrook Neighbourhood Plan 2019 Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment Screening Opinion for Utkinton and Cotebrook Neighbourhood Plan [October 2019] Environment Agency Position We note and acknowledge your screening decision that no additional SEA is required and have no further comments to make.
Historic England	11/10/2019	No comments received
Natural England	11/10/2019	15 th October 2019

Statutory consultee	Date Consulted	Response
		Screening Request: Strategic Environmental Assessment
		It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.
		Neighbourhood Plan
		Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance where:
		•a neighbourhood plan allocates sites for development
		•the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
		•the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.
		We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

Statutory consultee	Date Consulted	Response
		We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.
		Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.
		Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.
		Habitats Regulations Assessment (HRA) Screening
		Natural England agrees with the report's conclusions that the Utkinton and Cotebrook Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.
		For any new consultations, or to provide further information on this consultation

Statutory consultee	Date Consulted	Response
		please send your correspondences to consultations@naturalengland.org.uk
Natural Resources Wales	11/10/2019	No comments received
Cadw	11/10/2019	No comments received