

Marbury and District Neighbourhood Development Plan

Strategic Environmental Assessment Screening Report

Marbury & District Parish Council Neighbourhood Development Plan SEA Screening Report

Prepared by Cheshire East Council, February 2022

| Abbreviations | |
|----------------------|---|
| SEA | Strategic Environmental Assessment |
| EIA | Environmental Impact Assessment |
| CEC | Cheshire East Council |
| CELPS | Cheshire East Local Plan Strategy (2017) |
| C&NBPL | Crewe and Nantwich Borough Local Plan (2005) |
| NDP | Neighbourhood Development Plan |
| NA | Neighbourhood Area |
| M&NDP | Marbury & District Neighbourhood Development Plan |
| M&DNA | Marbury & District Neighbourhood Area |
| OSRA | Other Settlements and Rural Areas |

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Introduction

The SEA is a way of ensuring the environmental implications of decisions are considered before any such decisions are made. The need for environmental assessment of plans and programmes is set out in the EU Directive 2001/42/EC – known as the SEA Directive. Under this Directive, Neighbourhood Plans may require SEA – but this will depend on the content of each Neighbourhood Plan. The SEA Directive makes SEA a mandatory requirement for:

Plans which are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in the Environmental Impact Assessment (EIA) Directive; or Plans which have been determined to require an assessment under the Habitats Directive.

A screening of a draft plan must be undertaken by the responsible authority prior to adoption or submission to the legislative procedure. In this case the 'responsible authority' is Marbury & District Parish Council however Cheshire East Council, upon request, has agreed to provide a screening opinion on the M&DNDP to determine if an SEA is required. If it is concluded that an SEA is required, Marbury & District Parish Council are responsible for its production, and it must form part of the material that is consulted on once the formal consultation stage is reached.

The main determining factor as to whether an SEA is required on an NDP is if it is likely to have a significant effect on the environment. Those NDPs containing land allocations for development, which are not included in the local authority's plan, are likely to require an SEA. NDPs which do not contain such allocations (or simply reflect allocations already identified as part of a local authority plan) are less likely to require an SEA.

If an SEA is required, Marbury & District Parish Council may wish to consider voluntarily expanding the scope so that it covers wider economic and social issues. This is the approach taken by Cheshire East Council, whereby an SEA is included within the broader Sustainability Appraisal of plans. The advantage of undertaking a Sustainability Appraisal is that it can demonstrate the impact of the NDP on social, economic and environmental factors and therefore demonstrate to an examiner that the Plan that has been prepared is the most sustainable given all alternatives.

Requirement for an SEA

Where an NDP could have significant environmental effects, it may require an SEA.

Whether an NDP requires an SEA and (if so), the level of detail needed, will depend on what is proposed in the draft NDP. An SEA may be required for example when:

1. An NDP allocates sites for development.
2. The NA contains sensitive natural or heritage assets that may be affected by proposals in the plan.
3. The NDP may have significant environmental effects that have not already been considered and dealt with via a sustainability appraisal of the Local Plan.

Requirement for a HRA

In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where an NDP is deemed likely to give rise to significant effects on protected European Sites (Natura 2000 sites), as a result of the plan's implementation. If no significant effect is deemed likely, a HRA is not required. Where a HRA is undertaken, it is good

practice to identify sites with within 10-15km of the plan/project boundary and include them in an HRA.

Legislative Background

The basis for a Strategic Environmental Assessments and Sustainability Appraisal is the [European Directive 2001/42/EC](#) which has subsequently been transposed into English law by the [Environmental Assessment of Plans and Programmes Regulations 2004](#), or SEA Regulations. The government has produced guidance in relation to these regulations, entitled '[A practical guide to the Strategic Environmental Assessment Directive](#)' .

Schedule 2 of the [Neighbourhood Planning \(General\) Regulations 2012](#) makes provision in relation to the Habitats Directive. The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. To achieve this, paragraph 1 prescribes a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European Site. Paragraphs 2 to 5 of the Schedule amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to neighbourhood development orders and neighbourhood plans. In particular, paragraph 4 inserts new regulation 78A which provides that a neighbourhood development order may not grant planning permission for development which is likely to have a significant effect on a European site.

Schedule 3 of the [Neighbourhood Planning \(General\) Regulations 2012](#) makes provision in relation to the [Environmental Impact Assessment \(EIA\) Directive](#). The Directive requires that EIA development must be subject to a development consent process. To enable this, Schedule 3 prescribes a basic condition that applies where development which is the subject of a proposal for a neighbourhood development order is of a type caught by the EIA Directive, and applies to the relevant provisions of the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2011\(3\)](#) ("the EIA Regulations") with appropriate modifications ([regulation 33](#) and paragraphs [1 to 4 and 6 of Schedule 3](#)). Paragraphs 5 and 7 to 13 of Schedule 3 correct errors in the EIA regulations.

This report seeks to determine if the M&DNDP is likely to have a significant effect on the environment.

The Cheshire East Local Plan Strategy

The basic conditions require an NDP to be in general conformity with the strategic policies contained in the development plan for the area of the authority. The C&NBLP was adopted in 2005. Some of the policies within the Local Plan have been 'saved', which means they are still used in determining planning applications. As policies become out of date through lack of conformity with the NPPF or where more up to date evidence is available, they can be given less weight for decision making purposes, particularly on strategic issues.

The CELPS was adopted on the 27th of July 2017 and sets the strategic approach to development across the sub-region.

The CELPS was subject to a full Sustainability Appraisal which included an SEA. This ensured that no likely significant effects are expected to arise from the implementation of the CELPS or the delivery of the quantum of development identified in it.

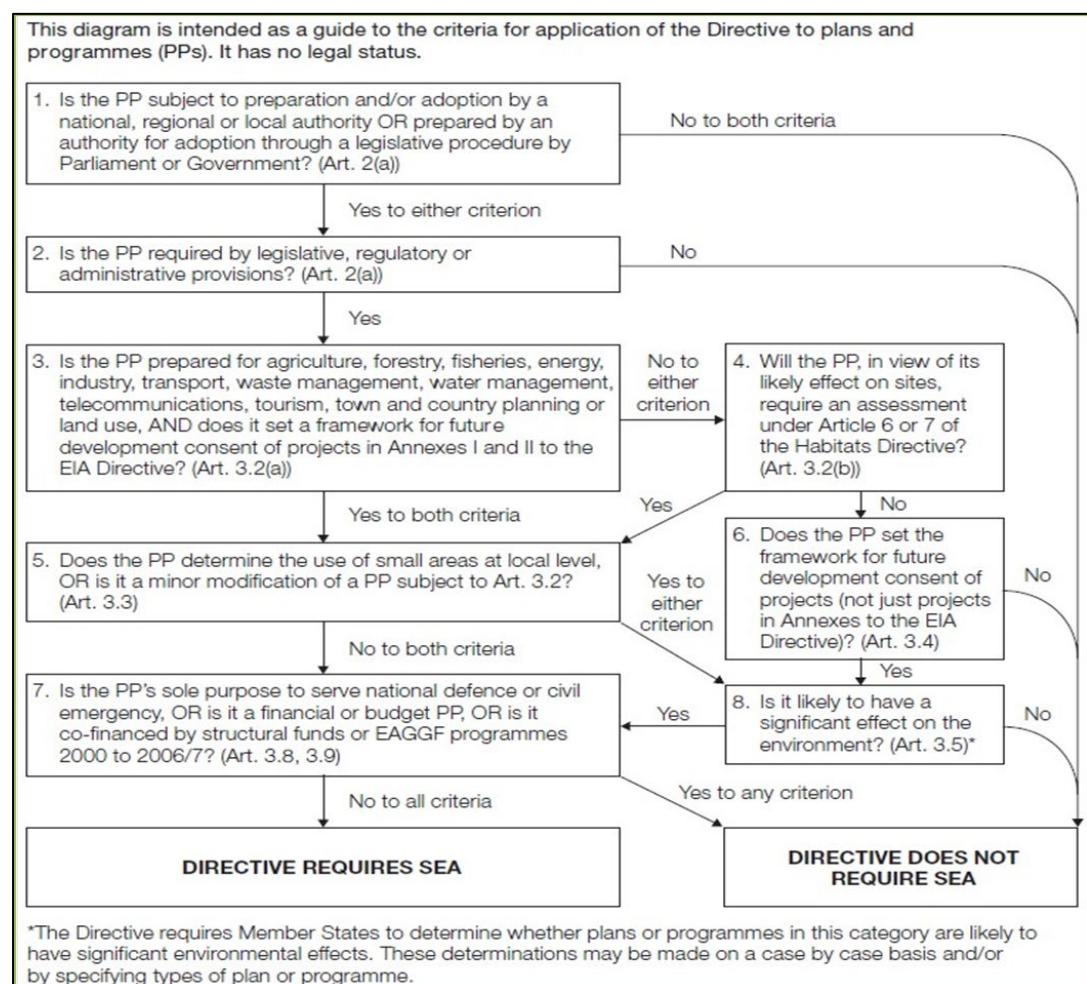
Screening Process

Marbury & District Parish Council has requested an SEA screening report of its NDP. It is the qualifying body's responsibility to undertake an assessment of whether their proposed policies are likely to have 'significant environmental effects' however on request, CEC will undertake such an assessment on behalf of the qualifying body. The Plan does not have to be at a final draft stage to be assessed.

The screening opinion assessment is undertaken in two parts: the first part will assess whether the plan requires an SEA (as per the flow chart which follows); and the second part of the assessment will consider whether the NDP is likely to have a significant effect on the environment, using criteria drawn from [Schedule 1 of the EU SEA Directive](#) and the UK Environmental Assessment of Plans and Programmes Regulations 2004 (see section 5).

The three statutory consultation bodies (English Heritage, Environment Agency, and Natural England) have been consulted to establish whether the Parish name Neighbourhood Plan requires SEA and whether the plan may have a 'significant environmental effect' on the environment. Should it be concluded that an SEA is required, Marbury & District Parish Council will need to undertake an SEA with an SEA screening report exercise as the first stage.

The government guidance '[A practical guide to the Strategic Environmental Assessment Directive](#)' sets out the following approach to be taken in determining whether SEA is required:



Summary of the Screening Report

| Summary of the NDP | |
|--|---|
| Name | Marbury & District Parish Council NDP |
| Geographic coverage | Marbury, Norbury, Wirswall |
| Key themes/scope of the NDP | Heritage, landscape, natural environment, design, community, rural economy, and infrastructure. |
| Key issues of the NDP | Prominent rural settlement, covered wholly by CELPS open countryside and partially by an area of special county value by the C&NBPLP. |
| Summary of the Screening Report | |
| Name and job title of the officer undertaking the screening report | Tom Evans, Neighbourhood Planning Manager |
| Date of report | 09.02.2022 |
| Conclusion of the report | An SEA is not required |
| Reason for conclusion | The NDP does not propose to allocate specific sites for future development and promotes criteria-based policies that seek to shape future development proposals, on a small-scale basis, that reduce and manage impact on the environment (both natural and built). |
| <p><u>European designated site within the M&DNA:</u> There is one European designated site located within the NA, and 6 designated sites are located within a 15km proximity to the NA (see appendix B).</p> | |
| <p><u>Designated sites within the M&DNA:</u> There are 4 Sites of Biological Importance and 2 areas of Special Scientific Interest within and immediately adjacent to the M&DNA (see appendix C).</p> | |
| <p><u>Designated heritage assets within the M&DNA:</u> The total amount of Listed Buildings within the neighbourhood area are listed below (see appendix D).</p> <ul style="list-style-type: none"> • 0 Grade I Listed Buildings • 18 Grade II Listed Buildings • 1 Grade II* Listed Buildings • 2 Locally Listed Buildings <p>Marbury's centre is also a designated conservation area.</p> | |
| <p><u>Flood Risk zones within the M&DNA:</u> The Flood Risk Zones present within the NA, as well as their location, are listed below (also see appendix E).</p> <ul style="list-style-type: none"> • Flood Risk Zones 2 and 3 <ul style="list-style-type: none"> ○ Adjacent to the North most boundary of the NA, in Norbury. ○ Horizontally across the centre of the NA, following the parish boundary between Marbury and Norbury, also off shooting partially to surround the Western edge of Marbury's centre. | |

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| | <ul style="list-style-type: none"> ○ Almost fully covering the Western boundary of the NA, touching all 3 parishes of the NA <p><u>Effect on the environment:</u></p> <p>The M&DNDP does not introduce new policy that enables a significant effect on the environment to be implemented. As a lower tier plan all development proposals will be subject to assessment against the NDP and higher tier policies, plans and legislation that seek to protect locally, nationally, and internationally designated sites. The CELPS sets the strategic development framework for Marbury and District, including broad levels of growth appropriate to rural areas, and has been tested through integrated SEA to ensure the effect of this growth is acceptable in environmental terms. The M&DNDP does not propose additional growth at a significant scale beyond that already accepted in the CELPS, nor does it include specific proposals of a scale or intent large enough or with an impact significant enough, that would lead to additional significant effects on the environment or designated sites. The policies in the NDP are criteria based and seek to safeguard existing assets and the plan does not introduce policies which would significantly change the status of land beyond the planning framework in place, therefore SEA is not required.</p> |
| Summary of Responses from Statutory Consultees | |
| English Heritage | AWAITING RESPONSE |
| Environment Agency | AWAITING RESPONSE |
| Natural England | AWAITING RESPONSE |

Plan Context

Marbury and District is a rural parish and for the purposes of the CELPS Settlement Hierarchy, falls within the category of 'OSRA'. Policies PG1 and PG2 of the CELPS set out the preferred development strategy and distribution of development for the Borough. The distribution of future development in the Borough is intended to be focused on the Principal Towns of Crewe and Macclesfield and the nine Key Service Centres.

The parish area is covered by Policy PG6 Open Countryside which generally restricts development in the countryside but does also identify development which would be considered acceptable.

The CELPS outlines that a small quantum of growth to meet need and support the vitality of Other Settlements and Rural Areas (OSRA) will be supported and identifies a need to deliver some 2950 homes and 8ha of employment land (outside of a 61ha allocation at Wardle) in OSRAs.

The M&DNA contains important natural habitats and waterbodies, hosts some larger scale residential development and some employment areas, and is located adjoining the parishes of Cholmondeley, Wrenbury, Newhall and Dodcott cum Wilkesley.

The M&DNDP does not allocate specific sites for development and instead identifies a series of criteria-based policies against which development proposals should be assessed within the NA. Such criteria are designed to ensure the delivery of sustainable development to meet the objectives of the M&DNDP.

Planning applications within the M&DNA will be assessed against the policies in the M&DNDP, saved C&NBLP policies and other material planning considerations, including the CELPS.

As specific development sites have not been identified in the M&DNDP or in the CELPS in this location, no assessment of potential development sites has been undertaken as part of the M&DNDP process.

Vision of the Plan

The M&DNDP document sets out a vision for the parish and what the NDP should deliver.

'Marbury, Norbury and Wirswall will continue to be a peaceful rural parish set within open countryside. The Parish will be welcoming and inclusive, with a strong community spirit and vibrant community facilities. The valued landscape and natural environment, alongside the treasured heritage assets that positively contribute to the character of the Parish, will be preserved, protected and enhanced. Improved infrastructure will enhance the life of residents and visitors, and any new development will be sustainable and of a high environmental and design standard. Farming and agriculture will continue to be supported, and the local rural economy will be thriving. Collectively, this should ensure that the parish retains its unique and valued rural character.'

Objectives of the Plan

To deliver their vision, the M&DNDP has set out the objectives on the following subjects:

- Protect and enhance the natural environment, green open spaces and heritage assets of the Parish
- Support and encourage the local economy and agriculture
- Promote and support sustainable transport
- Ensure that any development is appropriate, sustainable, well designed, and in a suitable location which meets the needs of the local community
- Ensure the Parish retains its peaceful, distinctive rural character
- Promote improvements to infrastructure that improve the experience of living, visiting and working in the Parish
- Improve access to, and enjoyment of, the countryside for residents and visitors alike
- Support community facilities and cohesion, ensuring a welcoming, vibrant, inclusive and diverse community

Policies of the Plan

The M&DNDP contains several policies that will be used to ensure the delivery of the vision and objectives and guide individual development management decisions. An assessment of these policies impact on European sites has been carried out and concludes that no likely adverse impact will arise. The full assessment and table of policies is included at Table 3 below.

The following sections assess whether the plan requires an SEA due to its content and whether it is likely to give rise to a significant effect on designated sites or the environment.

Designated Sites within the NA

There is one European Designated Site within the NA; Quoisley Meres. There are also 6 sites within a 15km proximity of the NA.

Screening Assessment

Assessment 1: Does the NDP require an SEA?

| Stage | Y/N | Reason |
|--|------------|--|
| 1. Is the NDP subject to preparation and/or adoption by a national, regional, or local authority, OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | Y | <p>The preparation and adoption of the NDP is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NDP will be prepared by (as the 'relevant body') and will be 'made' by CEC as the local authority. The preparation of NDPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012.</p> <p>GO TO STAGE 2</p> |
| 2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Y | <p>Whilst the NDP is not a requirement and is optional under the provisions of the Town and Country Planning Act as amended by the Localism Act 2011, it will if 'made', form part of the Development Plan for the Borough. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether an SEA is required under the Directive.</p> <p>GO TO STAGE 3</p> |
| 3. Is the NDP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a)) | Y | <p>The NDP is being prepared for town and country planning, local transport, and land use as it makes proposals to manage the development of land for housing and employment uses. As such, the NDP contains a framework for future development consent of urban development projects (listed as 10(b) in Annex II of the EIA Directive). The NDP does not specifically allocate any land for development purposes.</p> <p>GO TO STAGE 5</p> |
| 4. Will the NDP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b)) | N | No, the policies in the NDP are criteria-based and unlikely to directly affect designated sites. |

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| 5. Does the NDP determine the use of small areas at local level OR is it a minor modification of a plan or programme subject to Art. 3.2? (Art. 3.3) | Y | <p>The NDP intends to support local development for residential and employment/commercial use through criteria-based policies. There is therefore the potential for an effect on the environment resulting from policies in the plan. However, policies are criteria-based and do not instigate changes to land use directly. Additionally, The NDP sits within the wider framework of the National Planning Policy Framework (NPPF), the adopted CELPS and the saved policies of the C&NBLP, therefore the NDP will help to set the framework for projects that are localised in nature and are likely to have limited resource implications.</p> <p>GO TO STAGE 8</p> |
| 6. Does the NDP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art. 3.4) | Y | <p>Yes, the NDP contributes to establishing a local policy framework within which planning consent will be considered for a wide range of development proposals. Whilst the NDP may establish very local criteria to enable development within criteria-based parameters, higher tier policies, plans and legislation exist to ensure that the NDP is used within a framework with sufficient protection for environmental considerations.</p> |
| 7. Is the NP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co- financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9) | N | <p>The NDP does not fall into any of the criteria listed.</p> |
| 8. Is it likely to have a significant effect on the environment? (Art 3.5) | N | <p>See Assessment 2: Likely significant effects on the environment</p> |

Based on criterion 1, 2, 3, 5 and 6 above, it is necessary to assess whether the NDP is likely to have a significant effect on the environment. This assessment is undertaken through Assessment 2 below.

Assessment 2: Is the NDP likely to have a Significant Effect on the Environment?

The EIA Regulations include thresholds under which development proposals are not required to be screened to determine whether an EIA should be required. These are:

- The development includes more than 1 hectare of urban development which is not dwelling house development

- The development includes more than 150 dwellings
- The overall area of the development exceeds 5 hectares.

Under these thresholds there is no obligation to screen urban development projects for an EIA.

The NDP does not include more than 1 hectare of non-residential development; it does not allocate sites for more than 150 dwellings and the overall area of the development does not exceed 5 hectares

The M&DNDP does not exceed any of the thresholds identified in the EIA regulations. It is therefore reasonable to suggest that the effects of the plan on the environment, in general, cannot be significant. However, there may be specific features or special characteristics in this location upon which the plan may have a significant effect. It is therefore important to understand if there is any specific reason the plan could be considered to give rise to a significant effect on the environment. Using Schedule 1 of the SEA regulations, the following assessment has been undertaken to determine if there is any other reason why the M&DNDP may give rise to a significant effect on the environment.

| Issue | Effect | Reason |
|--------------|-----------------------|--|
| Biodiversity | No significant effect | Whilst there are significant local assets, the policy framework provided by the NDP, alongside existing policy held in the CELPS, and the wider Development Plan provides sufficient protection. No proposed policies are likely to give rise to a substantially negative impact on biodiversity and natural assets. |
| Population | No significant effect | Marbury and District Parish has a population of 546 people (2011 Census). Outside of committed sites there is no allocated land for residential development that may accommodate future housing need locally within the neighbourhood area. The NDP anticipates this to some degree and a significant impact on population/demographic change is unlikely. |
| Human health | No significant effect | Housing is a key detriment of human health. On a limited basis, the plan seeks to provide housing suitable for the local population which would result in a positive effect on human health and enable older residents to downsize within their community, and first-time buyers and families to access suitable housing contributing to wellbeing. The Index of Multiple Deprivation shows Marbury and District Parish to be generally affluent (within 50% of least deprived neighbourhoods). The Joint Strategic Needs assessment for Marbury and District Parish Wards (Wrenbury) shows the population here is generally in good health with notable exceptions to health equality being admissions for strokes and emergency admissions age 0-4. The JNSA shows the over 65 population is high. The NDP introduces does not introduce any criteria-based policies that would significantly assist in delivering the type of |

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| | | development that will contribute to addressing some of these issues. However, the policies included are unlikely to have a significant effect beyond the local area. |
| Fauna | No significant effect | Designated sites are subject to existing protection via other policies. The NDP seeks to protect existing assets and does not introduce policies that are likely to harm local fauna. |
| Flora | No significant effect | Designated sites are subject to existing protection via other policies. The NDP seeks to protect existing assets and does not introduce policies that are likely to harm local flora. |
| Soil | No significant effect | Agricultural land classification grades 3 and 4 are present within the neighbourhood area. No development is proposed in the neighbourhood plan that would give rise to agricultural land. |
| Water | No significant effect | Flood zones 2 and 3 are present within the NA. The policies proposed are unlikely to exert a significant impact on the existing approach to development in areas of flooding, and flooding issues are addressed by policies in the wider development plan/other legislation. |
| Air | No significant effect | There are no air quality management areas within the neighbourhood area. The policies contained in the plan are unlikely to significantly impact this issue. |
| Material assets | No significant effect | There are no areas of historic landfill within the neighbourhood area. The policies in the plan do not address such issues and are therefore unlikely to result in a significant effect on the environment. No other material assets are present. |
| Landscape | No significant effect | There are 4 Sites of Biological Importance and 2 areas of Special Scientific Interest within and immediately adjacent to the M&DNA. M&DNP emerging policies seek to ensure that new development does not harm locally valued landscapes and the rural setting. |
| Cultural heritage, including architectural and archaeological heritage | No significant effect | There are multiple heritage assets in the M&DNA, some of which, particularly the settings, may be directly affected by new development across the Plan period. Nevertheless, policies exist in the NDP which seek to protect heritage assets, alongside similar policies in the Development Plan and therefore the policies overall are unlikely to enable the delivery of new development which would not already be possible under the existing local framework. As such the NDP policies are unlikely to have a significant effect on heritage assets directly or on the approach taken to heritage assets in the development planning process. |

| Characteristics of the NDP, regarding: | Cheshire East Council Assessment | Likely Significant Effect? (Y/N) |
|---|--|----------------------------------|
| The degree to which the Plan sets a framework for projects and other activities, either regarding the location, nature, size and operating conditions or by allocating resources. | <p>The NDP would, if made, form part of the statutory Development Plan and as such does contribute to the framework for future development consent of projects. The NDP is expected to determine the use of small areas at a local level enabling the provision of up to 30 dwellings across the plan period to 2030. New residential development is identified to be delivered adjacent to the existing settlement within a revised settlement boundary. The NDP sits within the wider framework of the National Planning Policy Framework (2012), the CEC Local Plan Strategy (2017) and the 'saved' Local Plan policies contained within the C&NBLP 2005, therefore the projects for which this NDP helps to set a framework are localised in nature but may have resource implications.</p> | N |
| The degree to which the Plan influences other plans and programmes including those in a hierarchy. | <p>The NDP must be in conformity with the National Planning Policy Framework. The policies within the NP should also be in general conformity with any strategic 'saved' Local Plan policies held within the C&NBLP and complement any LPS Strategic Policies. The CELPS is being prepared in two stages and because Parish name Parish falls with the Rural and Other Settlements category, the detailed policy framework for this tier of settlement is yet to be fully developed and therefore the conclusions reached in the NP may exert a limited degree of influence over the formation of future strategic and non-strategic policies in the Development Plan. However, the scope to depart from conclusions reached in the NP remains available to plan makers addressing issues relevant to this location.</p> | N |
| The relevance of the Plan for the integration of environmental considerations with a view to promoting sustainable development. | <p>The NDP is expected to work to protect and enhance the natural environment of the area within a wider policy framework including, but not limited to the NPPF, the saved policies of the Development Plan for Cheshire East Council and the Cheshire East Local Plan Strategy. The NDP</p> | N |

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| | addresses a series of local environmental issues. Draft policies have been identified to provide a sustainable level of growth within the parish and recognise the granting of recent consents to achieve this. In combination with other plans and legislation, it is considered that the NDP will integrate environmental considerations and promote sustainable development but may also give rise to an effect on the environment through the identification of a growth location. | |
| Environmental problems relevant to the Plan. | There are no environmental problems relevant to the Plan. Where relevant, future development proposals will need to consider the impact of the plan on flood risk, designated sites, and other primary and secondary impacts on the environment. | N |
| The relevance of the Plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | The NDP is not directly relevant to the implementation of European legislation, although it will need to take the impact of the Water Framework Directive into account. | N |
| | Whilst development may take place, which is informed by the NDP, the NDP does not assist in instigating development directly through allocation of sites. There are therefore likely to be short-term effects resulting from activity associated with the development of small scale, un-allocated sites within the NA. | N |
| The probability, duration, frequency, and reversibility of the effects of the Plan. | There may also be longer-term effects relevant to changes in land use which may be positive but on a limited scale may have a negative impact on environmental factors. The plan seeks to establish a local framework to address such issues and relies on higher tier plans and policies to deliver mitigation of such negative impacts. | N |
| | Where proposals are received to develop small scale sites in accordance with draft NP policies, such proposals will also be subject to national and local policies regarding environmental protection and mitigation of impacts. | N |

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| The cumulative nature of the effects of the Plan. | The NDP does not seek to bring forward allocation of small-scale sites that are not specifically detailed in the CELPS or already have planning permission granted. Given the limit levels of growth supported in the plan, such effects are likely to be limited. | N |
| The trans-boundary nature of the effects of the Plan. | There are not expected to be any significant trans-boundary effects. | N |
| The risks to human health or the environment (e.g., due to accidents). | There are no significant risks to human health. Indeed, the NDP is likely to improve human health through positive assertions on protection of natural assets and sustainable transport. | N |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) by the Plan. | M&DNDP covers the parishes of Marbury, Norbury and Wirswall. The NDP is likely to affect a resident population of approximately 564 people over the life of the Plan across a parish located in a mainly rural area. The population within the parish is expected to growth significantly due to the sites within the NA. | N |
| The value and vulnerability of the area likely to be affected by the Plan due to: Special natural characteristics or cultural heritage; Exceeded environmental quality standards or limit values; or intensive land use | <p>The NA contains several important cultural, natural and environmental assets both within and adjacent to the plan area however the limited levels of development supported, and existence of other mitigating policies seek to minimise impact here. The NDP sets out to deliver new development within framework supportive of small-scale development, implemented sensitively to preserve and enhance local natural, environmental and heritage assets. Given that the Borough is generally rural in nature, and M&DNA is predominantly a rural parish with a wealth of biodiversity and natural habitats, most proposed development will have an impact on the environment in the wider sense, and in some cases in a specific, locationally based sense that cannot yet be identified or assessed. Higher tier policies exist to offer adequate protection to the existing natural, cultural, and environmental assets within and adjacent to the plan area.</p> <p>The draft NDP does not exceed environmental quality</p> | N |

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| | standards or limit values. Specific sites are identified for development and an assessment has been undertaken to ensure that those sites selected make the best and most efficient use of land – not to intensively use the land for development. Specific policies are included to ensure land is not over developed. Future development proposals will be assessed against other policies within the Development Plan (which, in totality, should mitigate against the over-development of land). | N |
| The effects of the Plan on areas or landscapes which have recognised national, community or international protection status. | There are SSSIs and Sites of Biological Importance within and immediately adjacent to the NA. Policies are included in the NDP that seek to preserve and protect biodiversity and habitats. The NA does not include designated landscapes however introduces policies that address landscapes, and views, that may be locally sensitive to development. | N |
| | The location of these sites within the NDP area makes their presence relevant however the limited levels of growth and locations of sites do not give rise to a significant impact to the environment. | N |

Assessment 2 conclusion: The M&DNDP is unlikely to have a significant effect on the environment and Directive does not require an SEA.

Determining whether the NDP is likely to have a Significant Effect on Designated Sites

| NDP Objective | NDP Policy | Effect on European Designation |
|---|--|---------------------------------------|
| Ensure the Parish retains its peaceful, distinctive rural character | HLC1 Landscape Character | 1A. No negative effect |
| | HLC2 Heritage Assets and Conservation Area | 1A. No negative effect |
| Protect and enhance the natural environment, green open spaces and heritage assets of the Parish | Policy NE1 – Wildlife Habitat Corridors | 1B. No negative effect |
| | Policy NE2 – Biodiversity Net Gain | 1B. No negative effect |
| Ensure that any development is appropriate, sustainable, well designed, and in a suitable location which meets the needs of the local community | Policy NE3 – Trees, Hedgerows and Green Rural Lanes | 1B. No negative effect |
| | Policy NE4 – Local Green Spaces | |
| Ensure the Parish retains its peaceful, distinctive rural character | LHD1 Design Guide Application Policy | 1A. No negative effect |
| Ensure that any development is appropriate, sustainable, well designed, and in a suitable location which meets the needs of the local community | | 1A. No negative effect |
| Support and encourage the local economy and agriculture | Policy AC1 Public Rights of Way, Bridleways and Cycle Routes and Towpath Policy AC2 – Tourism | 1C. No negative effect |
| Promote improvements to infrastructure that improve the experience of living, visiting and working in the Parish | | 1A. No negative effect |
| Improve access to, and enjoyment of, the countryside for residents and visitors alike | Policy LC1 – Local Community Facilities | 1C. No negative effect |
| Support community facilities and cohesion, ensuring a welcoming, vibrant, inclusive and diverse community | | 1B. No negative effect |
| Protect and enhance the natural environment, green open spaces and heritage assets of the Parish | Policy RE1 – Local Economy | 1B. No negative effect |
| Ensure that any development is appropriate, sustainable, well designed, and in a suitable location which meets the needs of the local | | |

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| community | | |
| Promote improvements to infrastructure that improve the experience of living, visiting and working in the Parish | | |
| Support and encourage the local economy and agriculture | Policy LI1 – Telecommunications and Broadband | 1C. No negative effect |
| Promote improvements to infrastructure that improve the experience of living, visiting and working in the Parish | | |
| Support and encourage the local economy and agriculture | Policy LI2 – Transport and Safety | 1D. No negative effect |
| Promote and support sustainable transport | | |
| Promote improvements to infrastructure that improve the experience of living, visiting and working in the Parish | | |
| Improve access to, and enjoyment of, the countryside for residents and visitors alike | | |
| Protect and enhance the natural environment, green open spaces and heritage assets of the Parish | Policy LI3 Renewable Energy | 1D. No negative effect |
| Support and encourage the local economy and agriculture | | |
| Ensure that any development is appropriate, sustainable, well designed, and in a suitable location which meets the needs of the local community | | |

| ‘Effect’ Category | Description |
|------------------------|---|
| 1A. No negative effect | Policy will not lead to development. For example, it relates to design or other qualitative criteria, or it is not a land-use planning policy. |
| 1B. No negative effect | Policy intended to conserve or enhance the nature, built or historic environment, where enhancement measures will not be likely to have any negative effect on a European Site. |
| 1C. No negative effect | Policy would have no effect because no development could occur through the policy itself, the development being implemented through other policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and |

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| | associated sensitive areas. |
| 1D. No negative effect | Policy is similar to, or compliant with, The Cheshire East Local Plan Strategy policy which has been assessed as having no negative effects by a HRA/SA. |
| 2. No significant effect | No significant effect either alone or in combination with other plans or projects, because effects are trivial, minimal or mitigated through other policies in combination. |
| 3. Likely significant effect alone | Policy could indirectly affect a European Site, because it provides for, or steers, a quantity or type of development that may be very close to it, or ecologically, hydrologically or physically connected to it, or it may increase disturbance as a result of increased recreational pressure. |
| 4. Likely significant effects in combination | The policy alone would not be likely to have significant effects but if the effects are combined with the effects of other policies or proposals provided for or coordinated by the relevant plans or projects the cumulative effects would be likely to be significant. |

Screening Assessment Conclusion

The M&DNDP includes policies that support small scale development at a scale in conformity with the approach taken by the CELPS. It introduces criteria-based policies (that are yet to be finalised) that address local issues, but which do alter the status of land to a degree which would have a significant effect on the environment.

There is one designated sites of European significance within the NA and 6 within a 15km proximity, however, due to the nature of the policies, and that the NDP does not allocate sites for development, the effect of the plan on these sites is not considered to be significant. The M&DNDP also seeks to ensure that any new development is addressed sensitively in the context of evidence prepared in relation to natural, heritage and landscape assets thus incorporating environmental protection in general and at specific designated locations.

The assessment therefore concludes that the M&DNDP is unlikely to have a significant effect on the environment or on designated sites and therefore an HRA and SEA are not required.

Monitoring of the NDP Policies

Whilst Marbury and District Parish Council is committed to the delivery of the objectives held within the NDP, there may be circumstances where development will not come forward entirely as anticipated. CEC, as part of its monitoring of the Development Plan, including this NDP, monitor performance through a Monitoring Report produced annually. The M&DNDP will also be monitored through this process. Generally, the outcome of the monitoring process will inform whether specific intervention actions should be pursued in the M&DNDP. If these actions fail to address under performance, then other complementary plans and strategies should be reviewed.

Appendices

Appendix A: Responses from Statutory Consultees

Historic England



Historic England

Neighbourhood Planning
Cheshire East Council

Direct Dial: 0161 242 1445

Our ref: PL00765102
1 March 2022

Dear Neighbourhood Planning

**Marbury & District Neighbourhood Development Plan
Strategic Environmental Assessment (SEA) Screening Report (February 2022)**

We write in response to your e-mail of 10 March 2022, seeking a formal screening opinion from Historic England as to whether a SEA is required for Marbury & District's Neighbourhood Plan.

Historic England has produced a document that you might find helpful in providing guidance on the effective assessment of the historic environment in Strategic Environmental Assessments. This can be found at:

<<https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>>

For the purposes of this consultation, Historic England will confine the advice given to the question, "Is it likely to have a significant effect on the environment?", in respect to our area of concern, cultural heritage.

In the context of the criteria set out in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 [Annex II of SEA Directive], and on the basis of the information supplied, it is considered that the plan appears to propose no site allocations or policies that would have significant environmental effects upon the historic environment, and so Historic England concur with your conclusion that the Marbury & District Neighbourhood Development Plan is unlikely to have a significant effect on the environment and therefore SEA is not required.

We would like to stress that this opinion is based on the information made available in the email dated 10 March 2022. To avoid any doubt, this decision does not preclude Historic England providing further advice on later stages of the SEA process, should this be required, nor objecting to specific proposals that may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance), where we consider that these would have an adverse effect upon the environment. We note that the views of the other statutory consultation bodies should be taken into account before the overall decision on the need for SEA is made.

Historic England strongly advises that the conservation and archaeological staff of the



SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW
Telephone 0161 242 1416
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.



Historic England

Cheshire East Council and the Cheshire Archaeology Planning Advisory Service are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on: local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

We request that you please send us a copy of the determination as required by Reg 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Yours sincerely,

Pippa Brown
Historic Places Adviser
Pippa.Brown@historicengland.org.uk

cc:



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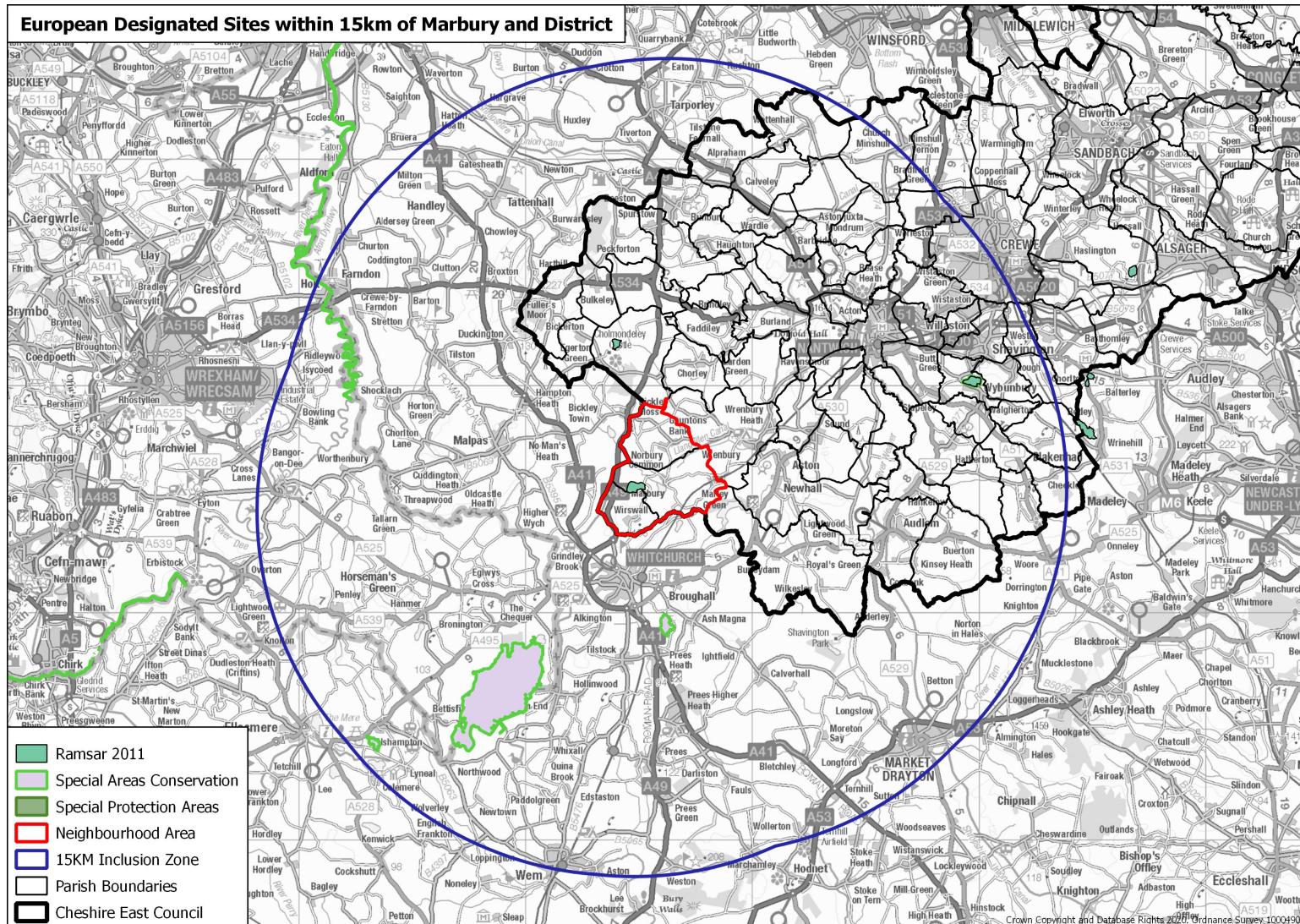
Environment Agency

No response received.

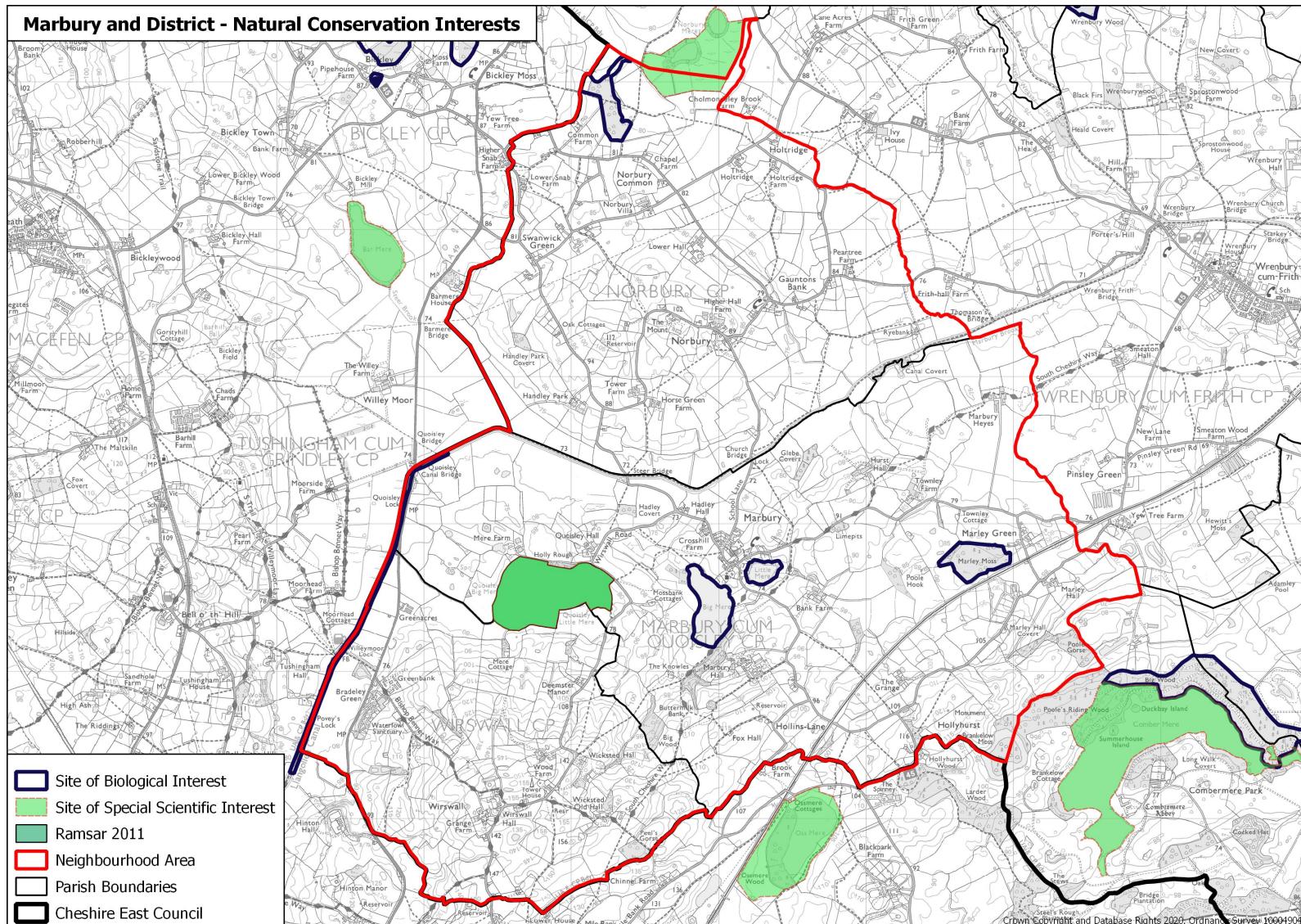
Natural England

No response received.

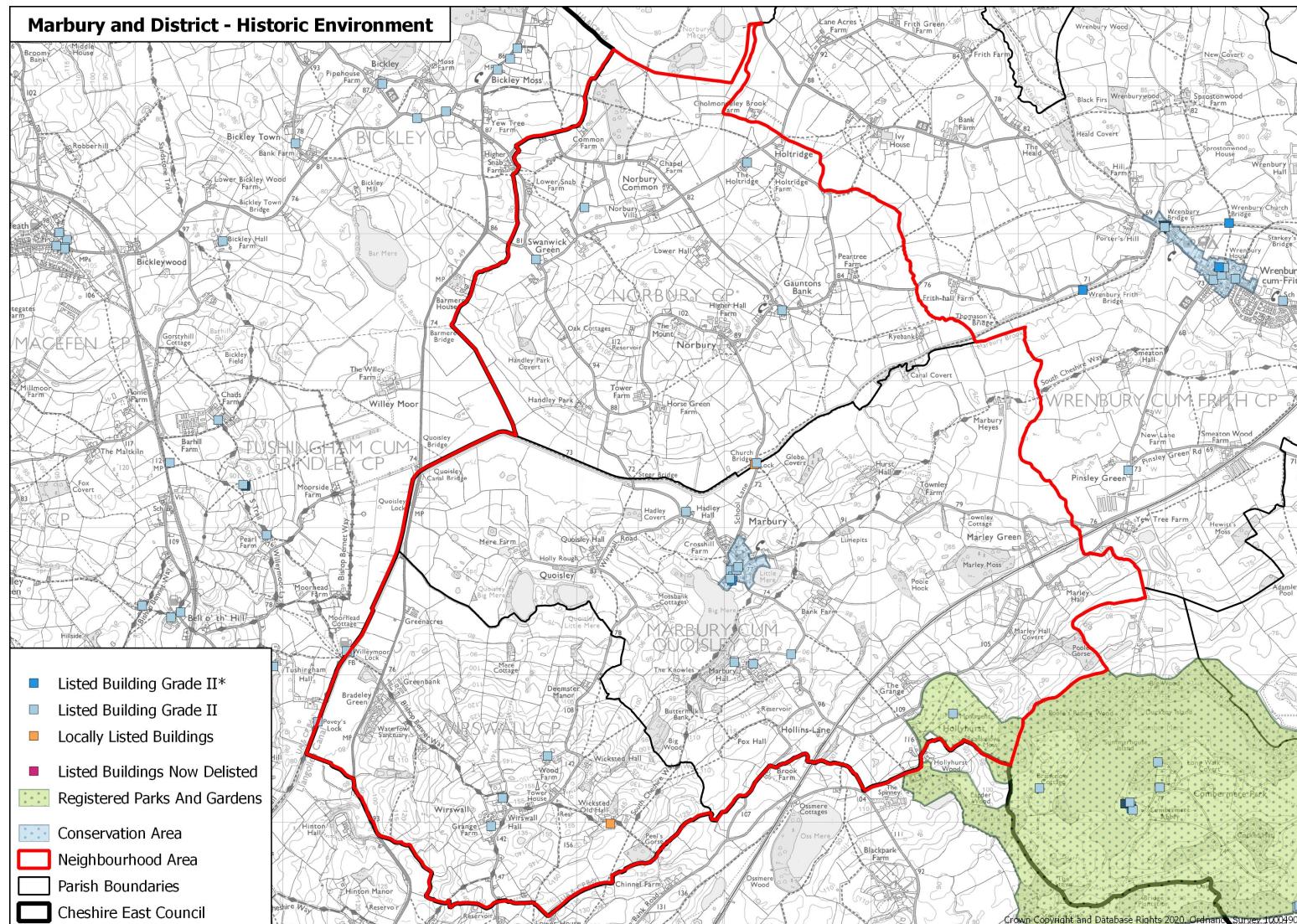
Appendix B: Location of European Designated Sites in Relation to the NDP



Appendix C: Location of Local Environmental Designations in Relation to the NDP



Appendix D: Location of Designated Historic Assets in Relation to the NDP



Appendix E: Location of Flood Risk Zones in Relation to the NDP

