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Tom Evans
Spatial Planning
Cheshire East Council
Tom.Evans@cheshireeast.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Tom Evans

Planning consultation: Strategic Environmental Assessment Screening Brereton Neighbourhood Plan

Thank you for your consultation on the above which was received by Natural England on 15 April 2015.

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

Strategic Environmental Assessment Screening Opinion

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, providing that amendments are made to policy ENV04 Nature Conservation of the draft neighbourhood plan.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at:

<http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

The authority should seek their own legal guidance on the application of the SEA Directive and take into account the responses of other statutory consultees at the screening stage, before making a decision on the requirement to prepare an SEA.

Natural England advise that the neighbourhood plan area contains a section of the Midland Meres and Mosses Wetland of International Importance under the Ramsar Convention (or Ramsar Site) which is afforded the same level of protection as European Designated site (Natura 2000 sites) as a matter of Government policy¹. This site is also notified at a national level as Bagmire Site of

¹ Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.



Special Scientific Interest (SSSI) and in addition River Dane SSSI intersects the plan area to the north.

We are concerned that part 1 of policy ENV04 Nature Conservation of the draft neighbourhood plan is limited to development within designated sites and does not extend protection to development adjacent to and within proximity to designated sites that may damage the features for which the site is designated. Should this policy be modified to include any development within the scope of the plan which poses a threat to designated sites we would be satisfied 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.

We are not aware of significant populations of protected species which are likely to be affected by the policies and proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

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

For any queries relating to the specific advice in this letter please contact Merlin Ash on 0300 060 4271 or via email merlin.ash@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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

Yours sincerely

Merlin Ash
On behalf of the Cheshire, Greater Manchester, Merseyside & Lancashire Area Team