



Habitats Regulations Assessment

Audley Neighbourhood Plan Screening Document 2022 V2.4a

January 2023

HABITATS REGULATIONS ASSESSMENT (SCREENING) FOR THE AUDLEY NEIGHBOURHOOD PLAN SCREENING DOCUMENT 2022 V2.4a

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1. Introduction

- 1.1 This report will determine whether the Audley Neighbourhood Plan Screening Document 2022 V2.4a requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 63 of the Conservation of Habitats and Species Regulations 2017. The objective of the Habitats Directive is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The Directive lays down rules for the protection, management and exploitation of such habitats and species. A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan / project. Good practice suggests that sites with pathways of 10-15km of the plan / project boundary should be included with a HRA. See Table 2 and Appendix 1 for the list of sites screened as part of this assessment.
- 1.2 The purpose of the Audley Neighbourhood Plan is to guide development across the parish. It will contain land-use policies with the purpose of guiding the sustainable development of the Neighbourhood Plan area and achieve the overall vision of the Plan, which is to protect and enhance the character, features and rural setting of the parish of Audley, to ensure a sustainable and pleasant place to live that meets the needs of local people. A map of the Neighbourhood Plan area is shown in Figure 1 of the Neighbourhood Plan Screening Document. This HRA screening report has been undertaken on the Audley Neighbourhood Plan Screening Document V2.4a which was provided by the Qualifying Body for the purposes of this report.
- 1.3 The legislative background set out in section 4 outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of both the likely significant effects of the implementation of the Neighbourhood Plan and the need for a Habitats Regulation Assessment.
- 1.4 A summary of findings and conclusions for the screening process can be found in section 7.

2. Information about Audley Neighbourhood Plan

- 2.1 The Audley Neighbourhood Plan has been produced to guide development within the parish of Audley. It will contain land-use type policies with the purpose of guiding the sustainable development of the neighbourhood area and achieve the overall vision of the plan.
- 2.2 The policies apply to all new development, comprising development on greenfield or brownfield sites, redevelopment of existing developed sites, and conversions of existing buildings. They are organised accordingly to the policy themes identified in the vision and aims of the plan (see Neighbourhood Plan, section 2.3 and 2.4).

2.3 The Neighbourhood Plan sets out the following vision for the neighbourhood plan area:

To protect and enhance the character, features and rural setting of the parish of Audley, to ensure a sustainable and pleasant place to live that meets the needs of local people.

2.4 If the Audley Neighbourhood Plan is successful at examination, and approved by the local community through a referendum it attains the same legal status as a Local Plan, and at this point comes into force as part of the statutory development plan. It will then be used in determining planning applications within the neighbourhood plan area. Prior to referendum it may carry some weight in planning decisions as a material consideration as an emerging plan. Paragraph 48 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. The referendum ensures that the community have the final say in the Neighbourhood Plan coming into force as part of the development plan.

3. Habitats Regulations Assessment Screening

3.1 This Habitats Regulations Assessment (HRA) screening report has been undertaken by Newcastle-under-Lyme Borough Council in respect of the Audley Neighbourhood Plan Screening Document 2022 V2.4a.

3.2 The aim of this HRA screening report is to assess whether the Audley Neighbourhood Plan Screening Document V2.4a will result in any likely significant effects on any European sites within relative proximity of the neighbourhood plan area.

4. Legislative background

4.1 The Natura 2000 network (European sites) consists of sites across Europe designated for their nature conservation importance. These consist of:

- *Special Areas of Conservation (SACs) and potential SACs (pSACs)* - these are designated under the Habitats Directive to protect those habitat types and species that are considered to be most in need of conservation at a European level (excluding birds).
- *Special Protection Areas (SPAs) and potential SPAs (pSPAs)* - these are designated under the Birds Directive to protect rare and vulnerable birds, and also regularly occurring migratory species.

- *Ramsar sites* - these are wetlands of international importance designated under the Ramsar Convention.

4.2 To help protect the Natura 2000 network, there are particular requirements for plans and projects. Article 6(3) of the European Union Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive') states:

'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public'.

4.3 The Conservation of Habitats and Species Regulations 2017 (the "Habitats Regulations 2017") consolidate and update all the various amendments made to the Conservation of Habitats and Species Regulations 2010 (the "Habitats Regulations 2010"). They also introduce a small number of minor amendments designed to take account of changes to other related legislation, such as amendments to Town and Country Planning legislation. It should be noted that there have been two reviews of the implementation of the Habitats Regulations 2010 which have concluded that they remain fit for purpose. This included a fitness check of the Nature Directives conducted by the EU and in June 2017 the EU launched an Action Plan to address the shortcomings in implementation. A further review of the Regulations would be a complex and time consuming exercise which could only be undertaken when resources are available and would be best considered following our exit from the European Union. The Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations 2017'), the UK's transposition of the Habitats Directive and Regulation 105, provides:

'(1) Where a land use plan –

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and;

(b) is not directly connected with or necessary to the management of the site,

the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives'.

- 4.4 This means that any proposed plan that may affect a European site (Special Area of Conservation or Special Protection Area), (also includes RAMSAR sites) must first undergo an assessment to look at its potential impacts applying the precautionary principle. This is to determine if the plan will adversely affect the integrity of the European site(s) concerned.
- 4.5 This process is known as a Habitats Regulations Assessment and the first stage considers any likely significant effects (the screening stage). An 'appropriate assessment' is the second stage of the HRA process and a plan should undertake this where likely significant effects are identified at the screening stage and cannot be ruled out after applying straightforward mitigation measures. An appropriate assessment looks at the implications of a plan for a European site in view of the site's conservation objectives. Further more detailed mitigation measures may be introduced at the appropriate assessment stage to avoid or reduce the effects of a plan on the European site(s). Before a plan may be given effect, the plan-making authority as the competent authority must ascertain that it would not adversely affect the integrity of the European site(s).
- 4.6 In terms of Neighbourhood Plans, the Neighbourhood Planning (General) Regulations 2012 require a submitted Neighbourhood Plan to include a statement explaining how the proposed Neighbourhood Plan meets the basic conditions set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990. One of these basic conditions is that the Neighbourhood Plan must be compatible with EU obligations and it is therefore necessary to demonstrate that it is not likely to have a significant effect on a European site.

Table 1: Stages of Habitats Regulation Assessment

Stages of Habitats Regulations Assessment
<p>Stage 1- Screening</p> <p>This stage identifies the likely impacts upon a European site of a project or plan, either alone or in combination with other projects or plans, and determines whether these impacts are likely to be not significant (inconsequential), significant or whether this is uncertain.</p>
<p>Stage 2 - Appropriate Assessment</p> <p>Where there are likely significant effects, or the effects are uncertain, the Plan should be subject to appropriate assessment. This stage considers the impacts of the plan or project on the integrity of the relevant European sites, either alone or in conjunction with other projects or plans, with respect to the sites structures and function and their conservation objectives. Where there are adverse impacts, it also includes an assessment of the potential mitigation for those impacts.</p>
<p>Stage 3 - Assessment of Alternative Solutions</p> <p>Where adverse impacts are predicted, this stage examines alternative ways of achieving the objectives of the order that avoids adverse impacts on the integrity of European sites.</p>

Stage 4 - Assessment Where No Alternative Solutions Exist and where Adverse Impacts Remain

This stage assesses compensatory measures where it is deemed that the project or plan should proceed for imperative reasons of overriding public interest.

5. European sites in and around the Audley Neighbourhood Plan Area

- 5.1 The first step of the screening process is to consider the European sites that could be affected by a plan. In addition to those sites located within the plan area, best practice suggests that sites occurring within 10 -15km of the area directly affected by a plan should be identified and assessed, although in some instances effects could be likely over a greater distance where pathways exist.
- 5.2 There are no European sites within the neighbourhood plan area and no likely pathways with sites over a greater distance, acknowledging that the Neighbourhood Plan covers a predominantly rural area and does not allocate specific sites for development.
- 5.3 The following sites are within 15 km of the neighbourhood plan area boundary:

Table 2: European sites within 15 km of the plan area

Site Name	Distance from plan area	Type
Betley Mere (Midlands Meres and Mosses Phase 1)	c.1.9 km N	Ramsar
Black Firs & Cranberry Bog (Midlands Meres and Mosses Phase 2)	c. 1.8 km W	Ramsar
Wybunbury Moss (West Midlands Mosses)	c. 6.7 km W	Ramsar / Special Area of Conservation (SAC)
Oakhanger Moss (Midlands Meres and Mosses Phase 2)	c. 2.0 km NW	Ramsar

- 5.4 Further details of each of these sites can be found in Appendix 1.

6. Screening assessment of the Audley Neighbourhood Plan Screening Document V2.4a

- 6.1 The screening assessment has had regard to the conservation objectives of the various European sites located within 15km of the plan area. Natural England's Impact Risk Zones for SSSIs which underpin the European site designations have been used to consider whether development proposed in the Neighbourhood Plan is likely to affect a European Site. It is acknowledged that Impact Risks Zones do not alter or remove the requirements to consult Natural England on other natural environment impacts or other types of development proposal under the Town and Country Planning (Development Management Procedure) (England) Order 2015 and other statutory requirements. This assessment also makes reference to other plans and projects, including the Borough Council's adopted development plan. Key questions relating to the Neighbourhood Plan are included below and along with the screening assessment, help to establish if an appropriate assessment is required.

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

- 6.2 The Audley Neighbourhood Plan is not directly connected with, or necessary to the management of a European site, so screening for the need of a Habitats Regulations Assessment is required.

Are there any European sites within the plan area?

- 6.3 There are no European sites within the neighbourhood plan area.

Are there any European sites within 15km of the plan area?

- 6.4 Yes, there are 4 European sites within 15km of the neighbourhood plan area including 4 designated as Ramsar sites. One of Ramsar sites is also a designated Special Area of Conservation (SAC). These sites are listed in Table 2 and Appendix 1.

Does the Audley Neighbourhood Plan propose new development or allocate sites for development?

- 6.5 No, the Neighbourhood Plan does not allocate specific sites for development, but it does support and focus development towards defined settlement boundaries across the parish. This includes Audley, Bignall End, Miles Green, Wood Lane, Alsagers Bank and Halmer End.

Are there any other projects or plans that together with the Audley Neighbourhood Plan could impact on the integrity of a European site, the 'in combination' impact?

- 6.6 Yes, these are listed at paragraphs 6.9, 6.10 and 6.11.

Policy screening assessment

6.7 The following table reflects the findings of the screening assessment for each of the policies within the Audley Neighbourhood Plan Screening Document V2.4a.

Table 3: Policy Assessment

Policy Number	Description	Likely significant effect identified
ANP1	Residential Development	There are no site specific allocations for development in the Neighbourhood Plan. The policy focuses development towards defined settlement boundaries including Audley, Bignall End, Miles Green, Alsagers Bank, Wood Lane, Halmer End. Furthermore, the policy encourages development through infill (i.e. in Scot Hay) and conversions. Significant effects are unlikely.
ANP2	Business and Community Facilities	The policy supports E (office), F1 and F2 use class development and focuses it towards defined settlement boundaries including Audley, Bignall End, Miles Green, Alsagers Bank, Wood Lane, Halmer End. Furthermore, the policy encourages development through infill (i.e. in Scot Hay) and conversions. Significant effects are unlikely.
ANP3	Audley Village Centre (Church Street)	The policy is designed to support development with Audley Village Centre that is complimentary, enhances the viability and vitality of the centre, and prevents harm to key services and facilities including retail, food and drink, recreation, entertainment and culture. Significant effects are unlikely.
ANP4	Sustainable Design	The policy encourages development to be well designed (and delivered to high standards), distinctive and complementary to the surrounding environment whilst taking into account its size, scale and physical properties. Other considerations and encouragements are proposed from new development including the delivery of infrastructure, connectivity

		(pedestrian), biodiversity and reducing carbon footprint. Significant effects are unlikely.
ANP5	Audley Conservation Area	The policy seeks to preserve and enhance the character and appearance of the Audley Conservation area, taking into account architectural / historical assets (i.e. St James Church, The Castle Motte, dry stone walls etc) and the landscape / streetscape. Significant effects are unlikely.
ANP6	Character of Settlements	The policy encourages development to be complimentary and distinctive to the local environment, taking into account the position / orientation, scale and materials for development. Significant effects are unlikely.
ANP7	Heritage	The policy aims to avoid any harm to designated, non-designated heritage assets (i.e. John Wedgwood Monument), and other architectural features. Furthermore, the policy seeks to preserve and enhance these features alongside the surround area or setting. Significant effects are unlikely.
ANP8	Shopfronts	The policy aims to retain and reinstate historical shopfronts and shopfront features, and ensure they are in keeping with the character of properties and the wider streets. Significant effects are unlikely.
ANP9	Natural Environment and Landscape	The policy seeks to avoid harm and protect / enhance Audley's green landscapes (focusing on Alsagers Bank, Audley, Bignall End, Halmer End, Miles Green, Scot Hay and Wood Lane), wildlife corridors, habitats, and physical environmental features (i.e. trees). Furthermore, the policy seeks to protect and enhance designated sites of ecological value including Ancient Woodland, Local Nature Reserves, Sites of Biological Importance, Biodiversity Alert Sites and other sensitive / designated landscapes. Significant effects are unlikely.
ANP10	Green Infrastructure	The policy encourages development to provide green infrastructure (i.e. planting, landscaping, community facilities) that is proportionate to the scale and nature of development and

		will deliver high levels of amenity and biodiversity net gain. Significant effects are unlikely.
ANP11	Local Green Space	The policy lists a collection of open / green spaces across the neighbourhood plan area to be formally designated as Local Green Spaces. Furthermore, the policy aims to avoid harm and adverse impacts to these spaces as a result of development. Significant effects are unlikely.
ANP12	Transport and Active Travel	The policy encourages development to be supported by sustainable transport provision and infrastructure (i.e. electric charging points, parking etc), and to avoid impacts and adverse impacts on existing connectivity (i.e. public rights of way, cycle routes etc). Significant effects are unlikely.
ANP13	Local Energy Generation	The policy encourages development to provide local energy schemes as long as there is no impact on amenity (visual and residential), agricultural land, local character, Audley Conservation Area and defined settlements. Significant effects are unlikely.

In Combination Effects

6.8 Different plans and programmes can interact to produce impacts that are greater than any individual plan alone, so it is necessary to identify other plans which could lead to potentially significant ‘in-combination’ impacts. It is one of the ‘basic conditions’ that a Neighbourhood Plan has to be in ‘general conformity’ with the strategic policies of the development plan for the area.

6.9 The adopted development plan consists of:

- The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026
- The ‘saved policies’ of the Newcastle-under-Lyme Local Plan 2011
- The Minerals Local Plan for Staffordshire Staffordshire 2015-2030

6.10 The neighbourhood plan area shares a boundary with the following local planning authorities and parishes:

Newcastle-under-Lyme Local Authority Area

- Betley, Balterley and Wrinehill Parish (Neighbourhood Plan made 2022)

- Keele Parish (Neighbourhood Plan in production)
- Madeley Parish (Neighbourhood Plan made 2022)
- Kidsgrove Town (Neighbourhood Plan in production)
- Silverdale Parish Council (Neighbourhood Plan in production)

Stoke-on-Trent City Local Authority Area

- Stoke-on-Trent City Council (Local Plan in production)

Cheshire East Local Authority Area

- Cheshire East Council (Local Plan adopted 2017 and 2022 in 2 parts)
- Barthomley Parish (Neighbourhood Plan not started)
- Alsager Town (Neighbourhood Plan made 2020)

6.11 The following adopted / made plans have been reviewed in terms of 'in-combination' effects:

- [The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026](#)
- [The 'saved policies' of the Newcastle-under-Lyme Local Plan 2011](#)
- [The Minerals Local Plan for Staffordshire 2015-2030.](#)
- Emerging plan: The Newcastle-under-Lyme Borough Local Plan 2020-2040
- [Betley, Balterley and Wrinehill Neighbourhood Development Plan 2022-2037](#)
- [Madeley Neighbourhood Development Plan 2018-2037](#)
- [Cheshire East Local Plan 2010-2030](#)
- [Alsager Neighbourhood Plan 2018-2030](#)

The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026

6.12 The Core Spatial Strategy was adopted in 2009 and provides a broad framework for the development of Newcastle-under-Lyme and Stoke-on-Trent. The plan (which was subject to Habitats Regulations Assessment) seeks to focus development and investment to the city and town centres, prioritising the use of previously developed land. A number of strategic sub areas are identified, for example Rural Areas, within which the parish of Audley is located; and include areas within and beyond the Green Belt.

6.13 Policy ASP6 – Rural Area Spatial Strategy: Rural Area Spatial Policy makes provision for positive approach to rural enterprise; appropriate design policies; and preserving and enhancing conservation areas. Furthermore, the policy seeks to deliver a maximum of 900 net additional dwellings on brownfield land within defined settlement boundaries of the key Rural Service Centres. This collectively includes Loggerheads, Madeley and the villages of Audley Parish – Audley, Bignall End, Alsagers Bank, Wood Lane, Halmer End and Miles Green.

6.14 The CSS was subject to Habitats Regulations Assessment and it was concluded that there would be no likely significant effects. It is unlikely that there will be any in-combination effects arising from the CSS and Audley Neighbourhood Plan.

The 'saved policies' of the Newcastle-under-Lyme Local Plan 2011

- 6.15 The Newcastle-under-Lyme Local Plan was adopted in 2003 and a number of its policies were 'saved' beyond 2007 by the Secretary of State for Communities and Local Government. They continue to form part of the development plan for the Borough of Newcastle-under-Lyme.
- 6.16 The Local Plan sought to focus development to sustainable locations such as the defined village envelopes and to enable the appropriate re-use of rural buildings (as stated in Policy H1: Residential Development: Sustainable Location and Protection of the Countryside). It is unlikely that there will be any in-combination effects arising from the Audley Neighbourhood Plan and Newcastle-under-Lyme Local Plan.

The Minerals Local Plan for Staffordshire 2015-2030.

- 6.17 The Minerals Local Plan does not allocate sites for the development of new waste facilities within the Audley neighbourhood plan area. It is unlikely that there will be any in-combination effects arising from the Audley Neighbourhood Plan and Minerals Local Plan.

Emerging plan: The Newcastle-under-Lyme Borough Local Plan 2020-2040

- 6.18 Newcastle-under-Lyme Borough Council is currently in the process of producing a standalone Local Plan for Newcastle-under-Lyme. The Borough Council successfully delivered an Issues and Strategic Options Consultation in 2021/2022, and is now working towards a draft Local Plan. The Local Plan once adopted, will replace the existing Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and Newcastle-under-Lyme Local Plan 2011. Given the Local Plan is still in production, it is not possible to ascertain whether there will be any future in-combination effects. However, the emerging Local Plan will be subject to Habitats Regulations Assessment in due course, and this will have to take into account any in-combination effects.

Betley, Balterley and Wrinehill Neighbourhood Development Plan 2022-2037

- 6.19 The Betley, Balterley and Wrinehill Neighbourhood Development Plan was produced by Betley, Balterley and Wrinehill Parish Council, and was formally made in January 2022. The Neighbourhood Plan's vision is to maintain and improve the quality of life for the residents whilst protecting and enhancing the special rural character and heritage of the parish. Various policies are presented to promote sustainable development, accommodate new and existing development (housing and E use class development), and to protect and enhance the natural and historic / heritage environment. The Neighbourhood Plan does not allocate specific sites for development, but does focus and support development within the defined settlement boundary of Betley. It is important to note that the neighbourhood area hosts 2 Ramsar sites which are as follows:

- Midland Meres and Mosses Phase 1 / Betley Mere
- Midland Meres and Mosses Phase 2 / Black Firs and Cranberry Bog

- 6.20 The protection of these environmental designations falls under Policy BBW6: Recognising the Intrinsic Character of the Countryside and Protecting and Enhancing Valued Landscapes. Their designations are referenced as justification for the creation of this policy. Given the Neighbourhood Plan does not allocated specific sites for development, directs development within the existing settlement boundary, and seeks to protect / enhance the natural environment, it is unlikely that there will be any in-combination effects arising from the Audley Neighbourhood Plan and Betley, Balterley and Winehill Neighbourhood Development Plan.

Madeley Neighbourhood Development Plan 2018-2023

- 6.21 The Madeley Neighbourhood Development Plan was produced by Madeley Parish Council, and was formally made in May 2022. The Neighbourhood Plan's vision is to provide opportunities for residents to live rewarding and productive lives, enabling sustainable growth and development, whilst protecting the rural character and heritage of the parish. Various policies are presented to protect open / green spaces, accommodate a mix of development, promote sustainable design, protect community facilities (i.e. recreation, sports etc), protect / enhance the natural and historic environment and deliver balanced transport provision and connectivity. The Neighbourhood Plan does not allocate specific sites for development, but does focus and support development within the defined settlement boundaries of Madeley and Madeley Heath. There are no European designated sites within the Madeley Parish. Given the Neighbourhood Plan does not allocated specific sites for development, directs development within existing settlement boundaries, and seeks to protect / enhance the natural environment, it is unlikely that there will be any in-combination effects arising from the Audley Neighbourhood Plan and Madeley Neighbourhood Plan.

Cheshire East Local Plan 2010-2030

- 6.22 The Cheshire East Local Plan is made up of two key components forming the development plan which includes the following:
- Cheshire East Local Plan Strategy – adopted July 2017
 - Site Allocations and Development Policies Document – adopted December 2022
- 6.23 Within the Cheshire East Local Plan Strategy (LPS), Policy PG 1 aims to deliver a minimum of 380 hectares of employment development and 36,000 homes across the plan area over the plan period 2010-2030. This requirement will be delivered across a variety of settlements presented within a hierarchy under Policy GP 2. A key settlement for consideration is Alsager (neighbouring settlement to Audley Parish) which is defined as a Key Service Centre offering a good range of facilities and serving a wider locality. The Local Plan aims to see growth in Key Service Centres such to maintain their vitality and viability, with the scale of development being complementary to the surrounding environment whilst maintaining their distinctive historic character. Policy GP 7 goes into finer detail about Key Service Centres, and specifically expects Alsager to deliver 40 hectares of employment land and 2,000 new homes. The document

identifies a series of Local Plan strategy sites for growth in the future surrounding the settlement of Alsager including White Moss Quarry (housing), Radway Green North (employment), Radway Green Brownfield (employment), and Radway Green Extension (employment). The development of these sites are presented within Policies LSP 20, LSP23, LSP24 and LSP 25. It is important to note that the settlement of Alsager and Audley parish boundary is separated by Green Belt.

- 6.24 The Site Allocations and Development Policies Document (SADPD) presents a policy to protect and enhance the ecological network. Policy ENV 1 requires development to increase the size, quantity and quality of habitats, ecological corridors or stepping stones, and improve connectivity between habitats for mobile species, and minimise impacts on meres and mosses as a result of pollution and disturbance. The enhancement of the natural environment is reinforced with Policy ENV 2 which encourages development to deliver net gains in biodiversity. An appropriate assessment was undertaken to assess whether Cheshire East Council's LPS and SADPD has the potential to result in significant adverse effects on the integrity of identified European sites, either alone or in combination with a number of other plans and projects. The Assessment identified that the existing policies and provisions in the Cheshire East Council's LPS and SADPD in relation to water supply and the provision and protection of open space, sport, leisure and recreation facilities, will ensure that the Local Plan will have no adverse effects on European sites. Given this, it is unlikely that there will be any in-combination effects arising from the Audley Neighbourhood Plan and Cheshire East Local Plan.

Alsager Neighbourhood Plan 2018-2030

- 6.25 The Alsager Neighbourhood Plan was produced by Alsager Town Council, and was formally made in April 2020. The Neighbourhood Plan's vision is to offer an excellent quality of life for its residents, provide a range of housing and employment development to meet local need, enable good access to services and facilities, and protect the Green Belt, open spaces, countryside and townscape. A number of policies are presented to promote sustainable development, accommodate a mix of housing and employment / business development, improve the viability and vitality of Alsager Town Centre, protect open space and recreational facilities, improve environmental quality, protect and enhance the natural / historical environment, Green Belt and open countryside (latter two in accordance with the Cheshire Local Plan), improve accessibility / connectivity (i.e. pedestrian infrastructure) and promote sustainable transport solutions. The Neighbourhood Plan supports the developments at Radway Green as allocated within the Cheshire East Local Plan Strategy. Furthermore, the neighbourhood plan is supportive of development (i.e. within and around the town centre of Alsager) but requires it to be complimentary to the surrounding environment in terms of scale, size, height, layout, density and design. The Neighbourhood Plan supports the existing allocations of the Cheshire Local Plan, but does not allocated new and additional sites for development. It encourages development within the Alsager Town Centre boundary. Given the above factors, it is unlikely that there will be any in-combination effects arising from the Audley Neighbourhood Plan and Alsager Neighbourhood Plan.

7. Conclusion

- 7.1 As a result of the assessment above, it is considered unlikely that any likely significant effects on European sites would occur from the implementation of the Audley Neighbourhood Plan. This is because the Neighbourhood Plan does not allocate specific sites for development and there are no logical or obvious pathways between the neighbourhood area; and the European or Ramsar Sites identified. If the plan changes, following the Regulation 14 pre submission consultation, it may be necessary to re-screen the plan. However at this stage, the Audley Neighbourhood Plan Screening Document V2.4a does not require a further HRA appropriate assessment to be undertaken.

Appendix 1 European Sites within a 15km radius

European site	Midland Meres and Mosses Phase 1 Ramsar site (Betley Mere)
Distance from NP boundary	1.9 km W
Site information and Qualifying Ramsar feature	<p>Midland Meres & Mosses (Phase 1). Comprises a series of lowland open water and peatland sites set in depressions in glacial drift left by receding ice sheets. The 16 component sites include nutrient-rich water bodies (meres), associated fringing habitats of reed swamps, fen, carr and damp pasture, and floating quaking bog (schwingmoor). The wide range of resulting habitats supports numerous rare species of plants and invertebrates. Human activities include recreation, fishing, livestock grazing, and haymaking.</p> <p>Betley Mere comprises a diverse range of habitats from open water to raised bog.</p> <p>Supports a number of rare species of plants associated with wetlands including five nationally scarce species together with an assemblage of rare wetland invertebrates (three endangered insects and five other British Red Data Book species of invertebrates)</p>
Impact Risks	The neighbourhood area partially falls within the SSSI Impact Risk zones, but the plan does not propose development of types that fall within the Impact Risk Zone categories.

European site	Midland Meres and Mosses Phase 2 Ramsar site (Black Firs & Cranberry Bog).
Distance from NP boundary	1.8 km W
Site information and Qualifying Ramsar feature	<p>Midland Meres & Mosses (Phase 2) comprises a series of 18 sites made up of nutrient-rich open water bodies (meres) with fringing habitats of reed swamp, fen, carr and damp pasture, and peatlands. The landscape features developed in depressions in the glacial drift left by receding ice sheets. The wide range of habitats supports nationally important flora and fauna. Human activities include hunting, fishing, and research activities.</p> <p>Black Firs and Cranberry Bog comprises a diverse range of habitats from open water to raised bog and sports a number of rare species of plants associated with wetlands, including the nationally scarce cowbane <i>Cicuta virosa</i> and, elongated sedge <i>Carex elongata</i>. Also present are the nationally scarce bryophytes <i>Dicranum affine</i> and <i>Sphagnum pulchrum</i>.</p>

	Also supports an assemblage of invertebrates including several rare species. There are 16 species of British Red Data Book insect listed for this site including the following endangered species: the moth <i>Glyphipteryx lathamella</i> , the caddisfly <i>Hagenella clathrata</i> and the sawfly <i>Trichiosoma vitellinae</i> .
Impact Risks	The neighbourhood area partially falls within the SSSI Impact Risk Zones, but the plan does not propose development of types that fall within the Impact Risk Zone categories.

European site	West Midlands Mosses Ramsar / SAC (Wybunbury Moss)
Distance from NP boundary	6.7 km W
Qualifying feature	Natural dystrophic lakes and ponds (Annex I habitat). Transition mires and quaking bogs (Annex I habitat)
Conservation objectives	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring: <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which qualifying natural habitats rely
Requirements to maintain favourable condition status of site	<p>Dystrophic Pools (Schwingmoor)</p> <p>Maintain present distribution of species representative of community;</p> <p>Maintain present pH range and water levels;</p> <p>Maintain sediment quality and quantity;</p> <p>Filamentous algae should be absent or at very low levels.</p> <p>Basin mire with a quaking surface (Schwingmoor): NVC types M2 and M18</p> <p>Water level and degree of fluctuation capable of sustaining the floating raft composed of NVC type appropriate to longstanding water chemistry and fertility; Maintain raft characteristics, exclude surface and drainage water likely to increase fertility; Stable groundwater, not fluctuating more than 30cm annually; Maintain type and extent of site specific NVC communities; Scrub or woodland limited to margins, or no more than scattered over open NVC communities; Maintain NVC communities: M2</p>

	Sphagnum recurvum bog pool community and M18 Erica tetralix-Sphagnum papillosum mire. Scrub not to be more than occasional; Maintain or enhance populations of special or rare plant (and animal) species.
Impact Risks	The neighbourhood area does not fall within the SSSI Impact Risk Zones.

European site	West Midlands Meres and Mosses Phase 2 Ramsar site (Oakhanger Moss)
Distance from NP boundary	2.0 km NW
Site Information and Qualifying Ramsar feature	<p>Midland Meres & Mosses (Phase 2) comprises a series of 18 sites made up of nutrient-rich open water bodies (meres) with fringing habitats of reed swamp, fen, carr and damp pasture, and peatlands. The landscape features developed in depressions in the glacial drift left by receding ice sheets. The wide range of habitats supports nationally important flora and fauna. Human activities include hunting, fishing, and research activities.</p> <p>Oakhanger Moss is one of the shallowest of a cluster of depressions in glacial sands lying to the west of Alsager. It is of greatest importance for the range of mire vegetation communities it supports and the way they, together with the sediment and peat deposit record, so clearly demonstrate the vegetation succession stages from open water to raised bog. The site was known to be a mere at least until the 1600s, sustained by a flow of water from Alsager Mere to the east. Since that time the basin has become completely infilled, firstly with sedge and reedswamp peat, and latterly with peat derived from Sphagnum mosses.</p> <p>The site supports four different mire communities, each of which has a well-developed shrub cover giving the site a wooded appearance. Over much of the site, in the wettest, low-lying areas associated with the few drains which cross the site, there is swamp vegetation dominated by lesser pond-sedge <i>Carex acutiformis</i>, over which willow carr, with goat willow <i>Salix caprea</i>, sallow <i>S. cinerea</i> and downy birch <i>Betula pubescens</i>, has developed. In the south-west, where inundation from the drains has less effect on water level and nutrient supply, sedges give way to purple moor-grass <i>Molinia caerulea</i> with broad buckler-fern <i>Dryopteris dilatata</i> locally, and birch displacing willow from the shrub layer. More diverse are the areas of fen which have developed along the site's eastern edge, where surface water enters the basin, and nutrient levels are at their highest. Here alder <i>Alnus glutinosa</i> and willows dominate above mature greater tussock-sedge <i>Carer paniculata</i>, with cyperus sedge <i>C. pseudocyperus</i>, marsh pennywort <i>Hydrocotyle vulgaris</i>, marsh violet <i>Viola palustris</i>, purple-loosestrife <i>Lythrum salicaria</i> and marsh cinquefoil <i>Potentilla palustris</i>, all uncommon plants in Cheshire. Similarly diverse botanically are the two distinct areas of vegetation dominated by bog moss <i>Sphagnum recurvum</i> in the centre of the site. The moss 'lawns' are noticeably higher than the surrounding communities and at times of high groundwater continue to remain free of its nutrient influence because of the buoyant properties of <i>Sphagnum</i>. This incipient raised bog community includes common cotton-grass <i>Eriophorum angustifolium</i>, cross-leaved heath <i>Erica tetralix</i>, and cranberry <i>Vaccinium oxycoccos</i>. Birch dominates the canopy which is comparatively open in character, and around the edges of the <i>Sphagnum</i> areas, in the transition to more nutrient-rich fen, alder</p>

	<p>buckthorn Frangula alnus becomes a common shrub with white sedge Carex curta and narrow buckler-fern Dryopteris carthusiana growing amongst the mosses. Drier perimeters of the site support a few pedunculate oaks Quercus robur over a bracken Pteridium aquilinum ground layer. The vegetation communities represented at this site, their development as recorded in the sediments and peats, and the site's comparison with nearby peatlands renders it a particularly important link in the Midlands Meres and Mosses series of glacial wetlands.</p> <p>Adders Vipera berus, a protected species, are found here and at only one other known site in Cheshire.</p>
Impact Risks	<p>The neighbourhood area partially falls within the SSSI Impact Risk Zones, but the plan does not propose development of types that fall within the Impact Risk Zone categories.</p>



Screening Statement

Determination of the need for a Strategic Environmental Assessment (SEA)

Audley Neighbourhood Plan Screening Document V2.4a

January 2023

Screening Statement

Determination of the need for a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Audley Neighbourhood Plan Screening Document V2.4a

1. Introduction

This Screening Statement is designed to determine whether or not the content of the Audley Neighbourhood Plan Screening Document V2.4a requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

Strategic Environmental Assessment (SEA) is the process by which environmental considerations are required to be fully integrated into the preparation of plans and programmes prior to their final adoption. SEA is a tool used internationally to improve the environmental performance of plans so that they can better contribute to sustainable development.

Establishing whether a Neighborhood Plan takes into account SEA is an important legal requirement. The Independent Examiner subsequently appointed to consider the Audley Neighborhood Plan will check that it meets the 'Basic Conditions' set out in the national Planning Practice Guidance (PPG). One of the Basic Conditions is whether the Neighborhood Plan is compatible with European obligations. This includes the Strategic Environmental Assessment Directive. This directive is transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations (2004). A Neighborhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant.

In meeting these obligations, the national PPG sets out that an initial screening stage is required to establish whether a Plan is likely to have significant environmental effects. As the “responsible authority” this report sets out Newcastle-under-Lyme Borough Council's conclusions in respect of the emerging policies for the Audley Neighbourhood Plan.

2. Legislative Background

In accordance with the SEA Directive and the Environmental Assessment of Plans and Programmes Regulations (2004) (Regulation 9(1)), the Council must determine if a plan requires an environmental assessment. This process is commonly referred to as a “screening” assessment. Where the Council determines that Strategic Environmental Assessment (SEA) is not required, then the Council must, under Regulation 9(3), prepare a statement setting out the reasons for this determination. Where it is determined that proposals in a Neighbourhood Plan are likely to have significant environmental effects, the plan may require a SEA. Draft Neighbourhood Plan proposals should then be assessed to identify, describe and evaluate the likely significant environmental effects as prescribed in regulation 12 (2) and (3) of the above legislation.

In accordance with Regulation 9 of the SEA Regulations 2004, Audley Parish Council (the qualifying body) has requested Newcastle-under-Lyme Borough Council (NuLBC), as the

responsible authority, to consider whether an environmental assessment of the emerging Audley Neighbourhood Plan is required due to significant environmental effects.

Whether a Neighbourhood Plan requires an SEA, and if so, the level of detail needed, will depend on what is proposed in the Plan. The national Planning Policy Guidance (PPG) suggests that an SEA may be required, where:

- A Neighbourhood Plan allocates sites for development;
- The neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; and
- The Neighbourhood Plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Council's Local Plan.

It remains the responsibility of the Local Planning Authority to ensure that all the regulations appropriate to the nature and scope of a Neighbourhood Plan proposal submitted to it have been met in order for the proposal to progress. However, it remains the qualifying body's responsibility to make every effort to ensure the resultant draft Neighbourhood Plan that it submits to the Local Planning Authority:

- Meets each of the basic conditions;
- Has been prepared in accordance with the correct process and all those required to be consulted have been;
- Is accompanied by all the required documents.

3. Audley Neighbourhood Plan Screening Document V2.4a

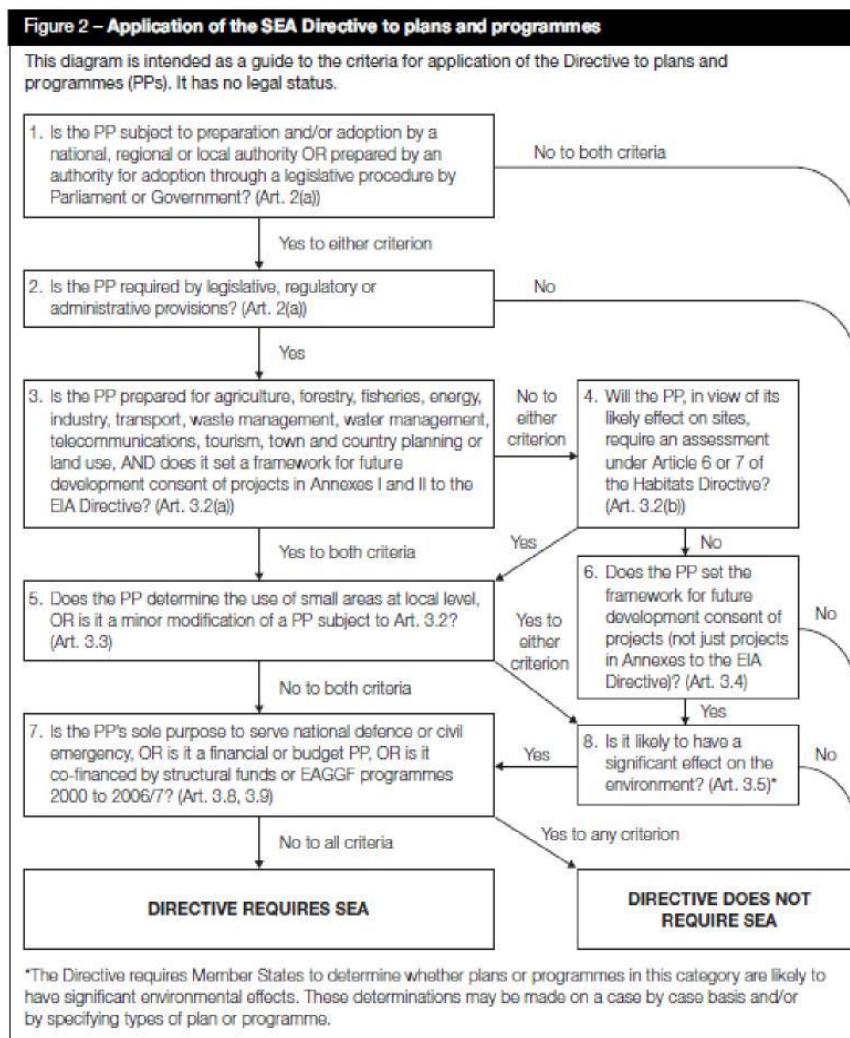
The Audley Neighbourhood Plan Screening Document V2.4a presents an overarching vision, followed by a subset of aims seeking to encourage appropriate and sustainable development whilst protecting the rural character of the neighbourhood plan area (Audley parish). The key topics covered by policies are summarised below:

- **Housing**
 - ANP1: Residential Development
- **Economy**
 - ANP2: Business and Community Facilities
 - ANP3: Audley Village Centre (Church Street)
- **Design and Heritage**
 - ANP4: Sustainable Design
 - ANP5: Audley Conservation Area
 - ANP6: Character of Settlements
 - ANP7: Heritage
 - ANP8: Shopfronts
- **Green Environment**
 - ANP9: Natural Environment and Landscape
 - ANP10: Green Infrastructure
 - ANP11: Local Green Spaces
- **Infrastructure**
 - ANP12: Transport and Active Travel
 - ANP13: Local Energy Generation

4. Strategic Environmental Assessment (SEA) Screening

The process for determining whether or not an SEA is required is called screening. The SEA screening is a two stage process. The first part considers the Neighbourhood Plan against the SEA assessment flow chart set out in the national guidance 'A Practical Guide to the Strategic Environmental Assessment Directive' (see Figure 1 and Table 1).

Figure 1. Application of the SEA Directive to plans and programmes. Flow Chart from 'A Practical Guide to the Strategic Environmental Assessment Directive'.



Source: <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

The second part of the assessment is required in order to answer specific questions contained in the above (Figure 1), specifically question 8, and considers whether the Neighbourhood Plan is likely to have a significant effects on the environment, using criteria drawn from the EU SEA Directive 2001/42/EC (Annex II) and Schedule 1 of the UK Environmental Assessment of Plans and Programmes Regulations 2004 (See Figure 2 and Table's 2 and 3).

Figure 2. Criteria for determining the likely significance effects to the environment.

1. The characteristics of plans and programmes, having regard, in particular, to

- 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,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development, - environmental problems relevant to the plan or programme,
- 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).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the trans-boundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: <https://www.legislation.gov.uk/ukxi/2004/1633/schedule/1/made>

The regulations state that before making a determination the three statutory consultation bodies must be consulted: The Environment Agency, Natural England and Historic England. Newcastle-under-Lyme Borough Council's assessment and response in determining whether the emerging Audley Neighbourhood Plan requires an SEA is presented in Table's 1, 2 and 3.

5. Assessment and Screening of the Audley Neighbourhood Plan Screening Document V2.4a

Table 1: Part 1 SEA screening. Application of the SEA Directive to plans and programmes

Establish the Need for SEA (as demonstrated in Figure 1)		
Stage	Yes / No	Reason
1	Yes	<p>The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by the parish council (as the “relevant body”) and will be “made” by Newcastle-under-Lyme Borough Council (as the responsible Authority) subject to passing an independent examination and community referendum. The preparation of Neighbourhood Plans is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012, the Neighbourhood Planning (referendums) Regulations 2012, and the Neighbourhood Planning (General) (Amendment) Regulations 2015.</p> <p>GO TO STAGE 2</p>
2	Yes / No	<p>Whilst the Neighbourhood Plan is not a requirement of the Town and Country Planning Act as amended by the Localism Act 2011, it will be “made” and eventually form part of the Development Plan for Newcastle-under-Lyme. It is important that the screening process considers whether it is likely to have a significant environmental effects and hence whether an SEA is required under the SEA Directive.</p> <p>The strategic framework for development is set by the adopted Joint Core Spatial Strategy and the emerging Local Plan. The Neighbourhood Plan seeks to align and be in general conformity with this.</p> <p>GO TO STAGE 3</p>
3	Yes	<p>The Neighbourhood Plan is being prepared for town and country planning, and land use purposes for Audley.</p> <p>Development management type policies are included in the Neighbourhood Plan to encourage sustainable development,</p>

	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))		economic diversity, good design, protection / enhancement of the rural built, historic and natural environment (landscapes, wildlife corridors and habitats); enhancement of green infrastructure, community services and facilities; and provide local transport infrastructure and opportunities for local energy generation. GO TO STAGE 5
4	Will the Neighbourhood Plan, 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))	Not Applicable	This Neighbourhood Plan will be screened separately on the need for Habitats Regulations Assessment. GO TO STAGE 5
5	Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes / No	The Neighbourhood Plan supports new development (residential, commercial and economic uses) within defined settlement boundaries across the designated neighbourhood area, but does not propose any specific site allocations for development across the plan area. Furthermore, the Neighbourhood Plan designates a series of Local Green Spaces in recognition of their open / green character and community / amenity value. GO TO STAGE 8
6	Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Yes	Once the Neighbourhood Plan is made, it will form part of the statutory Development Plan and will be used by Newcastle-under-Lyme Borough Council to assist in the determination of planning applications. The intention is that the Neighbourhood Plan will provide a land use policy framework for future development at a local level. GO TO STAGE 8
7	Is the Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR it a financial or budget PP, or it is co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	Not applicable	Not Applicable GO TO STAGE 8
8	Is it is likely to have a significant effect on the environment? (Art 3.5)	Unlikely	Assessment and responses regarding this matter are presented in Table's 2 and 3 SEE TABLES 2 AND 3

Table 2. Part 2a SEA Screening: II Application of Criteria for determining the likely significance of effects of a Neighbourhood Plan (SEA Directive Article 3(5) Annex II).

(1) Characteristics of the plan and programmes, having regard, in particular, to;		
SEA Directive Criteria Annex II	NuLBC Response	Likely 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 would, if made, will form part of the statutory Development Plan for Newcastle-under-Lyme and contribute to the local planning policy framework.</p> <p>The Neighbourhood Plan does not allocate individual sites for development, thereby providing no specific details of developable areas and scale of future development. However, Policies ANP1, ANP2, and ANP3 for residential, employment (E, F1 and F2 Use Class) and commercial / retail development is directed within defined settlement and centre boundaries. These are considered appropriate and sustainable locations for development, although some minor impacts are potentially possible. However, the policies in the Neighbourhood Plan seek to support development through building conversions and infill, but aim to minimise / prevent impacts on the Green Belt, rural and historic character (e.g. Conversation Area and architectural / non-designated and designated assets) of the area, and the natural environment (landscapes, habitats and designated areas of nature conservation) as set out in policies ANP5, ANP6, ANP7 and ANP9.</p> <p>The above policies will help determine the outcome of future development proposals, and achieve the Neighbourhood Plan's overall vision of ensuring a sustainable and pleasant place to live that meets the needs of the local residents whilst protecting and enhancing the rural and historic character of the neighbourhood plan area.</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 is required to be in conformity with the National Planning Policy Framework (NPPF), and at this stage the policies of the Joint Core Spatial Strategy and 'saved' Local Plan 2011 policies. The Neighbourhood Plan should not significantly influence other plans and programmes, but may have a limited degree of influence over the formation of the future strategic policies for the emerging Local Plan.</p> <p>The Neighbourhood Plan will be made alongside the emerging higher order Local Plan and form part of the Development Plan. The Neighbourhood Plan will</p>	<p>No</p>

	provide supplementary information to the Development Plan on a local scale.	
The relevance of the plan or programme for the integration of environmental conditions in particular view to promoting sustainable development;	<p>The Neighbourhood Plan includes development management themed policies seeking to ensure appropriate and sustainable development within defined rural settlements, with particular focus on protecting / enhancing existing environmental, historical and heritage assets (policies ANP4, ANP5, ANP6, ANP7 and ANP9).</p> <p>Development would be subject to the policies in the NPPF, as well as the Joint Core Strategy and 'saved' Local Plan 2011 policies. The Neighbourhood Plan attempts to demonstrate its policy conformity with local / national aims and policies. The Neighbourhood Plan's vision, aims and policies have been developed in consideration of the three dimensions (economic, social and environmental) to sustainable development as described in the NPPF.</p>	No
Environmental Problems relevant to the plan or programme;	<p>Across the neighbourhood plan area there are no international / national designations. There are 10 Sites of Biological Importance (SBI), 7 Biodiversity Alert Sites (BAS), 2 Regionally Important Geological Sites (RIGS) and 12 Ancient Woodland (see Appendix 1 for map of all environmental designations). All environmental designations are located outside the settlement boundaries - Audley, Bignall End, Wood Lane, Miles Green, Halmer End and Alsagers Bank. Of the 17 Local Wildlife Sites identified, 4 of them partially adjoin existing settlement boundaries (Audley, Bignall End, Wood Lane and Halmer End). The Neighbourhood Plan does not provide site specific allocations for development, therefore it difficult to determine exactly where future development will take place (i.e. anywhere within the settlement boundaries as indicated by policies ANP1 and ANP2), and where potential impacts may occur.</p> <p>Audley Castle Banks Biodiversity Alert Site partially adjoins the northern boundary of Audley settlement. The topographical contours show approximately a 10-20 meter decent from the settlement boundary to the Local Wildlife Site. Future development directed within Audley settlement (as supported by policies ANP1 and ANP2) could potentially result in increased runoff onto the Local Wildlife Site, but impacts are not likely to be significant.</p> <p>Bignall End Coal Yards Site of Biological Importance partially adjoins the northern boundary of Bignall End settlement. The topographical contours show approximately a 10 meter accent from the settlement boundary to the Local Wildlife Site. Future development within Bignall End settlement is</p>	Uncertain / unlikely

	<p>unlikely to have any significant effects on the Local Wildlife Site from runoff.</p> <p>Burgess's Wood Biodiversity Alert Site partially adjoins the southern boundary of Wood Lane settlement. The topographical contours show approximately a 10-20 meter decent from the settlement boundary to the Local Wildlife Site. Future development within Wood Lane settlement could potentially result in increased runoff onto the Local Wildlife Site, but impacts are not likely to be significant.</p> <p>Podmore Pool Site of Biological Importance partially adjoins the southern boundary of Halmer End settlement. The topographical contours show approximately a 10-20 meter decent from the settlement boundary to the Local Wildlife Site. Future development within Halmer End settlement could potentially result in increased runoff onto the Local Wildlife Site, but impacts are not likely to be significant.</p> <p>Within the neighbourhood area there are 13 Listed Buildings (all Grade II), with 4 of them located within existing settlement boundaries (Audley and Bignall End). There are 3 Locally Listed Buildings and Structure all located within settlement boundaries (Audley and Bignall End). A Scheduled Ancient Monument (Castle Hill Motte) is located in close proximity to the northern boundary of Audley settlement. A Conservation Area is designated within the north-eastern boundary of Audley settlement (See Appendix 2 for map of all historic designations across the neighbourhood plan area). Depending on the location, new or infill development within Audley settlement (as supported by policy ANP1 and ANP2) could potentially impact on the Conservation Area and Listed / Locally Listed Buildings within the vicinity. Future development would need to take this into account.</p> <p>The Neighbourhood Plan presents specific policies seeking to preserve / enhance, and prevent harm or degradation to the natural and historical environment which contributes to the rural character of Audley of the neighbourhood area (policies ANP5, ANP6, ANP7 and ANP9). Development would be subject to the policies in the NPPF, as well as the Joint Core Strategy and saved Local Plan 2011 policies in relation to protecting / enhancing the natural and historic environment. The Neighbourhood Plan attempts to demonstrate its policy conformity with local / national aims and</p>	
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	policies to conserve, protect and enhance the environment in its natural and historic form.	
The relevance of the plan or programme for the implementation of (European) community legislation on the environment (for example, plans and programmes linked to waste management or water protection;	<p>The Neighbourhood Plan summarises key issues identified from community engagement with sustainable drainage systems (housing) being one of them. The Neighbourhood Plan does not present specific policies ensuring adequate on site drainage and water / flood management measures as a result of development. Therefore, it is difficult to determine the impacts of water resources and watercourses across the neighbourhood plan area. However, Policy ANP4 makes reference to the Green Guidance Notes (Chapter 8) which explores themes of water and waste management. The Green Guidance Note acknowledges development should minimise water pollution, and it suggests ways of 'building green' through rainwater harvesting and storage / reuse of grey water, and ensuring hard surfaces / materials are kept to a minimum and be water permeable.</p> <p>The implementation of any potential community legislation is unlikely to be significantly compromised by the Neighbourhood Plan.</p>	No

Table 3. Part 2b SEA Screening: II Application of Criteria for determining the likely significance of effects of a neighbourhood Plan (SEA Directive Article 3(5) Annex II)

(2) Characteristics of the effects and of the area likely to be affected, having regard, in particular, to;		
SEA Directive Criteria Annex II	Response	Likely environmental effect?
The probability, duration, frequency and reversibility of the effects;	<p>The Neighbourhood Plan does not allocate any specific sites for development (housing, employment etc), although it would be anticipated that future development would mainly occur within defined settlement boundaries (as supported by policies ANP1 and ANP2). Because there no site allocations it is difficult to determine the long term effects from future development, both within the settlement boundaries and across the wider area of the parish. The wider area of the parish (beyond the settlement boundaries) is designated Green Belt which offers certain protection from development.</p> <p>Future development is likely to generate CO2 emissions from increasing traffic movements, household waste, and there is the potential for pollution to Local Wildlife Sites without</p>	Unlikely

	<p>appropriate sustainable drainage. However, some of the above effects have the potential to be mitigated by the plans own policies that seek to promote environment protection / enhancement (policy ANP5, ANP7, ANP9, ANP10), sustainable modes of transport (policy ANP12), good design (ANP4, ANP6 and ANP7) and green infrastructure (policy ANP9, ANP10 and ANP11).</p> <p>The potential net effects of the Neighbourhood Plan are unlikely to be significant to the wider environment, but the neighbourhood plan areas environmental and historical assets need to be taken into account when considering future development.</p>	
The cumulative nature of the effects;	<p>The Neighbourhood Plan does not allocate specific sites for development (housing, employment etc), but the Strategic Housing and Employment Land Availability Assessment shows 22 dwellings as existing residential commitments (planning approval) within and outside the settlement boundaries.</p> <p>Sites that may come forward (identified outside the neighbourhood plan process) for development may result in some potential cumulative impacts on the environment. This may include increase traffic flows, CO2 emissions and surface water flooding. However, given the existing natural and historical characteristics of the neighbourhood plan area alongside the policies proposed in the Neighbourhood Plan, the cumulative effects are unlikely to be considered significant for the local environment.</p>	Unlikely
The trans-boundary nature of the effects;	<p>Future development across the neighbourhood plan area may impose some impacts to the surrounding parishes in terms of increasing traffic flows and CO2 emissions. However, it is not expected to be any significant trans-boundary effects.</p>	Unlikely
The risk to human health or the environment (e.g. due to accidents);	<p>The Neighbourhood Plan is unlikely to pose any significant risks to human health. The Neighbourhood Plan presents policies seeking to improve human health by encouraging a good mix of housing (policy ANP1), supporting the local economy in terms of employment / office development (policy ANP2), and promoting sustainable modes of travel, enhancing accessibility via footpaths, cycle routes, public rights of ways</p>	Unlikely

	<p>and open / green spaces (policy ANP12), thereby accommodating the needs of the residents.</p> <p>The Neighbourhood Plan is unlikely to pose any significant risks to the environment, although the existing Local Wildlife Sites and historical designations (Conservation Area and Listed / Locally Listed Buildings) adjoining or within settlement boundaries must be taken into account when considering future development.</p> <p>The policies proposed within the Neighbourhood Plan have the potential to mitigate any risks to human health or the environment imposed by potential future development.</p>	
<p>The magnitude and the spatial extent of the effects (geographical area and size of the population likely to be affected);</p>	<p>The neighbourhood plan area covers the Audley parish and is approximately 4718 hectares in size. According to Census 2011, the total population for the neighbourhood plan area is 8,549.</p> <p>The Neighbourhood Plan does not propose specific site allocations for development. 22 dwellings are recorded as existing commitments for residential development. Over the course of the plan period, the neighbourhood plan area is likely to experience minor increases in population, but affects are unlikely to be significant.</p>	<p>Unlikely</p>
<p>The value and vulnerability of the area likely to be affected due to:</p> <p>I. Special natural characteristics or cultural heritage;</p> <p>II. Exceed environmental quality standards or limit values</p> <p>III. Intensive land use</p>	<p>I. The neighbourhood plan area has a number of natural and historic designations / assets. These include Biodiversity Alert Sites, Sites of Biological Importance, Regionally Important Geological Structures, Conservation Area, Listed Buildings and Locally Listed Buildings and Structures. The Neighbourhood Plan presents policies to enhance / protect these designations / assets when considering future development (policies ANP5, ANP6, ANP7 and ANP9). The majority of the environmental designations are located beyond the existing settlement boundaries, with only a few adjoining them. Overall, the environmental designations would not likely to be vulnerable to significant impacts from development. Historical designations are located across the neighbourhood plan area, both within and beyond the settlement boundaries. Policies ANP1</p>	<p>Unlikely</p>

	<p>and ANP2 are supportive of development within the settlement boundaries including infill. Proposed development needs to be mindful of the historical designations, particularly within Audley settlement as it contains a Conservation area and Listed / Locally Listed Buildings. However, the Neighbourhood Plan policies offer consideration and possible mitigation (ANP5, ANP6 and ANP7), and the historical designations would not likely to be vulnerable to significant impacts from development.</p> <p>II. The Neighbourhood Plan is unlikely to result in exceedance of environmental quality standards, such as those relating to air, water and soil quality. It should be noted that specific measures have not identified in the neighbourhood plan's policies to mitigate the impacts of flooding (i.e. implementation of sustainable drainage systems). However, the Neighbourhood Plan's policies seeks to maintain and enhance quality standards within the natural and built environment through the delivery of sustainable design, green infrastructure, sustainable transport provision, and natural / landscape maintenance (i.e. Policies ANP4, ANP9, ANP10, ANP12).</p> <p>III. The Neighbourhood Plan does not allocate specific sites for development, and therefore unlikely to bring forward development of an extent that would result in a significant intensification of local land use.</p>	<p>Unlikely</p> <p>Unlikely</p>
<p>The effect on areas or landscapes which have a recognised national, Community or international protected status;</p>	<p>There are no designated landscapes within or near the neighbourhood plan area.</p> <p>The neighbourhood plan area is categorised by the following saved policies for the Newcastle-under-Lyme Local Plan 2011: Landscape Enhancement and Landscape Restoration (Policies N20 and N21). The settlements are characterised by 'landscape restoration' and the wider area is characterised by 'landscape enhancement'. Collectively these policies seek to preserve, improve and enhance the quality and character of the landscape across the neighbourhood plan area.</p>	<p>Unlikely</p>

6. Screening Outcome







Newcastle-under-Lyme Borough Council has concluded that the emerging Audley Neighbourhood Plan is not likely to have any significant environmental effects, and accordingly will not require a Strategic Environmental Assessment (SEA). The main reasons for this conclusion are:

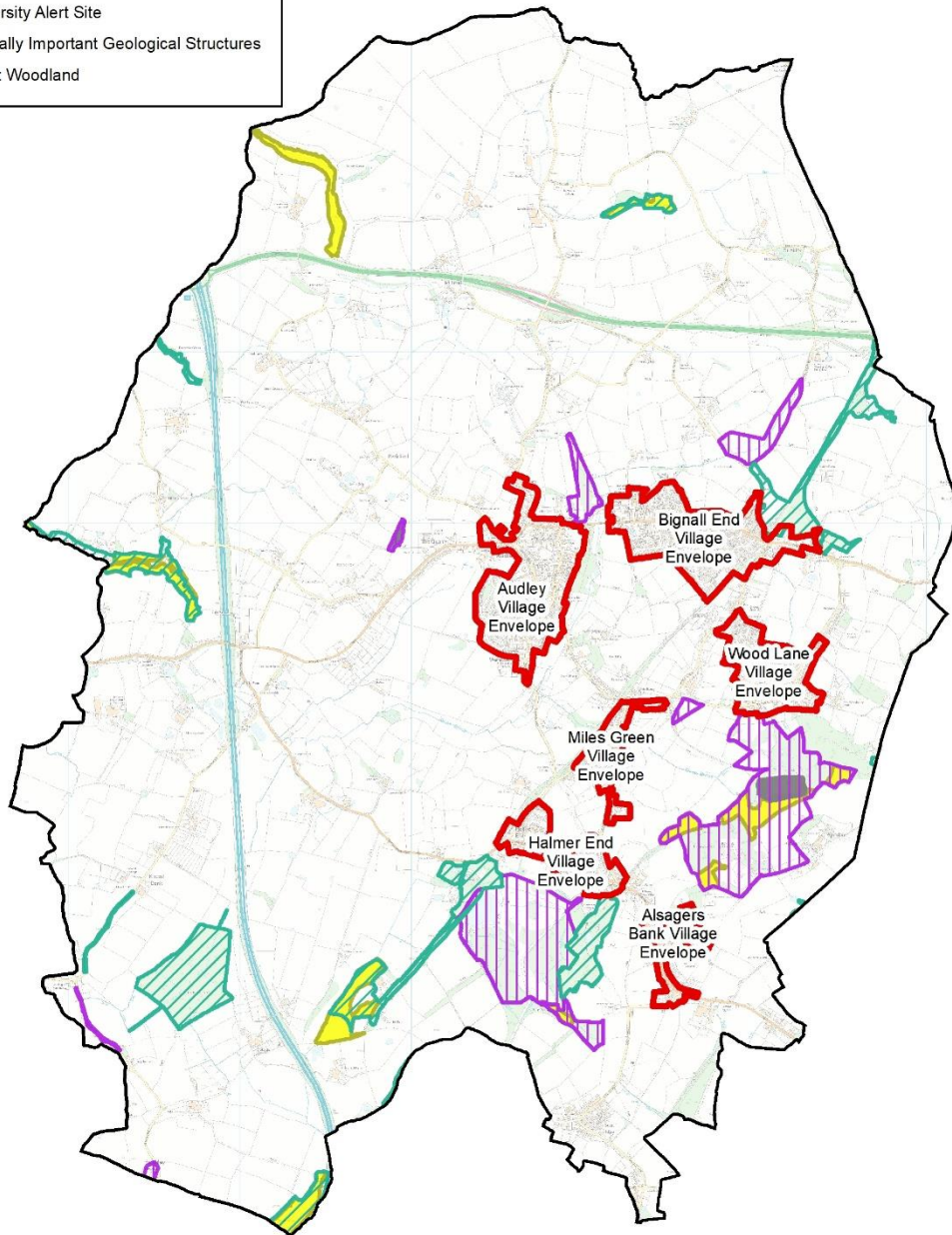
- The Neighbourhood Plan seeks to align itself with the Borough Council's adopted Development Plan which includes the Newcastle-under-Lyme and Stoke-on-Trent Joint Core Strategy, and Newcastle-under-Lyme Local Plan 2011 'saved' policies. Additionally the Neighbourhood Plan is subject to a Habitats Regulations Assessment screening;
- The Neighbourhood Plan does not provide any specific site allocations for development. It focuses development within defined settlement boundaries including Audley, Miles Green, Bignall End, Wood Lane, Alsagers Bank and Halmer End. These are considered the most appropriate and sustainable locations for future development;
- Future development could potentially have minor impacts to the natural and historical designations / assets, particularly within the Audley settlement due to the presence of the Conservation Area, Listed Buildings and Locally Listed Buildings and Structures. However, some of the effects have the potential to be mitigated by the Neighbourhood Plan's own policies which seek to promote and deliver environment protection / enhancement. As a result, it is difficult to foresee any significant environmental effects;
- The Neighbourhood Plan seeks to avoid or minimise the environmental effects of future developments, especially with impacts to the natural and historic environment. It presents development management themed policies to conserve, protect and enhance environmental, historical, cultural and heritage assets for determining future development proposals;
- The spatial extent and the magnitude of the population affected are not considered significant for the purpose of the Strategic Environment Assessment (SEA);

In addition to the SEA screening of the Audley Neighbourhood Plan Screening Document V2.4a, there is a need to assess the likelihood of the plan having an adverse impact on internationally designated wildlife sites. The Habitats Regulations Assessment (HRA) is required by the European Habitats Directive, and screening will be undertaken for this separately.

Appendix 1: Environmental Designations, Audley

Key

-  Neighbourhood Plan Area Boundary
-  Settlement Boundaries
-  Site of Biological Importance
-  Biodiversity Alert Site
-  Regionally Important Geological Structures
-  Ancient Woodland



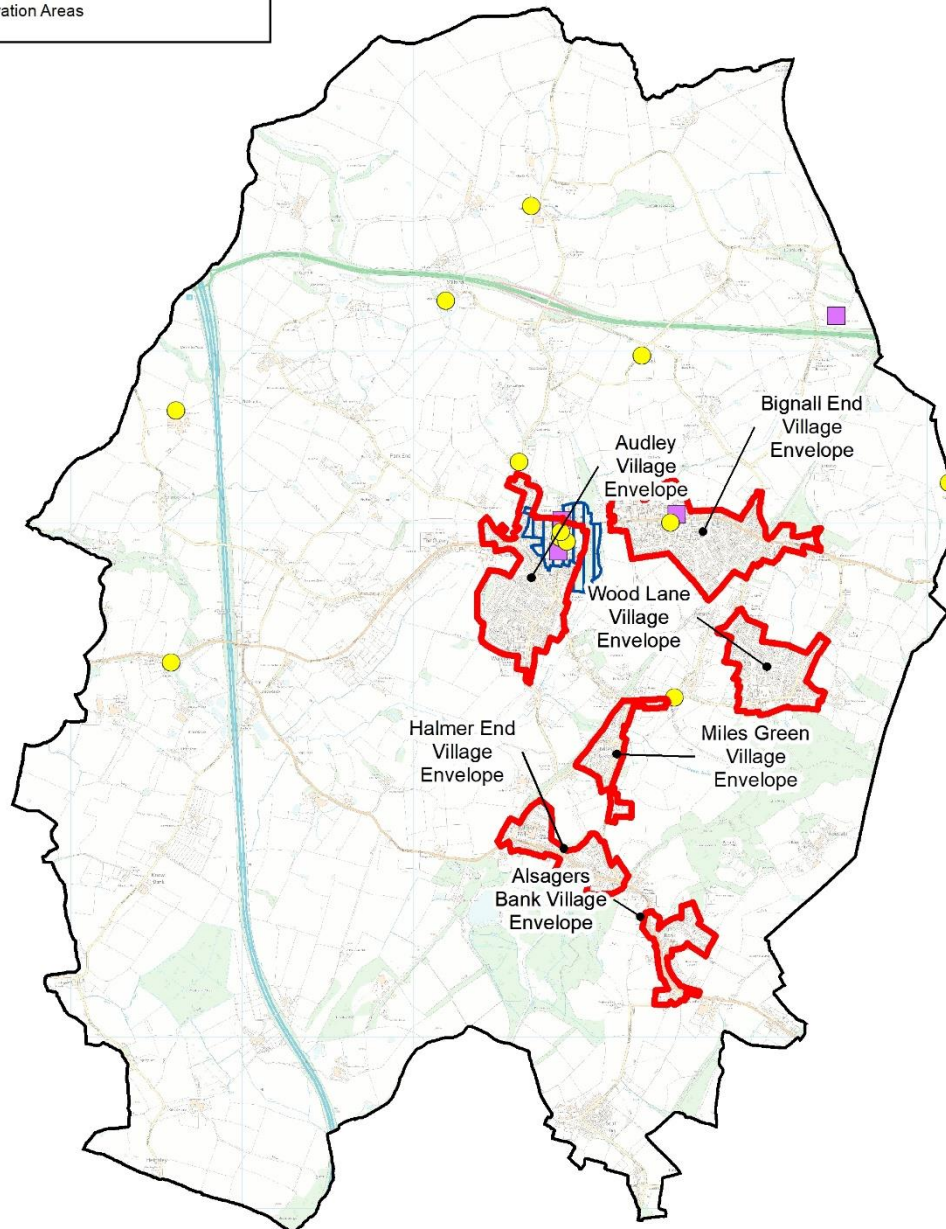
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Newcastle Under Lyme Borough Council – 100019654 – 2023

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Appendix 2: Historical Designations, Audley

Key

-  Neighbourhood Plan Boundary
-  Settlement Boundaries
-  Listed Buildings
-  Locally Important Buildings and Structures
-  Conservation Areas



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Date: 09 March 2023
Our ref: 418534
Your ref: Audley Neighbourhood Plan



Planning Policy Team
Newcastle-under-Lyme Borough Council

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Dear Sir/Madam

Audley Neighbourhood Plan – Review SEA & HRA Screening

Thank you for your consultation on the above dated and received by Natural England on 16 January 2023.

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.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

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

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

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

Habitats Regulations Assessment (HRA) Screening

Natural England agrees with the report's conclusions that the Audley Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Sally Wintle
Consultations Team



Sir/Madam Planning Policy Team
Newcastle-under-Lyme Borough Council
Castle House
Barracks Road
Newcastle-Under-Lyme
Staffordshire
ST5 1BL

Direct Dial: 0121 625 6887

Our ref: PL00792123

31 January 2023

Dear Sir/Madam Team

AUDLEY NEIGHBOURHOOD PLAN- SEA AND HRA SCREENING

Thank you for your consultation and the invitation to comment on the SEA and HRA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the preparation of a Strategic Environmental Assessment is not required.

Regarding HRA Historic England does not disagree with your conclusions but would defer to the opinions of the other statutory consultees.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: [<https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>](https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/)

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

P. Boland.



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

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Historic England

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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.

Newcastle- Under-Lyme Borough
Council
Planning Policy Team

Our ref: UT/2007/100596/OR-
05/PO1-L01
Your ref: Audley NP SEA
Date: 25 January 2023

Dear Sir/Madam

Audley Neighbourhood Development Plan – Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report Consultation Draft

Strategic Environmental Assessment:

The European Union directive 200142/EC requires a SEA to be undertaken for certain types of plans and programmes that would have ‘significant’ environmental effect(s).

Paragraph: 046 in the Strategic Environmental Assessment and Sustainability Appraisal Guidance (Reference ID: 11-046-20150209) states “a strategic environmental assessment may be required, for example, where:

- *a neighbourhood plan allocates sites for development,*
- *the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan.*
- *the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan or other strategic policies for the area”.*

Having reviewed the Screening Report submitted, and in consideration of the matters within our remit, we concur with the conclusion that, given the lack of specific site allocations within the Neighbourhood Plan, the Audley Neighbourhood Plan is unlikely to have significant environmental impacts and a **Strategic Environmental Assessment** is not therefore required.

Habitats Regulation Assessment:

Article 6(3) of the European Habitats Directive (1992) requires that any plan (or project), which is not directly connected with or necessary to the management of a European site (also known as a “Natura 2000” site), but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, shall be subject to an ‘appropriate assessment’ of its implications for the European site in view of the site’s conservation objectives.

Having reviewed the HRA Screening report, and in consideration of the matters within our remit, we concur the Audley Neighbourhood Plan is considered unlikely to have significant effects on the European designated sites.

We note that no European or Ramsar Sites have been identified within the plan area and there does not appear to be any obvious pathways to sites in neighbouring plan areas.

I trust that the above is of assistance.

Yours faithfully

Emma Millband
Planning Officer

Direct e-mail emma.millband@environment-agency.gov.uk