

**Environmental Screening and Habitats
Regulation Assessment Statement**

Screening Determination

**Draft Whitegate and Marton Neighbourhood
Plan**

June 2016

Prepared on behalf of the 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 Whitegate and Marton Neighbourhood Plan. This document also sets out the decision on whether separate screening and a Habitats Regulations Assessment is required under European Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2010 (as amended).

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

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

The regulations advise that a screening process is used to determine whether or not a plan is likely to have a significant effect on the environment. This process should use a specified set of criteria (set out in Schedule 1 of the regulations). The results of this process must be summarised in a SEA screening opinion, which is then sent to the statutory consultation bodies for comment. Once comments have been taken into account a screening determination (this document) 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 June 2015 based upon the policies set out in the draft Whitegate and Marton Neighbourhood Plan (May 2015). The draft plan went out to public consultation between 19th May 2015 and 30th June 2015. The Council has a duty to consult four specified environmental organisations – Natural England, English Heritage (now known as Historic England) and the Environment Agency.

The statutory environmental bodies were consulted on the draft screening statement on 1st June 2015. Responses were received from Natural England, Environment Agency and English Heritage, who agreed with the outcome of the initial screening exercise. The comments received during the consultation are set out at Appendix 2 of this report. This final screening determination addresses comments made during the consultation.

The draft Neighbourhood Plan (May 2015) has been amended to reflect consultation responses. This Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment Screening Determination has been prepared to incorporate the working amendments made to the draft Neighbourhood Plan

It is not considered that any of the amendments to the policies of the draft Neighbourhood Plan change the assessment and conclusions made at the time of the initial screening opinion in June 2015. All amendments are shown in Table 2 and Appendix 1 of this report.

Location and geographical scope of the Draft Whitegate and Marton Neighbourhood Plan

The Whitegate and Marton Neighbourhood Plan covers the Whitegate and Marton Parish Council area. Whitegate and Marton is a rural Parish located in the east of the borough of Cheshire West and Chester. The Parish extends over 510ha and has a population of 1,172¹ in 490 households largely concentrated in the village of

¹ 2011 Census

Whitegate itself. Marton comprises a number of small hamlets including Nova Scotia, Marton Green, Marton Sands and Foxwist Green.

Whitegate is a historic settlement with a designated Conservation Area. It has several listed buildings and four Scheduled Monuments within the Parish. There are various environmental designations and a varied landscape including farmland, woods and coppices, lakes, streams, pools and mosses. The Parish has a primary school, church, community centre and public house.

The key issues identified in the Whitegate and Marton Neighbourhood Plan can be grouped around the following key themes of (i) housing, (ii) heritage and rural environment, (iii) natural environment (iv) local economy and employment (v) access to the countryside. Main issues for the Neighbourhood Plan include;

- Housing development should reflect the needs of the local community for smaller homes;
- The design of buildings and use of materials is in keeping with the existing character of Whitegate and Marton;
- To protect the character of listed buildings, scheduled monuments and the Conservation Area;
- To ensure any new development respects the landscape and views that make the Parish a special place to live and work;
- To support economic activity through appropriate small-scale improvements or development of existing buildings and the protection of existing commercial activity;
- To continue to provide good access to the countryside.

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). This plan sets out the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough to 2030. Some of the policies in the Vale Royal 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) Detailed Policies and Land Allocations. Preparation of the Local Plan (Part Two) began in Autumn 2014.

The retained and 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 key policies of the Local Plan (Part One) applicable to Whitegate and Marton are STRAT1 (Sustainable Development) and STRAT9 (Green Belt and Countryside) and the suite of economic, social and environmental policies accompanying them.

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

Scope of Neighbourhood Plan

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

1. To ensure that housing development permitted by STRAT 9 of the Local Plan (Part One) Strategy for Green Belt and Countryside reflects the needs of the local community for smaller homes.
2. To ensure that the design and use of materials for new building, and changes to existing stock of dwellings, is in keeping with the existing character of Whitegate & Marton.
3. To protect the character of listed buildings, scheduled monuments and the Conservation area.
4. To ensure that any development respects the landscape and views that make the village a special place to live and work.
5. To support economic activity in the parish through appropriate small-scale improvements or development of existing buildings, and through the protection of existing commercial activity.
6. To continue to provide good access to the countryside by supporting and encouraging maintenance and improvement to footpaths, cycle-ways and bridle ways.
7. To support the development of existing and new leisure and tourist spaces and facilities consistent with the rural character of Whitegate & Marton.
8. To establish, and implement, plans for traffic management, community activity and community well being.
9. To encourage community involvement in the process of planning and delivery of this Neighbourhood Plan.

The draft plan includes a suite of policies for each of the key themes of (i) housing, (ii) heritage and rural environment, (iii) natural environment (iv) local economy and employment (v) access to the countryside.

These policies work within the strategic framework set by the Local Plan (Part One) Strategic Policies. The proposed policies in the Whitegate and Marton Neighbourhood Plan do not propose a level of development outside of the levels proposed in the local plan or significantly alters the planning policy position for the

area. It provides local level guidance on how the future development set by the Local Plan should come forward.

Strategic Environmental Assessment Screening and Determination Legislative Background and Methodology

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

The Whitegate and Marton 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 2(2) of the regulations. However, Neighbourhood Plans are land use planning documents prepared at the local level to determine land use in a small area.

Under Article 3(3) of the SEA Directive and Part 2(6) of the Environmental Assessment of Plans and Programmes Regulations 2004, SEA is only required for documents that determine land use of a small area at local level and minor modifications to plans and programmes where it is considered that it is likely to have significant environmental effects. Assessment of whether the plan is likely to have significant environmental effects is carried out through the screening process.

Section 19(5) of the Planning and Compulsory Purchase Act (2004, as amended) requires that the local planning authority must carry out an appraisal of the sustainability of the proposals in each Local Development Document (neighbourhood plans are considered to be Local Development Documents) and must prepare a report of the findings of the appraisal. This is generally done through a Sustainability Appraisal, which incorporates the requirements of the SEA Directive. As such, this screening process covers both the SEA and Sustainability Appraisal requirements.

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 at Appendix 1 to this report. Table 1 sets out the exact nature of the neighbourhood plan policies and how they interact with the Local Plan. Table 1 sets out the findings of the screening. In summary the characteristics of the plan policies mean that:

- Any effects of them are likely to be small scale, local at the neighbourhood level.
- They do not allocate sites for housing or employment land use development and many of the policies seek to minimise and control the impacts of new development.

- The Plan encourages access to the countryside through footpaths, cycle routes, bridleways and roadways. This policy is likely to have a beneficial effect for landscape and population and human health.
- The plan does not set the level of development for the area. It seeks to complement Policy STRAT9 (Green Belt and Countryside) in the Local Plan (Part One) Strategic Policies which restricts development to that which requires a countryside location. The strategic context for the Neighbourhood Plan has been set at the Local Plan level.
- Policies in the Plan aim to protect and enhance the conservation area, Scheduled Monuments and listed buildings and ensure that appropriate design and materials are used for development in the Parish. As such are likely to have a beneficial effect on culture and heritage.

Conclusion

In accordance with Part 2(9) of the Environmental Assessment of Plans and Programmes Regulations Cheshire West and Chester consider that it is unlikely there will be any significant environmental effects arising from the Whitegate and Marton Neighbourhood Plan. A Strategic Environmental Assessment of the Whitegate and Marton Neighbourhood Plan is therefore not required.

However, it is acknowledged that the strategic planning policies for the Whitegate and Marton area as set out in the Local Plan (Part One) for Cheshire West and Chester may have the potential for significant environmental effects. However, these policies have been subject to Strategic Environmental Assessment as set out in the Sustainability Appraisal of the Local Plan (Part One) and no further assessment is required.

Table 1: Assessment of the significant environmental effects of the Whitegate and Marton Neighbourhood Plan		
1. Characteristics of the Plan		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 Whitegate and Marton Parish 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 Whitegate and Marton 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.</p> <p>The Neighbourhood Plan, once made by the Local Authority, will be used to determine planning applications within the Neighbourhood Area. The Plan does not include a settlement boundary as Whitegate and Marton lies in the countryside. The Plan will accommodate the scale of new housing development for countryside areas under Local Plan (Part One) Strategic Policies. It does not contain any specific land-use allocations or designations within the Neighbourhood Plan.</p> <p>It will however provide local level guidance within the strategic framework on how the nature of development in the Whitegate and Marton Neighbourhood Area should be brought forward and the mitigation and enhancement measures required in order to minimise impacts. The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management measures and environmental protection legislation.</p>	No
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	<p>The Neighbourhood Plan, once made by the Local Authority, will have development plan status and set planning policy for the Whitegate and Marton Neighbourhood 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.</p> <p>The Whitegate and Marton Neighbourhood Plan will also influence other actions and aspirations of the Whitegate and Marton Parish Council, where these are non-planning related and these aspirations have been identified in the Neighbourhood Plan.</p>	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 under legislation to contribute to the achievement of sustainable development. This is one of the basic condition tests. Whether this basic condition is met will be tested during the examination of the Neighbourhood Plan. However, the framework for the promotion of sustainable development is set by the Government's Strategy for Sustainable Development, the National Planning Policy Framework and the policies in the adopted Local Plan's for the borough. The Neighbourhood Plan will have limited influence over changing the strategic sustainable development policies in plans and policies at the higher strategic level.	No
What are the environmental problems	The Sustainability Appraisal Scoping Report for the Local Plan Part One is a comprehensive overview of the issues in Cheshire West	No

<p>relevant to the plan or programme?</p>	<p>and Chester. There are no specific additional environmental problems identified for the Whitegate and Marton area.</p> <p>Some of the environmental issues/problems identified specific to Whitegate and Marton are the need for:</p> <ul style="list-style-type: none"> • New housing, to reflect the needs of the local community for smaller homes • The conservation, preservation and enhancement of the landscape and the historic and cultural environment • The provision of local job opportunities and support for the rural businesses and enterprises including recreation and leisure • Continued provision and access to local services and community facilities • Good access to the countryside <p>The Whitegate and Marton Neighbourhood Plan, in the context of the strategic policies of the adopted Local Plans for the Borough, will seek to address some of these environmental issues in the local context, not exacerbate them.</p>	
<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</p>	<p>The Neighbourhood Development 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.</p>	<p>No</p>

2. Characteristics of the plan's effects and of the area likely to be affected²

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 ³	(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?
Enhancement and protection of biodiversity, flora and fauna	High probability, as new developments come forward. Neighbourhood Plan objectives and policies aim to value landscape to support nature conservation and access to the countryside. Effects would be short/medium/long term.	Potential cumulative effects as new developments come forward.	None	None	Local, small scale at neighbourhood level.	None	None	None	None	No
Biodiversity, flora and fauna loss	Low probability and infrequent as policies seek to minimise biodiversity loss.	None	None	None	Local, small scale at neighbourhood level.	None	None	None	None	No

² Schedule 1 Criteria for determining the likely significance of effects on the environment, The Environmental Assessment of Plans and Programmes Regulations 2004

³ 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 ³	(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?
Loss or harm to Landscape	Low, infrequent probability. Neighbourhood Plan objectives aim to ensure sensitive sustainable development that protects and enriches the landscape and special characteristics of the Parish. Policies recognise the value of landscape and setting. Effects would be short, medium and long term.	None	None	None	Local, small scale at neighbourhood level.	None	None	None	None	No
Loss or harm to Culture and Heritage	Low, infrequent probability. Neighbourhood Plan objectives aim to protect and enhance the built setting and heritage assets of Whitegate and Marton. Policies aim to ensure design and materials are sensitive to the setting of the conservation area, listed buildings and Scheduled Monuments. Effects would be short, medium and long term.	Cumulative effects are dependent on the precise nature and location of new developments coming forward. Development proposals in the countryside however will be small-scale in nature and restricted to that which requires a countryside location.	None	None	Local, small scale at neighbourhood level.	Policies aim to protect and enhance the conservation area and setting of historic buildings in the area.	None	None	None	No

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 ³	(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?
Beneficial effect on Population and Human Health	Probability difficult to assess as depends on proposals coming forward and on the scale and nature of the development. Effect could be short, medium or long term depending on the nature of the proposals. Development proposals in the countryside however will be small-scale in nature and restricted to that which requires a countryside location.	Cumulative effects are dependent on the precise nature and location of new developments coming forward. There could be positive cumulative effects from the provision of housing to meet community needs.	None	None	Local, small scale at neighbourhood level.	None	None	None	None	No

2.0 Habitats Regulations Assessment Screening and Determination

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 One) Strategic Policies Habitat Regulations Assessment Screening Report. Each of the sites within 15km of Whitegate and Marton were assessed at the Local Plan level. This appraisal forms the baseline for the HRA screening assessment of the Whitegate and Marton Neighbourhood Plan with the prime consideration being the potential effects of the Neighbourhood Plan over and above those of the already assessed for the Local

Plan. The Local Plan was screened out through this process, as not leading to a likely significant effect on European Sites.

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

Context

There are 14 European designated sites identified within a 15km buffer from the boundaries of the Whitegate and Marton Neighbourhood Plan. There are 12 Ramsar sites split between Mersey Estuary, Midland Meres and Mosses Phase 1 and 2, 4 SAC's (Oak Mere and West Midlands mosses x3), and 1 SPA (Mersey Estuary).

These are shown in Map 1.

Outcome of high level screening

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

No

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

The Draft Neighbourhood Plan sets out how new development should come forward in the Whitegate and Marton Neighbourhood Area, within the context of the adopted Local Plan (Part One) policies. It reflects the type and scale of development for countryside locations as set out at the Local Plan level.

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 retained policies of the 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 and retained policies in the Vale Royal Borough Local Plan for determining planning applications for new development. The type and scale of development to come forward in Whitegate and Marton in the future is established in the Local Plan (Part One) policies. The Neighbourhood Plan will guide how this level of development should come forward locally.

Whether the Neighbourhood Plan alters the policy position for the area, in terms of HRA requirement, is set out in table 2 below.

Table 2: Screening of policies for altering Local Plan Policy		
Draft Whitegate and Marton Neighbourhood Plan Policy		Change in policy position in Local Plan and policies to be retained? Y/N
Policy 1	Housing stock appropriate to the needs of the local community	No
Policy 2	Design and use of materials	No
Policy 3	Listed buildings, Scheduled Monuments and the Conservation Area	No
Policy 4	Landscape	No
Policy 5	Economic Activity	No
Policy 5.1	Generating Employment	No
Policy 5.2	Employment Activities within Residential Properties	No
Policy 5.3	Loss of Commercial Premises	No
Policy 6	Access to the countryside	No

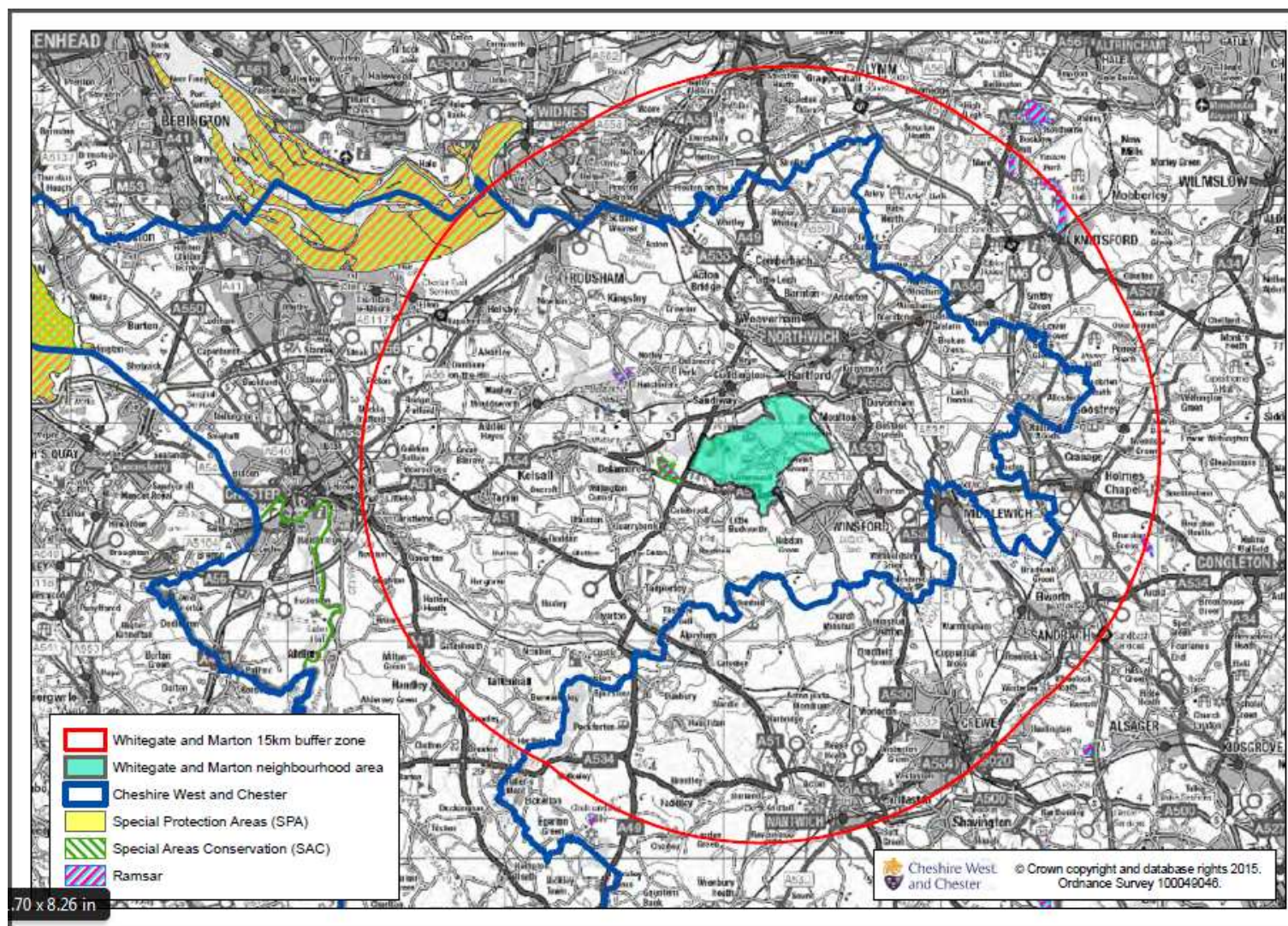
There are no specific issues highlighted in the HRA of the Local Plan (Part One) in relation to the Whitegate and Marton Neighbourhood Area. Sufficient mitigation and control measures are included in the Local Plan (Part One) to avoid and mitigate any of these adverse effects on the integrity of European sites. It is considered that any

proposals coming forward in Whitegate and Marton 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. A separate full screening report is not required.

Conclusion

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

Map 1- European Designations within a 15km distance of the Whitegate and Marton Neighbourhood Plan



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

Policy 1 of the Draft Neighbourhood Plan has been re-drafted, since the May 2015 version which was subject to the initial SEA Screening and consultation in May 2015. There are however no changes to the identified effects arising from these working amendments.

The amendment to the policy is shown in italics underneath the original draft policies which were subject to the SEA Screening in June 2015. The revised policy has been re-assessed.

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics of Biodiversity, flora and fauna; Population; Human health; Soil; Water; Air; Climatic factors; Material Assets; Cultural Heritage; Landscape.	Relationship to Local Plan (Part One) Strategic Policies
Draft Policy 1: HOUSING STOCK APPROPRIATE TO THE NEEDS OF THE LOCAL COMMUNITY	The policy supports the development of housing to reflect the needs of the local community for smaller homes. The policy encourages rural conversions, redevelopments or new build housing to be between one and three bedrooms in size or provide a similar number of bedrooms to the existing. The also seeks to restrict the significant enlargement of an existing residential property.	<ul style="list-style-type: none"> Potential effects on population and human health through the provision of housing which meets the needs of younger people, young families and older people. 	<ul style="list-style-type: none"> STRAT1 Sustainable development SOC3 Housing mix and type STRAT9 – Green Belt and Countryside
<i>Draft Policy 1:</i> <i>May/June 2016 Version</i> HOUSING STOCK APPROPRIATE TO THE NEEDS OF THE LOCAL COMMUNITY	<i>Removal of the reference to new-build housing development which would be contrary to policy STRAT9 of the Local Plan (Part One). Insertion of the support for re-use of rural buildings for economic purposes in the first instance.</i>	<ul style="list-style-type: none"> Potential effects on population and human health through the provision of housing which meets the needs of younger people, young families and older people. 	<ul style="list-style-type: none"> STRAT1 Sustainable development SOC3 Housing mix and type STRAT9 – Green Belt and Countryside
Draft Policy 2: DESIGN AND USE OF MATERIALS	<p>The policy seeks to ensure that the design and use of materials for new building, and changes to the existing stock of dwellings, is in keeping with the existing character of Whitegate & Marton.</p> <p>The policy states that proposals for new residential properties, replacement properties or extensions requiring planning permission must demonstrate the following:</p> <ul style="list-style-type: none"> That they have sought to reflect the local vernacular architecture, the details for which can be found in the Village Design Statement; That they have sought to use building materials that reflect the style of other traditional properties in the surrounding area; That traditional materials have been selected for boundaries, and boundaries are softened by the use of appropriate planting such as hedgerows; 	<ul style="list-style-type: none"> Potential effects on landscape Potential effects on cultural heritage, considers local vernacular architecture Potential effects on landscape Potential effects on population and human health 	<ul style="list-style-type: none"> ENV2 Landscape ENV5 Historic Environment ENV6 High quality design and sustainable construction

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics of Biodiversity, flora and fauna; Population; Human health; Soil; Water; Air; Climatic factors; Material Assets; Cultural Heritage; Landscape.	Relationship to Local Plan (Part One) Strategic Policies
	<ul style="list-style-type: none"> Consideration has been given to the guidance offered in the Village Design Statement. 		
Draft Policy 3: LISTED BUILDINGS, SCHEDULED MONUMENTS AND THE CONSERVATION AREA	The policy seeks to protect the character of listed buildings, scheduled monuments and the Conservation area by refusing development which will have a significant detrimental impact on such designated heritage assets and their setting.	<ul style="list-style-type: none"> Potential effects on cultural heritage 	<ul style="list-style-type: none"> STRAT1 Sustainable development ENV5 Historic Environment ENV6 High quality design and sustainable construction
Draft Policy 4: LANDSCAPE	<p>This policy seeks to ensure any development respects the landscape and views which are identified as being special to the Parish of Whitegate and Marton.</p> <p>Development proposals are expected to ensure that the countryside is maintained and protected and new development maintain and enhance the wildlife, hedgerows, woodlands, pools and waterways and the open rural character of the parish in general.</p>	<ul style="list-style-type: none"> Benefits to biodiversity, flora and fauna, maintenance and protection of wildlife, hedgerows, woodlands, pools and waterways. Potential effects on landscape, positively retains important landscape character features identified as important to the rural character of the Parish. 	<ul style="list-style-type: none"> ENV2 Landscape ENV3 Green Infrastructure ENV4 Biodiversity and Geodiversity SOC6 Open space sport and recreation
Draft Policy 5: ECONOMIC ACTIVITY Policy 5.1 Policy 5.2 Policy 5.3	<p>This policy seeks to support economic activity in the parish through appropriate small-scale improvements or development of existing buildings and the protection of existing commercial activity. The policy is split into three sub sections covering the following:</p> <p><u>Generating Employment</u> The policy supports proposals for employment-generating uses (including tourism) provided it can be demonstrated that they are appropriate uses in the countryside.</p> <p><u>Employment Activities within Residential Properties</u> The policy supports proposals for employment-generating uses or commercial activities from existing residential properties.</p> <p><u>Loss of Commercial Premises</u> The policy supports a strong presumption against the loss of commercial premises or land which provides employment or future potential employment opportunities.</p>	<ul style="list-style-type: none"> Supporting the economy (no direct SEA topic) 	<ul style="list-style-type: none"> ECON1 Economic growth, employment and enterprise STRAT9 Green Belt and Countryside
Draft Policy 6:	The policy seeks to provide good access to the countryside by supporting and encouraging maintenance and improvement to	<ul style="list-style-type: none"> Potential effects on population and human 	<ul style="list-style-type: none"> SOC5 Health and Well-being

Plan elements	Summary of policy	Identified potential effects of policy (taking into account SEA topics of Biodiversity, flora and fauna; Population; Human health; Soil; Water; Air; Climatic factors; Material Assets; Cultural Heritage; Landscape.	Relationship to Local Plan (Part One) Strategic Policies
ACCESS TO THE COUNTRYSIDE	footpaths, cycle-ways and bridle ways.	health	<ul style="list-style-type: none">SOC6 Open space sport and recreation

Appendix 2: Comments received during consultation on draft Screening Report – May-June 2014

Agency	Date Consulted	Response
Environment Agency	1 st June 2015	See correspondence below
Historic England	1st June 2015	See correspondence below
Natural England	1st June 2015	See correspondence below

Cheshire West and Chester Council
(Backford Hall)
Backford Hall
Backford
Chester
CH1 6EA

Our ref: SO/2009/105235/OR-18/IS3-L01
Your ref: -
Date: 21 July 2015

FAO: Charlotte Aspinall

Dear Madam

**SEA SCREENING REPORT FOR DRAFT WHITEGATE AND MARTON
NEIGHBOURHOOD PLAN**

Thank you for referring the above consultation to the Environment Agency for comment.

We consider that the proposed neighbourhood plan will not give rise to any significant environmental effects within our remit. Therefore we can confirm that we support the conclusion that a Strategic Environment Assessment is not required in this instance.

Should you wish to discuss anything in further detail please do not hesitate to get in touch.

Yours faithfully

Helen Telfer
Planning Advisor

Direct dial 01925 542525
Direct e-mail helen.telfer@environment-agency.gov.uk

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

Date: 06 July 2015
Our ref: 155291
Your ref: Draft Whitegate and Marton Neighbourhood Plan



Charlotte Aspinall
Cheshire West and Chester Council
charlotte.aspinall@cheshirewestandchester.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 8GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Ms Aspinall,

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

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

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

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

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

Other Advice

Draft Neighbourhood Plan

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

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

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

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

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

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

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

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

Yours sincerely

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



Historic England

Charlotte Aspinall
Senior Planning Officer – Planning Policy
Place Strategy
Cheshire West and Chester Council
4 Civic Way
Elsmere Port
CH65 0BE

Our ref: 1795
Your ref: E-mail, 1st June
Telephone: 07500 121974

27th July 2015,

Dear Charlotte,

Re: SEA Screening Report and draft Neighbourhood Plan for Whitegate and Marton.

Thank you for your email dated 1st June

The Plan documentation is accompanied by a request for a formal Screening Opinion from Historic England in compliance with the Environmental Assessment of Plans and Programmes Regulations 2004. The draft Opinion produced for the Whitegate and Marton Forum concludes that Strategic Environmental Assessment is not required. We note that the Plan appears to propose no site allocations/policies which would have significant environmental effects upon the historic environment and as such we concur that in this regard, Strategic Environmental Assessment is not required.

We have no further comment to make on the draft NP.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours Sincerely

Darren Ratcliffe RIBA
Historic Places Adviser



Historic England, Suite 3.3, Canada House, 3 Chapstow Street, Manchester M1 5FW
Telephone: 0161 242 1416 HistoricEngland.org.uk
Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.

