

Strategic Environmental Assessment,
Sustainability Appraisal and Habitats
Regulations Assessment Screening
Determination for Upton-by-Chester and
District Neighbourhood Plan

Prepared on behalf of Upton-by-Chester and District Neighbourhood Plan Steering
Group by

Cheshire West and Chester Council

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Contents

1.0	Introduction.....	2
2.0	Strategic Environmental Assessment Screening.....	5
3.0	Habitats Regulation Assessment Screening.....	7

Appendix 1: SEA Screening - Overview of policies and identified effects of the Upton-by-Chester and District Neighbourhood Plan (January 2021)

Appendix 2: SEA Screening – Assessment of significant environmental effects of the Upton-by-Chester and District Neighbourhood Plan

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

Appendix 4: HRA Screening – European sites relevant to the Draft Neighbourhood Plan

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

Appendix 6: Comments received on the initial SEA Screening Opinion and HRA Screening

1.0 Introduction

In accordance with the 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 Upton-by-Chester and District Neighbourhood Plan. This document also sets out the findings of the Habitats Regulations Assessment (HRA) screening and identifies whether Appropriate Assessment is required under European Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2017.

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

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

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

This screening opinion has been based upon the policies set out in the draft for consultation version of the Neighbourhood Plan (December 2020).

A draft screening opinion was produced in September 2020. The Council has a duty to consult Natural England, Historic England and the Environment Agency. The statutory environmental bodies were consulted on 30 September 2020. Details of the bodies consulted and the responses received on SEA and HRA are provided in Appendix 6. Responses were received from Natural England, Historic England, the Environment Agency, Historic England, CADW and Natural Resources Wales. The

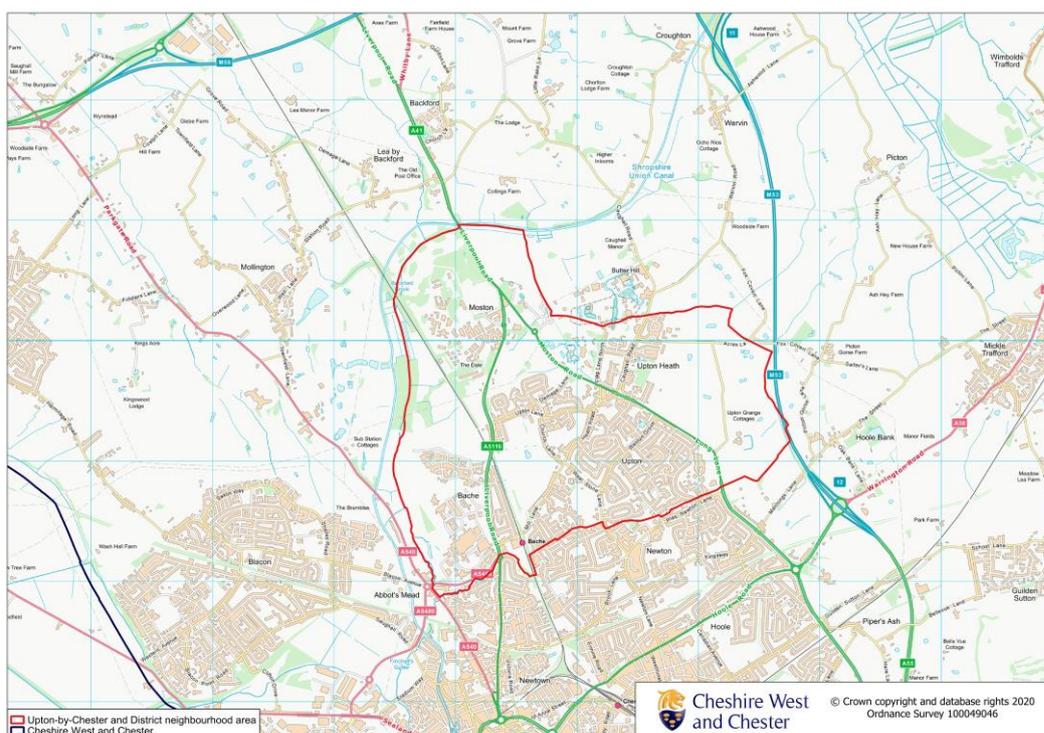
statutory consultees all agreed with the outcome of the initial screening exercise, that SEA is not required. This final screening statement addresses comments made during the consultation.

Natural Resources Wales identified that the issue of possible effects in relation to water quality associated with any discharge of wastewater from new developments that drains into the River Dee and tributaries may require further consideration and could have implications for Water Framework Directive (2000/60/EC). As the Neighbourhood Plan does not allocate any sites for development, it is not considered that it will result in additional discharges of wastewater from new developments and as such, there will be no additional implications for the Water Framework Directive (200/60/EC) above and beyond those already considered through assessment of the Local Plan (Part One and Part Two).

Location and geographical scope of the Upton-by-Chester and District Neighbourhood Plan

The Neighbourhood Plan covers the three civil parishes of Upton-by-Chester, Bache and Moston. These three areas are all covered by Upton-By-Chester and District Parish Council. The Neighbourhood Area is located within the urban area of Chester and to the north of Chester city centre. The population of Upton was 8,905 in 2011, according to the Census.

The area is surrounded by Green Belt to the east, north and west. The Countess of Chester Health Park and Dale Barracks army base fall within the Neighbourhood Area and Chester Zoo is located adjacent to the boundary.



Relationship to other plans and programmes

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

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

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

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

Scope of Neighbourhood Plan

The vision set out in the Neighbourhood Plan is that in 2030, Upton will be:

- a pleasant, predominantly residential, area that provides a secure and sustainable environment for its inhabitants;
- part of the wider urban area of Chester but with a distinctive character as a former village settlement, protected by Green Belt, with local access to open spaces and countryside;
- a coherent yet diverse community which takes pride in and protects its appearance and its physical and cultural heritage;
- a place where people of all ages and incomes can find high quality, well designed, sustainable housing and the community services and facilities they need, particularly health services and a range of good schools for all ages and abilities;
- a healthy community with protected open spaces providing good facilities for physical exercise and enjoyment;
- a community where local shopping hubs at Bache, Long Lane and Weston Grove will provide a range of retail provision to serve local needs;

- linked by sustainable transport to employment and leisure provision with roads that are safe for pedestrians, cyclists and people with disabilities;
- home to one of the world’s premier zoos, which will increasingly develop as a positive influence on the local community and environment;
- the centre of hospital services for the wider Chester area with access arrangements for patients, staff and visitors that reduce negative impacts on residents;
- continuing its long association with the army, the Dale Barracks is increasingly being integrated into the local community. If Upton’s long association with the army has ended, the Dale Barracks site will have developed for mixed residential and employment use on “carbon neutral” principles.
- a community which is adapted to be resilient to the impact of climate change, working towards a “carbon neutral” impact on the earth’s resources through sustainable community energy projects and conservation measures.

The Neighbourhood Plan includes policy areas relating to: sustainability; physical character; housing; local services and facilities; transport and communications; economic activity; and the Dale Barracks.

The pre-submission version of Upton-by-Chester and District Neighbourhood Plan (January 2021) has been prepared in general conformity with the strategic policies in the adopted Local Plan (Part One) Strategic Policies and the Local Plan (Part Two) Land Allocations and Detailed Policies. The Neighbourhood Plan does not propose land allocations for development and the policies are compatible with the overall type and level of development established in the Local Plan for Chester.

2.0 Strategic Environmental Assessment Screening

Legislative background and methodology

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

The Upton-by-Chester and District Neighbourhood Plans fall within the scope of this legislation as it is a plan prepared for town and country planning or land use and will set the framework for future development consent of projects, in accordance with Part 3(2) of the SEA Directive. However, Neighbourhood Plans are land use

planning documents prepared at the local level to determine land use in a small area.

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

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

Screening methodology

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

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

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

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

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

The assessment of the significant environmental effects of the pre-submission version of the Neighbourhood Plan is set out in Appendix 2. The characteristics of the Plan's effects and the area likely to be affected are set out in Appendix 3.

Conclusion

In accordance with Part 2 (9) of the Environmental Assessment of Plans and Programmes Regulations, Cheshire West and Chester Council consider that it is unlikely there will be any significant environmental effects arising from the Upton-by-

Chester and District Neighbourhood Plan. As such, a Strategic Environmental Assessment of the Upton-by-Chester and District Neighbourhood Plan is not required.

3.0 Habitats Regulations Assessment Screening

Legislative background

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

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

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

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

Inter-relationship with the Local Plan HRA

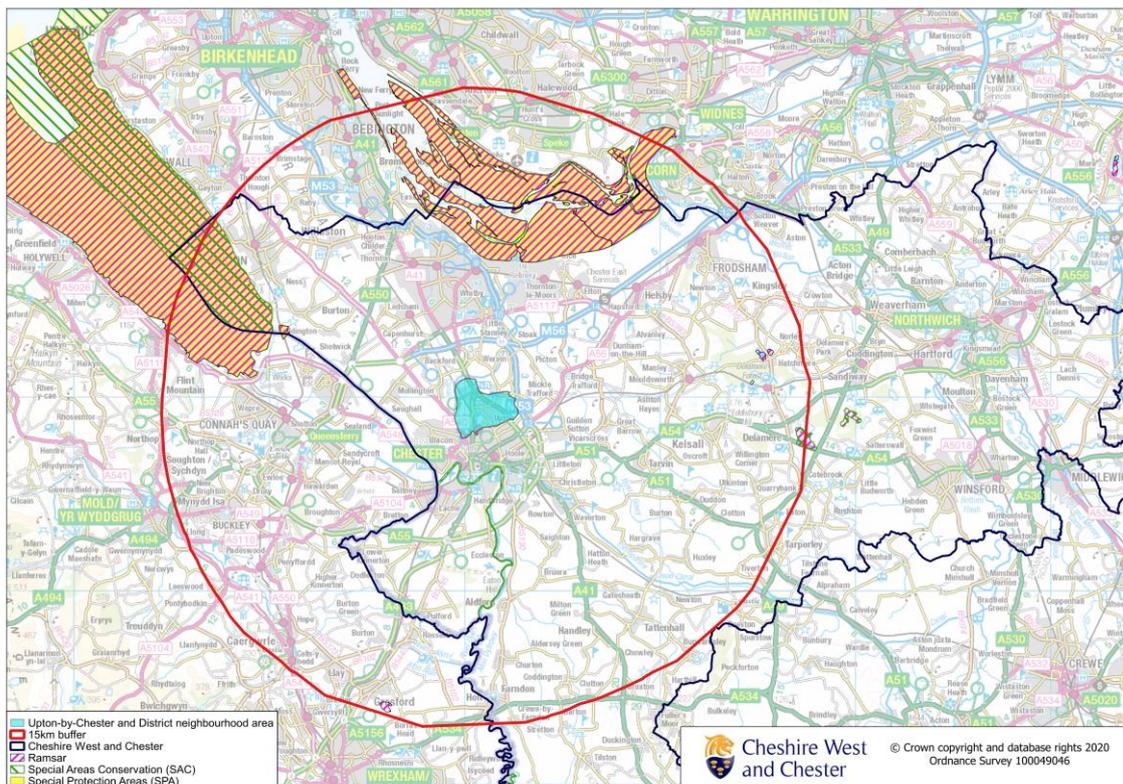
The Cheshire West and Chester Local Plan (Part One) Strategic Policies has already been through the HRA process, and the results detailed in the Cheshire West and Chester Local Plan Publication Draft (Part 1) Strategic Policies Habitat Regulations Assessment Screening Report.

The HRA for the Local Plan (Part One) identified 12 European sites to include within the HRA:

- Oak Mere SAC;

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

Information about all these sites, the reasons for designation, pressures and pathways of impacts are provided in the HRA for the Local Plan (Part One and Part Two). Information about sites relevant to the Neighbourhood Plan is summarised in Appendix 4.



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

The following sites have been screened out as they are outside the 15km radius for the Upton-by-Chester and District Neighbourhood Area:

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

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

The European protected sites that fall within a 15km radius of the Neighbourhood Area (as shown on the map above) are included within the HRA Screening.

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

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

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

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

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

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

Table 1: Potential pressures outside the scope of the HRA

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

<p>increasing off-shore exploration and production activity associated with oil and natural gas on protected sites outside CWaC.</p>	<p>oil and gas exploration and production activity outside CWaC.</p>
<p>Coastal squeeze from land reclamation and coastal flood defences and drainage in European sites outside CWaC.</p>	<p>Neighbourhood Plans within CWaC will not have a significant impact on coastal squeeze resulting from land reclamation, coastal flood defences and drainage in areas outside CWaC.</p>

HRA screening

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

It is considered that as long as the proposed policies of a Neighbourhood Plan do not alter the strategic policy framework assessed in the Local Plan (Part One and Part Two) HRA Screening Report and do not have Likely Significant Effects beyond this, then Appropriate Assessment of the Neighbourhood Plan will not be required. The Neighbourhood Plan does not allocate sites for development, which makes it less likely to have significant effects resulting from specific development supported through the Plan.

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

Conclusion

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

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

Therefore, it is considered that any proposals coming forward for Upton-by-Chester and district in accordance with the Neighbourhood Plan would not result in a Likely

Significant Effect on a European site than already identified and assessed through the Local Plan (Part One and Part Two) Habitats Regulation Assessment Report.

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

Appendix 1: SEA Screening - Overview of policies and identified effects of the Upton-by-Chester and district Neighbourhood Plan (January 2021)

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
<p>S1: Sustainable construction</p>	<p>Developments must support the objective of seeking reductions in carbon footprint and mitigating the impacts of climate change. Developments should be designed to minimise non-renewable energy consumption, including use of sustainable materials, high energy efficiency, renewable energy and efficient building design.</p> <p>Major developments required to support sustainable living and use best practice in the use of sustainable resources and green technologies such as renewable energy and storage, decentralised heating, heat from waste systems and rainwater harvesting.</p> <p>All development proposals will normally be expected to achieve the highest levels of energy and water efficiency and demonstrate they have examined and maximised opportunities to incorporate sustainable design features.</p>	<p>Water</p> <p>Climatic factors and air</p> <p>Material assets</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - ENV 6 (high quality design and sustainable construction) - ENV 7 (alternative energy supplies) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - DM 53 (energy generation, storage and district heat networks)
<p>S2: Renewable energy generation</p>	<p>Support renewable and low carbon energy generation developments that are led by or meet the needs of the community and create opportunities for co-location of energy producers with energy users.</p> <p>Regard will be given to the wider benefits of providing energy from renewable sources, as well as potential effects on the local environment, including</p>	<p>Climatic factors and air</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - ENV 6 (high quality design and sustainable construction) - ENV 7 (alternative energy supplies)

	cumulative impacts.		Local Plan (Part Two) Land allocations and detailed policies - DM 53 (energy generation, storage and district heat networks)
PC1: Protecting and enhancing heritage assets	<p>Preserve, protect or enhance designated and non-designated heritage assets and historic landscape character.</p> <p>Protect or enhance the character and setting of the 12 listed buildings in the study area, six Scheduled Monuments and two conservation areas.</p> <p>Protect or enhance the character and setting of the Upton Cross area and landmark and marker buildings.</p> <p>Provision of desk-based assessment of significance of the assets and developments physical effect on the asset and its setting and measures to avoid, minimise or mitigate any adverse impacts.</p>	Cultural heritage and landscape	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - ENV 2 (landscape) - ENV 5 (historic environment) - ENV 7 (alternative energy supplies) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - N/A
PC2: Preserving local character and distinctiveness	<p>Support development that preserves and enhances the character of the area, as defined in the Upton Characterisation Study.</p> <p>Applications must set out a clear response to the character area/s. This should include appearance, means of access, landscaping, layout and scale.</p> <p>Design should harmonise, complement or contrast (different but high quality and exemplar approach).</p> <p>Protect and enhance locally distinctive boundaries.</p> <p>Preserve or restore original architectural details.</p> <p>Carefully design alterations and extensions to ensure character of the building and its contribution to the wider area is not harmed and impact on</p>	Cultural heritage and landscape	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - ENV 2 (landscape) - ENV 5 (historic environment) - ENV 7 (alternative energy supplies) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - N/A

	significant heritage assets and their setting is minimised.		
PC3: Landscape and recreational spaces	<p>Support development that protects and enhances open spaces and associated leisure and recreation facilities.</p> <p>Designates 5 sites as Local Green Spaces, where development is not permitted except in very special or exceptional circumstances:</p> <ul style="list-style-type: none"> - Countess of Chester Country Park - Former cricket pitch at the frontage of the 1839 building - Land at Upton Cross - Queen Elizabeth II playing field - Chemistry Pits playing field 	<p>Population and human health</p> <p>Biodiversity, flora and fauna</p> <p>Cultural heritage and landscape</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - SOC 5 (health and wellbeing) - SOC 6 (open space, sport and recreation) - ENV 2 (landscape) - ENV 3 (green infrastructure) - ENV 4 (biodiversity and geodiversity) - ENV 5 (historic environment) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - N/A
H1: Scale of housing development	<p>Large-scale housing development only supported on the site of Dale Barracks, should this become available during the plan period, or in exceptional cases, to meet an identified community need.</p> <p>Small-scale housing development supported, provided that it is environmentally sustainable.</p> <p>Support re-use of redundant or disused buildings, redevelopment of brownfield sites and infill housing development of up to two dwellings in a small gap in an otherwise built up frontage.</p>	<p>Population and human health</p> <p>Housing (no SEA topic)</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - STRAT 2 (strategic development) - STRAT 3 (Chester) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - N/A
H2 – Mix of housing types	<p>Sites which are developed for housing should provide an appropriate mix of housing types.</p> <p>Should include properties that meet the needs of</p>	<p>Population and human health</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - SOC 1 (delivering affordable housing)

	first-time buyers and people wishing to downsize and / or support elderly residents whilst encouraging independent living.		<ul style="list-style-type: none"> - SOC 3 (housing mix and type) Local Plan (Part Two) Land allocations and detailed policies <ul style="list-style-type: none"> - N/A
H3 – Design of housing development	<p>All new housing developments will be expected to be of a high quality of design which will:</p> <ul style="list-style-type: none"> - Be appropriate size, height, scale, mass - Complement and enhance skyline, materials, layout, access - Not unacceptably affect amenities of neighbours - Provide landscaping that complements / enhances the character of the local area - Provide garden space commensurate with the size of the dwelling, pattern of local development and likely needs of future occupiers - Provide appropriate parking 	Population and human health	Local Plan (Part One) Strategic policies <ul style="list-style-type: none"> - SOC 5 (health and wellbeing) - STRAT 10 (transport and accessibility) Local Plan (Part Two) Land allocations and detailed policies <ul style="list-style-type: none"> - T 5 (parking and access)
LSF1 – Provision of services and facilities	<p>Support provision of new facilities for community services subject to any new development:</p> <ul style="list-style-type: none"> - respecting local residential amenity, particularly in terms of noise and traffic generation and - preserving local character and distinctiveness. 	Population and human health	Local Plan (Part One) Strategic policies <ul style="list-style-type: none"> - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) - SOC 5 (health and wellbeing) - SOC 6 (open space, sport and recreation) - ENV 5 (historic environment) Local Plan (Part Two) Land allocations and detailed

			<p>policies</p> <ul style="list-style-type: none"> - T 5 (parking and access)
LSF2 – Change of use or redevelopment of facilities for community services	<p>Change of use or redevelopment for alternative uses will only be supported where the services are no longer needed or they include alternative provision in a suitable location of equivalent or enhanced facilities and is safely accessible to all by a range of transport modes and has adequate parking.</p>	<p>Population and human health</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) - SOC 5 (health and wellbeing) - SOC 6 (open space, sport and recreation) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - T 5 (parking and access)
T1 – Sustainable transport	<p>Support development that reduces car usage and congestion.</p> <p>Do not support development that results in increased congestion or risks to road safety</p> <p>Requires a transport assessment to be submitted with developments that would generate significant amounts of movement. The assessment should incorporate steps to mitigate any harmful effects and a Travel Plan.</p> <p>Supports proposals that meet the sustainable transport needs of those with disabilities and elderly persons and support proposals that promote integration between different modes of transport and / or improve bus routes, services and facilities.</p>	<p>Population and human health</p> <p>Climatic factors and air</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) - SOC 5 (health and wellbeing) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - T 5 (parking and access)
T2 – Pedestrians and cyclists	<p>Where necessary and proportionate to the impact of the development, funding must be committed to the provision of safe, wide, smooth surfaced and direct footpaths and cycle routes between the</p>	<p>Population and human health</p> <p>Climatic factors and air</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development)

	<p>development, local retail / activity centres and local schools.</p> <p>Cycle routes and footpaths should link with the existing cycle network and public footpaths and should be enhanced.</p> <p>CIL funds will be put towards the costs of maintaining and improving the network of footpath and cycle paths, with priority given to routes with the highest traffic related fear factor. Developer contributions towards those costs will be sought where appropriate.</p>		<ul style="list-style-type: none"> - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) - SOC 5 (health and wellbeing) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - T 5 (parking and access)
T3 – Parking	<p>Support development that would reduce or not exacerbate existing parking problems.</p> <p>Support further provision of off-road parking.</p> <p>Require adequate parking facilities to avoid or minimise 'on street' parking.</p> <p>Prevent loss of existing parking provision for shops and businesses unless it is no longer required or adequate replacement provision is made.</p>	<p>Population and human health</p> <p>Climatic factors and air</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) - SOC 5 (health and wellbeing) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - T 5 (parking and access)
T4 – Provision of electric charging points	<p>All new dwellings where dedicated parking per house is provided will be required to have an electric vehicle charging point.</p> <p>General parking areas in housing developments are required to have one charging point.</p> <p>New employment, leisure or retail developments are encouraged to provide electric charging points for staff / users.</p>	<p>Climatic factors and air</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) <p>Local Plan (Part Two) Land allocations and detailed policies</p>

			- T 5 (parking and access)
T 5 – Cycle parking	<p>All new flats, apartments or maisonettes must provide a cycle storage unit assigned to that dwelling, with capacity for at least one bicycle for each bedroom.</p> <p>The cycle storage unit to be in or immediately adjacent to the property, fully-enclosed, secure and at ground level.</p>	<p>Population and human health</p> <p>Climatic factors and air</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) - SOC 5 (health and wellbeing) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - T 5 (parking and access)
E1 – Limit the occupancy by fast food takeaways within each of the three main shopping areas	<p>Supports proposals for A1 retail usage in the Local Retail Centres.</p> <p>Proposals for change of use which will lead to usage of premises by Class A5 businesses in excess of 33% in total at Weston Grove, and 10% at each Bache and Long Lane will not be supported.</p>	<p>Population and human health</p> <p>Economic development (no SEA topic)</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - ECON 2 (Town centres) - SOC 5 (health and wellbeing) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - N/A
E2 – Development for business purposes	<p>Applications for office and light industrial business uses will be supported, provided that:</p> <ul style="list-style-type: none"> - They do not harm the residential amenity of the area - They do not cause unacceptable noise, air pollution or other nuisance - They do not lead to a loss of residential property - They do not have significant negative impacts on the environment or significantly 	<p>Population and human health</p> <p>Climatic factors and air</p> <p>Economic development (no SEA topic)</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 10 (transport and accessibility) - ECON 1 (economic growth, employment and enterprise) - ECON 2 (town centres) - SOC 5 (health and wellbeing) <p>Local Plan (Part Two) Land allocations and detailed policies</p>

	<p>increase traffic levels</p> <ul style="list-style-type: none"> - They do not lead to a decrease in retail shop usage at the Local Retail Centres <p>Development of land for general industrial uses will not be supported.</p>		<ul style="list-style-type: none"> - T 5 (parking and access)
<p>D1 – Dale Barracks development</p>	<p>Development will be supported in conformity with policy GBC 1.C of the Local Plan, provided that:</p> <ul style="list-style-type: none"> - Consultation with the community forms a key part of the design process. - A Building for Life 12 assessment is undertaken and updated through all stages. - A statement is provided to show how the National Design Guide and Upton Design Guide has been taken into account. - Development is in keeping with local housing requirements. - Existing residential properties are retained and enhanced where needed or alternative accommodation is provided. - There is no physical segregation or barrier to movement between phases of development and existing houses. - All properties have access to safe and comfortable walking and cycling routes, linked to the wider network. 	<p>Population and human health</p> <p>Climatic factors and air</p>	<p>Local Plan (Part One) Strategic policies</p> <ul style="list-style-type: none"> - STRAT 1 (sustainable development) - STRAT 3 (Chester) - STRAT 10 (transport and accessibility) - STRAT 11 (infrastructure) - SOC 3 (housing mix and type) - SOC 5 (health and wellbeing) <p>Local Plan (Part Two) Land allocations and detailed policies</p> <ul style="list-style-type: none"> - GBC 1 (commercial sites in the Green Belt) - GBC 1.C (Dale Barracks) - T 5 (parking and access)

Appendix 2: SEA Screening – Assessment of significant environmental effects of the Upton-by-Chester and District Neighbourhood Plan

SEA Directive	Characteristics of the plan	Significant environmental effect?
<p>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>	<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 Upton-by-Chester and District 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.</p> <p>The Upton-by-Chester and District Neighbourhood Plan will not impact on the strategic location, nature, size and operating conditions of new development over and above that set by the adopted Local Plan for the borough.</p> <p>The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management measures and environmental protection legislation.</p>	<p>No</p>
<p>The degree to which the plan or programme influences other plans and programmes including those in a hierarchy</p>	<p>The Neighbourhood Plan has to be in general conformity with the strategic policies of the adopted Local Plan and must contribute to the achievement of sustainable development. It will therefore have limited influence over changing the policies in plans at the higher strategic level or lead to the development of further plans below it.</p>	<p>No</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>The Neighbourhood Plan is required, as one of the basic condition tests, to contribute to the achievement of sustainable development. Whether this basic condition is met will be tested during the examination of the Neighbourhood Plan. However, the framework for the promotion of sustainable development is set by the Government's Strategy for Sustainable Development, the National Planning Policy Framework and the policies in the adopted Local Plan for the borough. The Neighbourhood Plan will have limited influence over changing the sustainable development policies in plans and policies at the higher strategic level.</p>	<p>No</p>

<p>Environmental problems relevant to the plan or programme</p>	<p>The Sustainability Appraisal scoping reports for the Local Plan (Part One and Part Two) provide a comprehensive overview of the issues in Cheshire West and Chester. There are no specific additional environmental problems identified for the Upton-by-Chester and District area.</p> <p>Some of the environmental issues and problems for the Upton-by-Chester and District area include:</p> <ul style="list-style-type: none"> • Homes to meet the needs of local people • Measures to protect the physical and cultural heritage • Provision of community services and facilities • Health of the community and provision of facilities for physical exercise and enjoyment • Protection of local shopping hubs to meet local needs • Road safety and opportunities for walking and cycling • Support for the services provided by the Countess of Chester hospital, whilst preventing negative impacts due to traffic and access • Support for the major tourist attraction at Chester Zoo, whilst preventing negative impacts due to traffic and access • Dale Barracks and it's potential for future development • Climate change and ways to work towards becoming carbon neutral <p>The Neighbourhood Plan will seek to address these issues.</p>	<p>No</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>

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

Identified effects of the proposed policies	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects ¹	Risks to human health or the environment (e.g. due to accidents)	Magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Value and vulnerability of the area likely to be affected due to the effect on special natural characteristics or cultural heritage	Value and vulnerability of the area likely to be affected due to the effect on environmental quality standards or limit values	Value and vulnerability of the area likely to be affected due to the effect on intensity of land-use	Effects on areas or landscapes which have a recognised national, Community or international protection status	Significant environmental effect?
Water	High probability, but lower frequency as policies seek to increase water efficiency in new developments, but level of development may be limited due to the existing built-up nature of the area. Short and medium term.	Potential for small scale cumulative effects as new development within the area likely to be limited due to the existing built-up nature of the area, but water efficiency measures in new developments will have a cumulative positive effect.	None	None	Local, small scale at the neighbourhood level.	None	None – no specific areas of water undersupply in this area.	None – policies will improve water efficiency and will have positive impacts.	None identified	No

¹ 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.

Climatic factors and air	High probability but lower frequency as policies generally seek to reduce car use by providing alternatives but level of development may be limited due to the existing built-up nature of the area. Short, medium and long-term.	Potential for small scale cumulative effects as new development within the area likely to be limited due to the existing built-up nature of the area, but supporting alternatives to the private car will have a cumulative positive effect.	None	None		None	None – no specific air quality issues or air quality management areas in this area.	None	None identified	No
Material assets	High probability but lower frequency as the policies aim for sustainable building and use of resources and protection of cultural heritage assets, but level of development may be limited due to the existing built-up nature of the area. Short, medium and long-term.	Potential for small scale cumulative effects as new development within the area likely to be limited due to the existing built-up nature of the area but supporting sustainable building and use of resources and protection of cultural and heritage assets will have a cumulative positive effect.	None	None	Local, small scale at the neighbourhood level.	None – the area includes listed buildings and conservation areas, but these will be protected by the policies.	None	None	None identified	No

Cultural heritage and landscape	High probability as policies support the protection and enhancement of heritage assets. Short, medium and long-term impact.	Potential small scale positive cumulative effect.	None	None	Local, small scale at the neighbourhood level.	None – the area includes listed buildings and conservation areas, but these will be protected by the policies.	None	None	None identified	No
Population and human health	Dependent on the scale and nature of development proposed. The Neighbourhood Plan provides a positive framework to support community facilities, shops, local green space and mix of house types, which should have a positive effect on health and well-being. The Neighbourhood Plan does not allocate specific sites / schemes.	Policies to protect and enhance facilities, shops and green spaces will have a small scale positive cumulative effect.	None	None	Local, small scale at the neighbourhood level.	None	None – no major health issues in this area and the policies will have beneficial impacts on health.	None	None identified	No

Biodiversity, flora and fauna	High probability as policies seek to protect Local Green Spaces. Short, medium and long-term.	Potential small scale positive cumulative effect.	None	None	Local, small scale at the neighbourhood level.	None – no nationally or internationally protected sites within the area.	None – no nationally or internationally protected sites within the area.	None	None identified	No
Housing (no SEA topic)	Dependant on the nature and location of development and whether Dale Barracks comes forward for development. Low probability due to the predominantly built-up nature of the area. Likely to be medium to long-term.	Potential small scale positive cumulative effect but this depends upon the nature and location of development.	None	None	Local, small scale at the neighbourhood level.	None – policies relating to housing also refer to protection of the local area and heritage.	None	None – the policy relating to Dale Barracks requires design and therefore intensity of land use to reflect the surrounding areas.	None identified	No
Economic development (no SEA topic)	Low probability due to lack of potential sites for economic development. Medium to long term.	Potential small scale positive cumulative effect but this depends upon the nature and location of development	None	None	Local, small scale at the neighbourhood level.	None – no major developments proposed and the policies relating to economic development also require protection of the local area.	None – no major developments proposed and the policies relating to economic development also require protection of the local area.	None	None identified	No

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

European site	Reason for inclusion	Reason for designation	Existing pressures and potential impacts
Oak Mere SAC	Located within Cheshire West and Chester	Water body with clear water of low nutrient status characteristics of oligotrophic waters and a marginal zone of shoreweed (<i>Littorella uniflora</i>). Site supports an assemblage of plants that are rare in the lowlands of England, including bog moss (<i>Sphagnum</i> spp) and the scarce narrow small-reed (<i>Calamagrostis stricta</i>).	<ul style="list-style-type: none"> - Water pollution / enrichment. - Hydrological changes - reduction in size of the mere due to natural lowering of the local water table caused by successive droughts, resulting in threat to shoreline communities from desiccation and invasion by birch and willow. - Atmospheric pollution from nearby roads.
Midlands Meres and Mosses Ramsar site	Located within Cheshire West and Chester	Series of open water and peatland sites supporting a diverse range of habitats from open water to raised bog. This includes natural dystrophic lakes and ponds and transition mires and quaking bogs with floating bog moss. Site supports a number of rare plant species associated with wetlands and an assemblage of rare wetland invertebrates.	<ul style="list-style-type: none"> - Water pollution / enrichment. - Hydrological changes. - Despite number of visitors to some of the meres and mosses, interest features are resilient to recreational pressure and off-track trampling is not a significant issue due to the hazardous nature of the sites away from designated tracks and boardwalks. - Due to distance to major roads, changes in local air quality are not an issue requiring investigation.
River Dee and Bala Lake SAC	Located partly within Cheshire West and Chester. Identified as a source of potable water for Cheshire West and Chester and also the receiving watercourse for waste water treatment works discharge	<p>The site contains the following Annex 1 habitats:</p> <ul style="list-style-type: none"> - Water courses of plain to montane levels with the <i>Renunculon fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation <p>The site contains the following Annex II species:</p> <ul style="list-style-type: none"> - Atlantic salmon (<i>Salmo salar</i>) - Floating water-plaintain (<i>Luronium natans</i>) - Sea lamprey (<i>Petromyzon marinus</i>) - Brook lamprey (<i>Lampetra fluviatilis</i>) - Bullhead (<i>Cottus gobio</i>) - Otter (<i>Lutra lutra</i>) 	<ul style="list-style-type: none"> - Recreational activities, specifically fishing. - Risk of excessive abstraction resulting in a decrease in freshwater flows and an increase in sediment loading of water such that dehydration of interest features may occur. - Fish entrainment associated with abstraction. - Deterioration in water quality and changes in flow rates due to ex-industrial runoff, discharge of treated sewage effluent and agricultural runoff. - Introduction of invasive species.
Mersey Estuary	Located partially	Designated for over-wintering and on passage birds.	<ul style="list-style-type: none"> - Recreational disturbance from abrasion (boating,

SPA and Ramsar	within Cheshire West and Chester	<p>Over winter – Golden plover (<i>Pluvialis apricaria</i>), Redshank (<i>Tringa tetanus</i>), Dunlin (<i>Calidris alpina alpina</i>), Pintail (<i>Anas acuta</i>), Shelduck (<i>Tadorna tadorna</i>), Eurasian teal (<i>Anas crecca</i>), Wigeon (<i>Anas Penelope</i>), Curlew (<i>Numenius arquata</i>), Grey plover (<i>Pluvialis squatarola</i>), Great crested grebe (<i>Podiceps cristatus</i>), Lapwing (<i>Vanellus vanellus</i>).</p> <p>On passage – Ringed plover (<i>Charadrius hiaticula</i>).</p> <p>It also contains internationally important populations of Shelduck (<i>Tadorna tadorna</i>), Black-tailed godwit (<i>Limosa limosa</i>), Redshank (<i>Tringa tetanus</i>), Eurasian teal (<i>Anas crecca</i>), Pintail (<i>Anas acuta</i>) and Dunlin (<i>Calidris alpina alpina</i>).</p> <p>It also has a 5 year peak mean (1998/99-2002/3) of 89,576 waterfowl.</p>	<p>anchoring, trampling).</p> <ul style="list-style-type: none"> - Selective extraction of species (harvesting, bait digging, recreational fishing) - Visual presence of recreational activity. - Disturbance to birds from increased recreational pressure and wildfowling. - Coastal squeeze and loss of supporting habitat. - Deterioration in water quality. - Deterioration in air quality. - Introduction of non-native species.
Dee Estuary SAC, SPA and Ramsar	<p>Downstream of the River Dee which is identified as a source of potable water for Cheshire West and Chester.</p> <p>Development in the Borough also creates potential water quality pathways.</p>	<p>The site includes the following Annex I habitats:</p> <ul style="list-style-type: none"> - Water courses of plain to montane levels with the <i>Renunculon Fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. - Mudflats and sandflats not covered by seawater at low tide. - <i>Salicornia</i> and other annuals colonising mud and sand. - Atlantic salt meadows. <p>The site contains the following Habitats Directive Annex II habitats and species:</p> <ul style="list-style-type: none"> - Estuaries - Annual vegetation of drift lines - Vegetated sea cliffs of the Atlantic and Baltic coasts - Embryonic shifting dunes - Shifting dunes along the shoreline with marram - Fixed dunes with herbaceous vegetation - Humid dune slacks - Sea lamprey (<i>Petromyzon marinus</i>) - River lamprey (<i>Lampetra fluviatilis</i>) - Petalwort (<i>Petalophyllum ralfsii</i>) <p>It also supports:</p>	<ul style="list-style-type: none"> - Recreational disturbance from abrasion from recreational pressures on the upper shore, dredging operations and fisheries. - Disturbance from commercial / industrial developments. - Selective extraction of species (bait digging and shellfishing). - Deterioration in water quality. - Coastal squeeze from land reclamation, coastal flood defences and drainage. - Air quality. - Excessive abstraction resulting in decrease in freshwater flows into the estuary. - Introduction of non-native species.

		<p>During the breeding season –</p> <ul style="list-style-type: none"> - Little tern (<i>Sterna albifrons</i>) - Common tern (<i>Sterna hirundo</i>) <p>On passage –</p> <ul style="list-style-type: none"> - Sandwich tern (<i>Sterna sandvicensis</i>) <p>Over winter –</p> <p>Bar-tailed godwit (<i>Limosa lapponica</i>)</p> <p>The site also supports populations of European importance of the following migratory species:</p> <ul style="list-style-type: none"> - Black-tailed godwit (<i>Limosa limosa islandica</i>) - Curlew (<i>Numenius arquata</i>) - Dunlin (<i>Calidris alpina alpina</i>) - Grey plover (<i>Pluvialis squatarola</i>) - Knot (<i>Calidris canutus</i>) - Oystercatcher (<i>Haematopus ostralegus</i>) - Pintail (<i>Anas acuta</i>) - Redshank (<i>Tringa totanus</i>) - Shelduck (<i>Tadorna tadorna</i>) - Teal (<i>Anas crecca</i>) <p>The estuary also regularly supports 130,408 individual waterfowl (5 year peak mean 1995-99).</p> <p>It also meets several Ramsar criteria as follows:</p> <ul style="list-style-type: none"> - Extensive intertidal mud and sand flats with large expanses of saltmarsh towards the head of the estuary. - Supporting an overall bird assemblage of international importance. - Supporting the following species at levels of international importance: Shelduck (<i>Tadorna tadorna</i>), Oystercatcher (<i>Haematopus ostralegus</i>), Curlew (<i>Numenius arquata</i>), Redshank (<i>Tringa totanus</i>), Teal (<i>Anas crecca</i>), Pintail (<i>Anas Acuta</i>), Grey plover (<i>Pluvialis squatarola</i>), Knot (<i>Calidris canutus</i>), Dunlin (<i>Calidris alpina alpina</i>), Bar-tailed godwit (<i>Limosa lapponica</i>), Black-tailed godwit (<i>Limosa limosa islandica</i>) and Turnstone (<i>Arenaria interpres</i>). 	
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Appendix 5: HRA Screening – Screening of Neighbourhood Plan policies for Likely Significant Effect

Policy	Comment	Likely Significant Effect (LSE) alone?	LSE in combination?
S1: Sustainable construction	Supports sustainable construction. In line with the policies in the Local Plan (Part One and Part Two).	Could have a positive impact on air quality through increased use of green technologies, but this is likely to be very low level, small scale and localised and would not be a significant change to the situation without the Neighbourhood Plan (as the Local Plan includes similar policies), so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	No LSE.
S2: Renewable energy generation	Supports renewable energy generation. In line with the policies in the Local Plan (Part One and Part Two).	Could have a positive impact on air quality through use of renewable energy rather than alternative sources, but this is likely to be very low level, small scale and localised and would not be a significant change to the situation without the Neighbourhood Plan (as the Local Plan includes similar policies), so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	No LSE.
PC1: Protecting and enhancing heritage assets	Protects and enhances heritage assets.	No links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.
PC2: Preserving local character and distinctiveness	Preserves local character and distinctiveness and sets out how new development should respond to the character	No links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.

	of the area.		
PC3: Landscape and recreational spaces	Supports the protection and enhancement of open spaces and leisure facilities. Identifies five Local Green Spaces.	Protects and enhances local recreational facilities, which may reduce likelihood of recreational disturbance. However, due to the relatively small scale of the area, small number of sites and distance to the European sites, any impact would be minimal. No links / pathways with water quality or atmospheric (air) pollution. No LSE.	No LSE.
H1: Scale of housing development	Identifies that large-scale housing development would only be supported at Dale Barracks. Sets criteria for small scale housing development.	The Local Plan (Part Two) identifies the Dale Barracks site as a commercial site in the Green Belt and sets criteria for future redevelopment. As such, the Neighbourhood Plan does not allocate the site or result in an additional level of development above and beyond the Local Plan. As such, it will not result in any significant impacts on water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.
H2: Mix of housing types	Supports provision of an appropriate mix of housing types.	No links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.
H3: Design of housing development	Sets criteria for design of housing developments.	No links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.
LSF1: Provision of services and facilities	Supports provision of new services and facilities subject to specific criteria.	The policy does not allocate specific sites. No links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.
LSF2: Change of use or redevelopment of facilities for community	Supports change of use or redevelopment of facilities for community services where alternative provision is	No links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.

services	provided that is accessible to all.		
T1: Sustainable transport	Supports development that reduces car usage and congestion. Requires a transport assessment for proposals that would generate significant amounts of movement in order to identify mitigation measures.	Could have a positive impact on air quality through requirement for transport assessment and mitigation measures, but this is likely to be very low level, small scale and localised and would not be a significant change to the situation without the Neighbourhood Plan (as the Local Plan includes similar policies), so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	No LSE.
T2: Pedestrians and cyclists	Supports provision or funding for footpaths and cycle routes.	Could have a positive impact on air quality through provision of additional footpaths and cycle routes and associated reduction in car use. However, this is likely to be very low level, small scale and localised and would not be a significant change to the situation without the Neighbourhood Plan (as the Local Plan includes similar policies), so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	No LSE.
T3: Parking	Supports development that would reduce or not exacerbate parking problems. Supports off-road parking where it is in line with other relevant policies. Prevents loss of existing parking provision for shops and	This policy concentrates on reducing parking problems, especially on-street parking. Provision of additional parking may encourage car use, but other measures to reduce on-street parking would be to improve walking and cycling facilities, so it is unlikely to result in a significant change to air quality. Any air quality changes would be very low level, small scale and localised and would not result in a significant change to the situation without the Neighbourhood Plan (as the Local Plan also includes	No LSE.

	businesses.	policies relating to parking provision), so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	
T4: Provision of electric charging points	Sets requirements for provision of electric vehicle charging points.	Provision of electric vehicle charging points may help to reduce use of alternative fuel vehicles and therefore could impact on air quality. However, due to the scale of the area and limits on the amount of development likely to come forward due to the relatively built-up nature of the area, any impact will be minimal. Any resultant air quality changes would be indirect, low level, small scale and localised, so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	No LSE
T5: Cycle parking	Sets requirements for cycle storage for new developments.	Provision of cycle storage could encourage cycling and therefore impact on air quality by reducing car use. However, due to the scale of the area and limits on the amount of development likely to come forward due to the relatively built-up nature of the area, any impact will be minimal. Any resultant air quality changes would be indirect, low level, small scale and localised, so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	No LSE.
E1: Limit the occupancy by fast food takeaways within each of the three main shopping areas	Supports proposals for A1 retail use in the retail centres. Limits occupancy by hot food takeaways (Class A5).	No links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.

E2: Development for business purposes	Sets specific criteria for development of Class B1 businesses and states that development of land for non-B1 industrial uses will not be supported.	As this sets specific criteria for businesses and does not allocate sites there are no significant links / pathways with water quality, atmospheric (air) pollution or recreational disturbance. No LSE.	No LSE.
Policy D1: Dale Barracks development	Sets specific criteria relating to the design and layout of the site, should it come forward for development.	This policy sets specific criteria relating to design and layout of the site and does not allocate the site for development. Could have a positive impact on air quality through support to provision of walking and cycling routes, but this is likely to be very low level, small scale and localised and would not be a significant change to the situation without the Neighbourhood Plan (as the Local Plan includes similar policies), so would not have a significant effect on air quality at any of the identified European sites. No links / pathways with water quality or recreational disturbance. No LSE.	No LSE.

Appendix 6: Comments received during consultation on initial screening opinion September 2020

Agency	Date consulted	Response
Environment Agency	30/09/20	We note and acknowledge the Councils screening decision and have no further comments to make.
Natural England	30/09/20	<p>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.</p> <p>Screening Request: Strategic Environmental Assessment</p> <p>It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.</p> <p>Neighbourhood Plan</p> <p>Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance where:</p> <ul style="list-style-type: none"> •a neighbourhood plan allocates sites for development •the neighbourhood area contains sensitive natural or heritage assets that may be

		<p>affected by the proposals in the plan</p> <ul style="list-style-type: none"> •the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan. <p>We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.</p> <p>We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.</p> <p>Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.</p> <p>Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision</p>
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		<p>you may make.</p> <p>Habitats Regulations Assessment (HRA) Screening</p> <p>Natural England agrees with the report’s conclusions that the Upton Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.</p> <p>For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.</p>
Historic England	30/09/20	<p>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. Our comments are based on the information supplied with the Draft Upton-by-Chester and District Neighbourhood Plan, September 2020.</p> <p>The Neighbourhood Plan area includes 12 Grade II Listed Buildings, 6 Scheduled Monuments, and 2 Conservation Areas. There are also likely to be other features of local historic, architectural or archaeological value - some of which have been identified within the draft neighbourhood plan - and consideration should also be given to the wider historic landscape.</p> <p>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 draft 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</p>

		<p>conclusion <i>“that it is unlikely there will be any significant environmental effects arising from the Upton-by-Chester and District Neighbourhood Plan”</i>, and agree that the preparation of a Strategic Environmental Assessment is not required.</p> <p>We would like to stress that this opinion is based on the information made available in the draft Upton-by-Chester and District Neighbourhood Plan (September 2020) and associated SEA Screening Opinion (September 2020). 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.</p> <p>The views of the three other statutory consultation bodies should be taken into account before the overall decision on the need for SEA is made.</p> <p>Historic England strongly advises that the conservation and archaeological staff of the Cheshire West & Chester 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.</p> <p>We would request that you please send Historic England a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes</p>
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		Regulations 2004.
CADW	30/09/20	The proposed Neighbourhood Plan for Upton by Chester, Bache and Moston will have no impact on any designated historic assets in Wales. Therefore we will not comment further on this matter.
Natural Resources Wales	30/09/20	<p>Please note that our comments are without prejudice to any comments we may wish to make when consulted on any subsequent consultations. At the time of any other consultation there may be new information available which we will need to take into account in making a formal response</p> <p>With regards to the possible effects in relation to water quality associated with any discharge of wastewater from new developments that drains into the River Dee and tributaries could have implications for Water Framework Directive (2000/60/EC), this issue may require further consideration. If you require further assistance then please do not hesitate to re-consult NRW.</p> <p>Other than that identified above, and based on the material supplied with the consultation, in so far as Natura 2000 sites in Wales are concerned, it is our advice that it is unlikely there will be significant environmental effects from the proposed plan.</p> <p>If you have any queries on the above, please do not hesitate to contact us.</p>

