

Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment Screening Opinion for Draft Darnhall Neighbourhood Plan

Prepared on behalf of Darnhall Neighbourhood Plan Steering Group

by

Cheshire West and Chester Council

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1.0 Introduction

This screening opinion determines whether or not the draft Darnhall Neighbourhood Plan requires a Strategic Environmental Assessment (SEA), and/or a Habitat Regulations Assessment (HRA) in accordance with the European Directive 2001/42/EC and 92/43/EEC, and the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) 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.

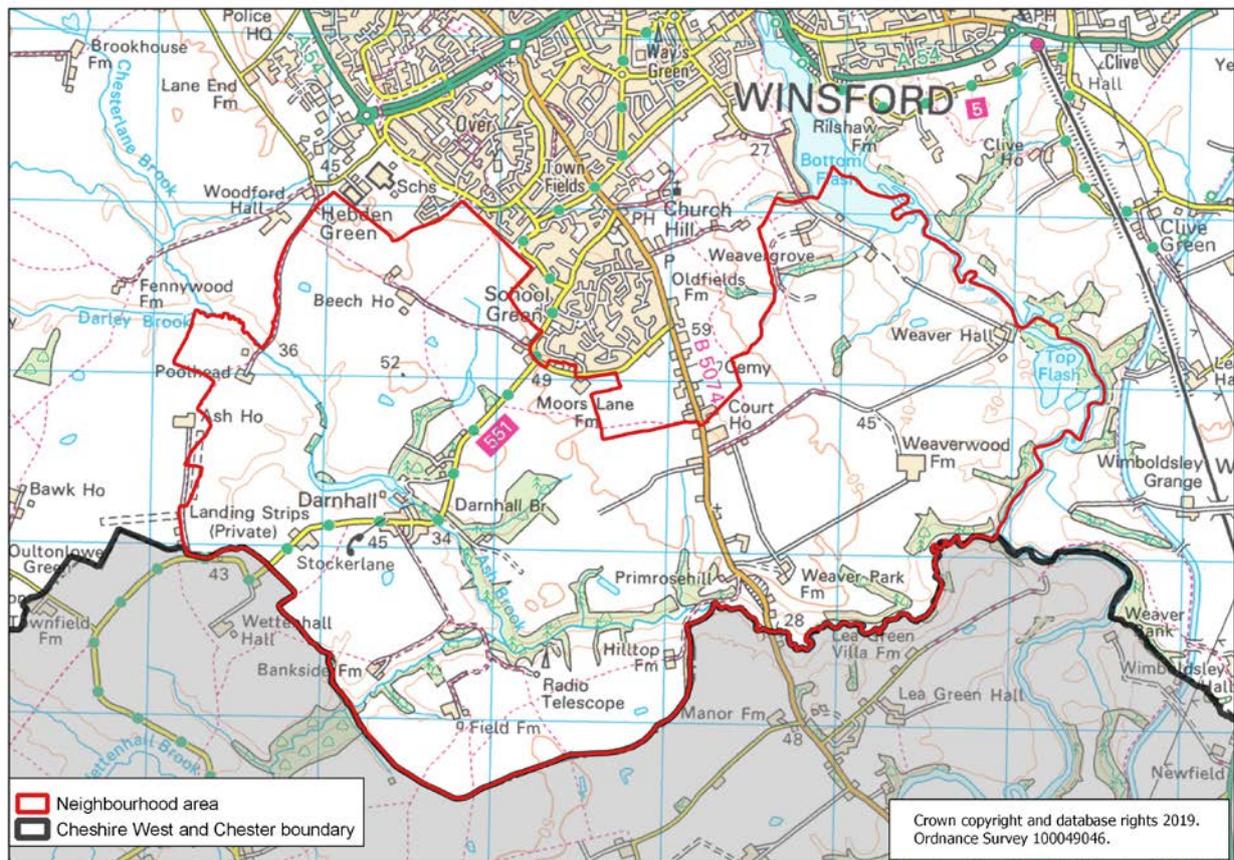
This screening opinion has been prepared by Cheshire West and Chester Council, on behalf of the Neighbourhood Plan qualifying body and is based upon the policies set out in the draft Darnhall Neighbourhood Plan (April 2019) to inform the regulation 14 (pre-submission) consultation.

Location and geographical scope of the Darnhall Neighbourhood Plan

The parish of Darnhall is located immediately to the south of Winsford and comprises of farmland, small clusters of residences and the hamlet of Darnhall. The eastern part of the Parish is dominated by the Weaver Valley and includes part of the Winsford Flashes and areas of woodland. To the south, the Parish boundary abuts the unitary authority of Cheshire East.

The plan area has a population of 232 (2011 census).

The Darnhall Neighbourhood Area is shown in Map 1 below.



Relationship to other plans and programmes

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

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

The current adopted Local Plan for the area is Cheshire West and Chester Local Plan Part One – Strategic Policies (adopted January 2015). This plan sets out the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough to 2030.

Some of the policies in the Vale Royal Borough Local Plan have been retained alongside the Local Plan (Part One) until they are replaced by the Local Plan (Part Two). The Local Plan (Part Two) was submitted for examination on 12 March 2018. Hearing sessions took place during September 2018 and the Council has since published and consulted on the Inspector's proposed 'main modifications' to the plan.

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

Scope of Neighbourhood Plan

The vision for the neighbourhood plan is:

To preserve the local character of the area as being open rural countryside maintained through active farming. Its community facilities and open spaces will benefit people in both our own and neighbouring areas. The environment and wildlife will be conserved and it will be a place where local people can safely live, work, play and enjoy a high quality of life.

Objectives for the plan, arising from consultation with the local community, seek to:

- Enhance and protect the countryside and natural environment;
- Ensure that previously developed land is investigated to meet the need for residential, commercial and agricultural development;
- To encourage rural development, enterprise, outdoor pursuits and recreation that takes advantage of the characteristics of Darnhall Parish and support the welfare of the community.
- To conserve and enhance community assets and make them more accessible.
- To ensure safe access for non-vehicle users to all parts of the Parish.

The vision and objectives have been translated into plan policies under the chapter headings of Transport and Communications; Countryside and Environment; Residential, Commercial and Local Economy; and Recreation and Social Infrastructure.

The Draft Darnhall Neighbourhood Plan (April 2019) has been prepared so as to be in general conformity with the strategic policies in the adopted Local Plan (Part One) and the emerging Local Plan (Part Two) Land Allocations and Detailed Policies. The

Parish is located in the rural area of the borough and does not include any key service centres or local service centres defined through the Local Plan. It is a countryside location and new development is restricted to specific types, to protect the intrinsic character and beauty of the Cheshire countryside. The Draft Neighbourhood Plan does not propose land allocations for development, and is compatible with the overall type and level of development established in the Local Plan for the countryside.

There are some policies that do not fully conform with the strategic policies in Cheshire West and Chester Local Plan (Part One) and submission draft Local Plan (Part Two). Please refer to Appendix 1. However, the Neighbourhood Plan is still at a relatively early stage of preparation. Any conformity issues will be identified through the consultation and ongoing dialogue with the Neighbourhood Plan Steering Group.

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 Draft Darnhall Neighbourhood Plan falls within the scope of this legislation as it is a plan prepared for town and country planning or land use and will set the framework for future development consent of projects, in accordance with Part 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 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 in the Neighbourhood Plan, its potential effects and its relationship to Local Plan (Part One) Strategic Policies and the emerging 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 at Appendix 1.

The assessment of the significant environmental effects of the draft Neighbourhood Plan is set out in Appendix 2. The characteristics of the plans effects and the area likely to be affected are set out in Appendix 3.

Conclusion

As a result of the SEA screening assessment, Cheshire West and Chester Council consider that it is unlikely there will be any significant environmental effects arising from the Draft Darnhall Neighbourhood Plan. As such, a Strategic Environmental Assessment of the Draft Darnhall 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.

Map 2 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 Darnhall Neighbourhood Area:

- 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.

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 Darnhall Neighbourhood Plan.

The European protected sites that fall within a 15km radius of the Neighbourhood Area (as shown on Map 2) are all 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 sites and their reasons for designation.

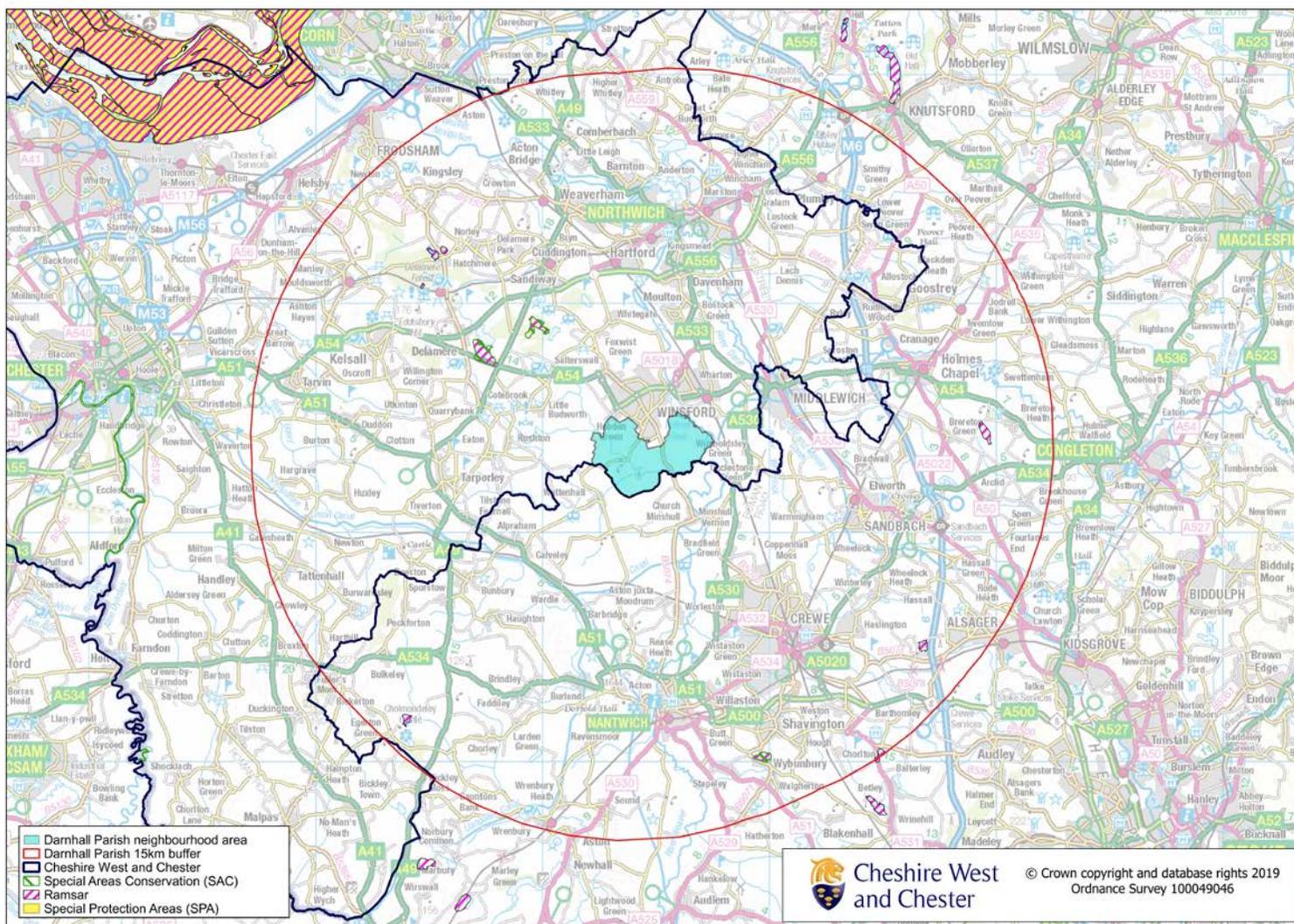
The conservation objectives of the European sites are taken into account. These include maintaining or restoring:

- 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 Darnhall 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.

Map 2- European Designations within a 15km distance of the Darnhall Neighbourhood area



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. 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 increasing off-shore exploration and production activity associated with oil and natural gas on protected sites outside CWaC.	Neighbourhood Plans within CWaC cannot control oil and gas exploration and production activity outside CWaC.
Coastal squeeze from land reclamation and coastal flood defences and drainage in European sites outside CWaC.	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.

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 Darnhall Neighbourhood Area in the future is 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 Darnhall, 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 Darnhall 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 opinion made by Cheshire West and Chester Council is that the Darnhall 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 Draft Darnhall Neighbourhood Plan (April 2019)

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
<p>TC 1</p> <p>Fibre to premises</p>	<p>Requires the submission of a 'connectivity statement' with planning applications for new residential and business developments, to show how the development will be connected to nearby data networks</p>	<p>Effect on population and health – providing access to services and supporting rural employment</p> <p>Reduce the potential impacts of climate change, by reducing the demand for travel for work and other purposes</p>	<p>Local Plan (Part One) policies:</p> <ul style="list-style-type: none"> - STRAT10 Transport and Accessibility - STRAT11 Infrastructure - SOC 5 – health and wellbeing <p>Local Plan (Part Two) policies:</p> <ul style="list-style-type: none"> - DM18 – ICT and telecommunications
<p>TC 2</p> <p>Traffic</p>	<p>Development should not create unacceptable impacts on the local road network, its users, road safety, parking and congestion.</p> <p>Assessments should be provided using up to date information about properties which might be affected, taking account of other developments which have been permitted but not yet built.</p>	<p>Protect and improve air quality, by managing traffic impacts</p> <p>Effect on population and health – promoting safe environments and minimising adverse impacts on quality of life arising from traffic impacts</p>	<p>Local Plan (Part One) policies:</p> <ul style="list-style-type: none"> - STRAT10 Transport and Accessibility - SOC5 health and well being <p>Local Plan (Part Two) policies:</p> <ul style="list-style-type: none"> - T 5 Parking and access - DM 2 Impact on residential amenity

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
	Mitigation measures should be incorporated into proposals to minimise adverse impacts. Schemes should contribute to ensuring that existing networks of pedestrian and cycling facilities are suitably modified with signage to control vehicle speeds.		
TC 3 Parking	New development to provide sufficient on site car parking including off road visitor parking, which should meet the requirements of adopted CWaC parking standards.	Supporting the economy (no direct SEA topic)	Local Plan (Part One) policies: - STRAT10 Transport and accessibility Local Plan (Part Two) policies: - T 5 Parking and access
Countryside and Environment CE1	Development permitted in the rural area which would have a harmful visual impact should have mitigation to provide compensatory habitat creation, screening and control of light pollution.	Protection of biodiversity, flora and fauna, Protect the landscape character	Local Plan (Part One) policies: - ENV2 Landscape - ENV4 Biodiversity and geodiversity Local Plan (Part Two) policies: - DM 44 protecting and enhancing the natural environment

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
CE2	Supports proposals to protect and enhance natural habitat in woodlands, Flashes, ponds and watercourses and to create wildlife corridors	Protect and enhance biodiversity, flora and fauna, Enhancement and creation of habitats, including trees/woodlands Protect water quality	Local Plan (Part One) policies: - ENV4 Biodiversity and geodiversity Local Plan (Part Two) policies: - DM 44 protecting and enhancing the natural environment
CE3	Traditional hedgerows, trees and ancient woodlands should be preserved and development which would adversely impact upon them will not be permitted unless accompanied by a mitigation plan.	Protect the landscape character Protect biodiversity, flora and fauna	Local Plan (Part One) policies: - ENV4 Biodiversity and geodiversity Local Plan (Part Two) policies: - DM 44 protecting and enhancing the natural environment
CE4	Lighting systems should support the principle of dark skies to minimise the impact on wildlife and ecology. All future developments must include downlighting to prevent light pollution and disruption to bat feeding corridors.	Protect cultural heritage and landscape Protect biodiversity, flora and fauna	Local Plan (Part One) policies: - ENV2 Landscape - ENV4 Biodiversity and geodiversity Local Plan (Part Two) policies: - DM 44 protecting and enhancing the natural environment
RCLE 1 New	Supports proposals to extend existing or promote new small scale	Supporting the economy (no direct SEA Topic)	Local Plan (Part One) policies: - STRAT8 rural area

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
Business	employment opportunities that are appropriate to a rural environment. These should demonstrate positive benefits to the local economy, support local employment and training, and must not adversely impact on the character and appearance of the locality or amenity of adjoining properties.	<p>Population and health – supports access to local opportunities for employment and training</p> <p>Population and human health - protecting residential amenity can have a positive effect on health and well being.</p> <p>Effect on land and resources (Soil) from new development</p>	<ul style="list-style-type: none"> - STRAT9 countryside - ECON1 economic growth, employment and enterprise - SOC5 health and well being - ENV 2 Landscape <p>Local Plan (Part Two) policies:</p> <ul style="list-style-type: none"> - DM 2 Impact on residential amenity - DM7 rural diversification of land based business
RCLE 2 Loss of Employment sites and Community Facilities	Loss of employment sites and community facilities will only be supported where the existing use is not viable and has been marketed for 2 years.	Population and health – supports social inclusion within the community, providing access to services in the rural area.	<p>Local Plan (Part One) policies:</p> <ul style="list-style-type: none"> - ECON1 economic growth employment and enterprise. - SOC5 health and well being <p>Local Plan (Part Two) policies:</p> <ul style="list-style-type: none"> - DM5 Protection and refurbishment of employment land and premises - DM39 Culture and community facilities.

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
RCLE 3 Use of rural buildings	Supports the conversion of permanent, structurally sound rural buildings for small business, recreation or tourism provided that the proposal respects the character of surrounding buildings and local area, provides adequate car parking and the highway network is capable of accommodating the additional traffic generated.	Protect cultural heritage and landscape Supporting the economy (no direct SEA Topic)	Local Plan (Part One) policies: <ul style="list-style-type: none"> - STRAT9 countryside - ECON1 economic growth, employment and enterprise - ECON3 Visitor economy - ENV2 landscape Local Plan (Part Two) policies: <ul style="list-style-type: none"> - DM9 Visitor accommodation - DM3 design, character and visual amenity
RCLE 4 Scale, Design and Amenity	New employment development must be of a high quality design which is in keeping with existing business development; does not adversely impact the amenity of neighbouring dwellings and provides appropriate landscaping and on site car parking	Protect cultural heritage and landscape Population and human health - protecting residential amenity can have a positive effect on health and well being.	Local Plan (Part One) policies: <ul style="list-style-type: none"> - ENV 6 high quality design and sustainable construction Local Plan (Part Two) policies: <ul style="list-style-type: none"> - DM 2 impact on residential amenity - DM3 design, character and visual amenity

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
RCLE 5 Housing Development	New development will be supported where it meets local plan policies STRAT 1 and STRAT 9, is small in scale (other than in exceptional cases to meet a community need) and is environmentally sustainable. Acceptable types of development are: Reuse of redundant or disused buildings; Redevelopment of brownfield sites subject to policy DM19; Infill development within the existing settlement	Population and human health - Supports housing development The policy could promote a slightly higher level of development in the rural area/countryside, than provided for through the Local plan (Part One) and Local Plan (Part Two).	Local Plan (Part One) policies: - STRAT 1 Sustainable development - STRAT 9 Green belt and countryside The policy is currently not fully in line with Local Plan (Part One) Policies STRAT9 regarding infill sites and exceptional development to meet a community need. Local Plan (Part Two) policies: - DM19 proposals for residential development - DM25 Essential Rural Workers dwellings
RCLE 6 Design	New housing development should be of a high quality design which complements and enhances existing development in the area; does not adversely impact on the amenity of neighbouring properties; provides appropriate landscaping, garden space	Protect cultural heritage and landscape Population and human health - protecting residential amenity can have a positive effect on health and well being.	Local Plan (Part One) policies: - ENV2 landscape - ENV6 high quality design and sustainable construction - Local Plan (Part Two) policies: - DM2 impact on residential amenity

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
	and off road parking. There must be no net loss of biodiversity.	Protection of biodiversity, flora and fauna	<ul style="list-style-type: none"> - DM3 design character and visual amenity
RCLE 7 Renewable energy installations	Supports small groups of wind turbines subject to criteria relating to impact on the surrounding countryside, sufficient wind, sufficient distance from the radio telescope at Wettenhall and the flight path, turbines being less than 30m tall. Supports small domestic or agricultural solar panels particularly on buildings. Does not support larger solar installations.	<p>Reduce the potential impacts of climate change through promoting renewable energy</p> <p>Protect landscape</p>	<p>Local Plan (Part One) policies:</p> <ul style="list-style-type: none"> - ENV7 Alternative energy supplies <p>Local Plan (Part Two) policies:</p> <ul style="list-style-type: none"> - DM51 Wind energy - DM52 Solar energy
RSI1 Heritage Assets	<p>Supports retention, continued use, refurbishment and improvement of community buildings.</p> <p>Protects historic assets and requires that development makes a positive contribution to preserving and enhancing the asset and its setting</p>	<p>Population and health – supports social inclusion within the community, providing access to community facilities and services in the rural area.</p> <p>Protect cultural heritage and landscape</p>	<p>The policy is in line with Local Plan (Part One) policies:</p> <ul style="list-style-type: none"> - STRAT 8 Rural area - ENV5 historic environment <p>Local Plan (Part Two) policies:</p> <ul style="list-style-type: none"> - DM47 listed buildings - DM48 non designated heritage

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 Cheshire West and Chester Local Plan (Part One) Strategic Policies and Local Plan (Part Two) Land Allocations and Detailed Policies
		Protection and enhancement of biodiversity, flora and fauna	assets - DM50 Archaeology
RSI2 Develop- ment of natural assets	Promotes opportunities to provide facilities and benefits to local people including and extended link around Winsford Flashes and extension and enhancement of the PROW network. New paths, tracks or PROW should be appropriate and sensitive to biodiversity and minimise pollution.	Population and health – access to countryside promotes health and well being Protection and enhancement of biodiversity, flora and fauna	Local Plan (Part One) policies: - ENV3 Green infrastructure - ENV4 biodiversity and geodiversity Local Plan (Part Two) policies: - DM37 recreational routeways

Appendix 2: SEA Screening - Assessment of significant environmental effects of the Draft Darnhall 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 the Parish of Darnhall that will become part of the development plan for Cheshire West and Chester. It is required to be in general conformity with the strategic policies of the adopted Local Plan. The Darnhall 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. The draft policies could allow for a slight increase in housing development established through the Local plan, as they allow for infill and development on an exceptional basis to meet a community need. However this is unlikely to result in a significant increase in housing above existing levels. It will provide local level guidance within the strategic framework on the nature of development in the Darnhall Neighbourhood Area should be brought forward and the mitigation and enhancement measures required in order to minimise impacts. The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management measures and environmental protection legislation.</p>	<p>No</p>

SEA Directive	Characteristics of the plan	Significant environmental effect?
<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. 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 Neighbourhood Plan will operate within the framework of national planning policy and the Cheshire West and Chester Local Plan. The Local Plan (Part One) and Local Plan (Part Two) were accompanied by a Sustainability Appraisal (incorporating SEA) which provides a comprehensive overview of the issues in Cheshire West and Chester. There are no specific additional environmental problems identified for the Darnhall neighbourhood area.</p> <p>Some of the environmental issues and problems identified in the neighbourhood plan for Darnhall include the need to:</p>	<p>No</p>

SEA Directive	Characteristics of the plan	Significant environmental effect?
	<ul style="list-style-type: none"> - Protect the countryside including ancient woodland, field boundaries and dark skies - Maximise reuse of previously developed land to help prevent loss of greenfield land - Safeguard and enhance heritage assets and recreational facilities such as footpaths - Promote safe access for pedestrians and cyclists to all parts of the parish <p>The Neighbourhood Plan will seek to address these issues.</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 not 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	(a) the probability, duration, frequency and reversibility of the effects	(b) the cumulative nature of the effects	(c) the trans-boundary nature of the effects ¹	(d) the risks to human health or the environment (e.g. due to accidents)	(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	(f) value and vulnerability of effect on (i) special natural characteristics or cultural heritage	(ii) effect on environmental quality standards or limit values	(iii) effect on intensity of land-use	(g) effects on areas or landscapes which have a recognised national, community or international protection status	Significant environmental effect?
Protect and improve air quality, by managing traffic impacts	Low infrequent probability, reducing the impact of traffic. Effects Medium and Long term.	Potential small scale positive cumulative effect.	None	None	Local, small scale impact at the neighbourhood level.	None – policy aims to protect and enhance heritage and landscape.	None	None	None identified	No
Effect on population and health – promoting safe environments and minimising adverse impacts on quality of life arising from traffic impacts	Low infrequent probability, reducing the impact of traffic. Effects Medium and Long term.	Potential small scale positive cumulative effect.	None	None	Local, small scale impact at the neighbourhood level.	None – policy aims to protect and enhance heritage and landscape.	None	None	None identified	No
Reduce the potential impacts of climate change by reducing the need to travel	Low infrequent probability, reducing the impact of traffic. Long term.	None	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None identified	No
Protection and enhancement of biodiversity, flora and fauna Enhancement and creation of habitats, including trees/woodlands	High probability, as applications come forward. Policies support protection and enhancement of habitats and no net loss of biodiversity. Effects short, medium and long term.	Potential small scale positive cumulative effect.	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None identified – see HRA Screening	No
Protect cultural heritage and landscape	High probability as applications come forward. Effects short, medium and long term.	Potential small scale positive cumulative effect.	None	None	Local, small scale impact at the neighbourhood level.	None – policy aims to protect and enhance heritage and landscape.	None	None	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.

Identified effects of the proposed policies	(a) the probability, duration, frequency and reversibility of the effects	(b) the cumulative nature of the effects	(c) the trans-boundary nature of the effects¹	(d) the risks to human health or the environment (e.g. due to accidents)	(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	(f) value and vulnerability of effect on (i) special natural characteristics or cultural heritage	(ii) effect on environmental quality standards or limit values	(iii) effect on intensity of land-use	(g) effects on areas or landscapes which have a recognised national, community or international protection status	Significant environmental effect?
Protect water quality	Low infrequent probability, related to specific applications. Impacts medium and long term	Potential small scale positive cumulative effect.	None	None	Local, small scale impact at the neighbourhood level.	None	Potential small scale positive impact	None	None identified – see HRA screening	
Population and health – supports access to local opportunities for employment and training	High probability – policy supports local employment opportunities. Effects short, medium term and potentially long term	Potential small scale positive cumulative effect.	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None	No
Reduce the potential impacts of climate change through promoting renewable energy	Low infrequent probability, related to specific applications. Impacts medium and long term	Potential small scale positive cumulative effect.	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None	No
Population and human health – supports social inclusion and access to rural services and community facilities	Dependant on the scale and nature of development proposed. The NDP provides a positive framework to support facilities, but does not allocate specific sites/schemes.	Dependant on the nature and location of development.	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None identified	No

Identified effects of the proposed policies	(a) the probability, duration, frequency and reversibility of the effects	(b) the cumulative nature of the effects	(c) the trans-boundary nature of the effects ¹	(d) the risks to human health or the environment (e.g. due to accidents)	(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	(f) value and vulnerability of effect on (i) special natural characteristics or cultural heritage	(ii) effect on environmental quality standards or limit values	(iii) effect on intensity of land-use	(g) effects on areas or landscapes which have a recognised national, community or international protection status	Significant environmental effect?
Population and human health - Supports housing development	High probability. Effects would be short, medium and long term through the plan period. The draft NDP proposes a slight increase in the overall level of development established through Local plan (Part One) STRAT8/STRAT9 and Local Plan (Part Two). However it does not allocate specific sites. Policies allow for infill and exceptional development to meet identified needs. However this is unlikely to result in a significant increase in housing above existing levels, which would result in a significant effect.	Dependant on the nature and location of development. The draft NDP proposes a slight increase in the overall level of development established through Local plan (Part One) STRAT8/STRAT9 and Local Plan (Part Two). This could result in a cumulative impact of new housing development in the countryside.	None	None	Local, small scale impact at the neighbourhood level.	Dependant on the location and scale of development. Unlikely to be an effect.	None	None	None identified	No – the policies are at an early stage of preparation and any issues of general conformity will be reviewed as the plan progresses.
Population and health –protection of residential amenity can have a positive effect on health and well being	High probability as development takes place. Short, medium and long term positive effects for residents.	None	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None identified	No
Population and health – access to countryside promotes health and well being	Medium probability, short, medium and long term through the plan period. Potential for positive effects at the neighbourhood scale.	Potential for small scale positive effects.	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None identified	No

Identified effects of the proposed policies	(a) the probability, duration, frequency and reversibility of the effects	(b) the cumulative nature of the effects	(c) the trans-boundary nature of the effects ¹	(d) the risks to human health or the environment (e.g. due to accidents)	(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	(f) value and vulnerability of effect on (i) special natural characteristics or cultural heritage	(ii) effect on environmental quality standards or limit values	(iii) effect on intensity of land-use	(g) effects on areas or landscapes which have a recognised national, community or international protection status	Significant environmental effect?
Effect on land and resources (Soil) from new development	Medium probability, depending on scale and type of employment development proposed. Potential for long term permanent effects, although likely to be small scale.	Potential for small scale cumulative effects, depending on nature and location of development proposed.	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None identified	No
Supporting the economy (no direct SEA topic)	Medium probability, depending on scale and type of employment development proposed. Potential for long term permanent effects, although likely to be small scale.	Potential for small scale cumulative effects, depending on nature and location of development proposed.	None	None	Local, small scale impact at the neighbourhood level.	None	None	None	None	No

Appendix 4: European sites relevant to the Draft Neighbourhood Plan

European site	Reason for inclusion	Reason for designation	Existing pressures and potential impacts	Relevance to the Neighbourhood Area
Oak Mere SAC	Located within Cheshire West and Chester and within 15km of Darnhall NA	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>).	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.	The site falls within the 15km radius of the Darnhall Neighbourhood Area. However, it does not fall within the Neighbourhood Area and is unlikely to be directly affected by the policies of the plan. The pressures and potential impacts to consider in the screening are: <ul style="list-style-type: none"> - Water pollution - Atmospheric pollution.
Midlands Meres and Mosses Ramsar site Phase 2	Located within Cheshire West and Chester and within 15km of Darnhall NA	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.	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.	The site falls within the 15km radius of the Darnhall Neighbourhood Area. However, it does not fall within the Neighbourhood Area and is unlikely to be directly affected by the policies of the plan. The pressures and potential impacts to consider in the screening are: <ul style="list-style-type: none"> - Water pollution
West Midlands Mosses SAC	Located partly within Cheshire West and Chester and within 15km of Darnhall NA		Due to distance to major roads, changes in local air quality are not an issue requiring investigation.	The site falls within the 15km radius of the Darnhall Neighbourhood Area. However, it does not fall within the Neighbourhood Area and is unlikely to be directly affected by the policies of the plan. The pressures and potential impacts to consider in the screening are: <ul style="list-style-type: none"> - Water pollution

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

The pressures and issues to consider, as identified in Appendix 4, are Likely Significant Effects on water pollution and atmospheric pollution (Oak Mere SAC) and water quality (Midlands Meres and Mosses Ramsar site Phase 2 and West Midlands Mosses SAC).

Policy	Neighbourhood Plan policy summary	Likely Significant Effect (LSE) alone?	LSE in combination?
TC1	Requires the submission of a 'connectivity statement' with planning applications for new residential and business developments, to show how the development will be connected to nearby data networks	No LSE Oak Mere SAC has the potential to be effected from atmospheric pollution from nearby roads Policy TC 1 should not result in any increase in traffic, and has the potential to result in a reduced need to travel. As such the policy is unlikely to have an adverse effect on the SAC or qualifying features. No links with water quality	No
TC2	Development should not create unacceptable impacts on the local road network, its users, road safety, parking and congestion. Assessments should be provided using up to date information about properties which might be affected, taking account of other developments which have been permitted but not yet built. Mitigation measures should be incorporated into proposals to minimise adverse impacts. Schemes should contribute to ensuring that existing networks of pedestrian and cycling facilities are suitably modified with signage to control vehicle speeds.	No LSE Policy TC 2 is intended to prevent adverse impacts from additional traffic and to support improvements to pedestrian and cycling facilities. The measures aim to reduce the impact of heavy goods vehicles and traffic speeds, to improve safety and environmental impact. This is unlikely to have an adverse effect on the SAC or qualifying features. No links with water quality.	No

Policy	Neighbourhood Plan policy summary	Likely Significant Effect (LSE) alone?	LSE in combination?
TC3	New development to provide sufficient on site car parking including off road visitor parking, which should meet the requirements of adopted CWaC parking standards.	No LSE Policy TC 3 ensures that the need for parking associated with new development can be adequately managed on site. This is unlikely to have an adverse effect on the SAC or qualifying features. No links with water quality.	No
CE1	Development permitted in the rural area which would have a harmful visual impact should have mitigation to provide compensatory habitat creation, screening and control of light pollution.	No LSE No links/pathways with water quality or atmospheric (air) pollution.	No
CE2	Supports proposals to protect and enhance natural habitat in woodlands, Flashes, ponds and watercourses and to create wildlife corridors	No LSE No links/pathways with atmospheric (air) pollution. Potential for improvements to local water quality, but this is unlikely to have a significant effect on the SAC.	No
CE3	Traditional hedgerows, trees and ancient woodlands should be preserved and development which would adversely impact upon them will not be permitted unless accompanied by a mitigation plan.	No LSE No links/pathways with water quality or atmospheric (air) pollution.	No
CE4	Lighting systems should support the principle of dark skies to minimise the impact on wildlife and ecology. All future developments must include downlighting to prevent light pollution and disruption to bat feeding corridors..	No LSE No links/pathways with water quality or atmospheric (air) pollution.	No

Policy	Neighbourhood Plan policy summary	Likely Significant Effect (LSE) alone?	LSE in combination?
RCLE1	Supports proposals to extend existing or promote new small scale employment opportunities that are appropriate to a rural environment. These should demonstrate positive benefits to the local economy, support local employment and training, and must not adversely impact on the character and appearance of the locality or amenity of adjoining properties.	No LSE The effect of additional employment development on air pollution, will depend on the type of employment use and associated traffic generated. The scale and type of use would be small scale appropriate to the neighbourhood area. Due to the distance and scale of anticipated development proposed through the Neighbourhood Plan development would be unlikely to lead to LSE on the Oak Mere SAC or qualifying features. No links/pathways with water quality.	Employment development would be small scale appropriate to the rural area, in line with Local Plan (Part One) and (Part Two). Due to the scale of likely development and distance from the Oak Mere SAC, an LSE is unlikely.
RCLE2	Loss of employment sites and community facilities will only be supported where the existing use is not viable and has been marketed for 2 years.	No LSE The aim of policy RCLE2 is to protect existing employment sites and community uses, which is unlikely to have any additional impact on air pollution or water quality.	No
RCLE3	Supports the conversion of permanent, structurally sound rural buildings for small business, recreation or tourism provided that the proposal respects the character of surrounding buildings and local area, provides adequate car parking and the highway network is capable of accommodating the additional traffic generated.	No LSE. Policy RCLE3 allows for conversion of existing rural buildings for alternative uses. This could result in limited additional traffic and related air pollution, but given the scale of development involved this is unlikely to lead to LSE on the Oak Mere SAC or qualifying features. No	No

Policy	Neighbourhood Plan policy summary	Likely Significant Effect (LSE) alone?	LSE in combination?
		links/pathways with water quality.	
RCLE4	New employment development must be of a high quality design which is in keeping with existing business development; does not adversely impact the amenity of neighbouring dwellings and provides appropriate landscaping and on site car parking	No LSE No links/pathways with water quality or atmospheric (air) pollution.	No
RCLE5	New housing development will be supported where it meets local plan policies STRAT 1 and STRAT 9, is small in scale (other than in exceptional cases to meet a community need) and is environmentally sustainable. Acceptable types of development are: Reuse of redundant or disused buildings; Redevelopment of brownfield sites subject to policy DM19; Infill development within the existing settlement.	No LSE Policy RCLE5 allows for limited housing development. Whilst this could be at a slightly higher level than provided for in the local plan, the scale of development would still be relatively small and impacts would be local. It is unlikely to lead to LSE on the Oak Mere SAC or qualifying features. No links/pathways with water quality.	No - housing development would be small scale appropriate to the rural area, in line with the levels established in Local Plan (Part One) and (Part Two). The Draft Neighbourhood Plan allows for a slightly higher level of development (through exception sites and infill). Due to the scale of likely development and distance from the Oak Mere SAC, an LSE is unlikely.
RCLE6	New housing development should be of a high quality design which complements and enhances existing development in the area; should not adversely impact on the amenity of neighbouring properties; should provide appropriate landscaping, garden space and off road parking. There must be	No LSE No links/pathways with water quality or atmospheric (air) pollution.	No

Policy	Neighbourhood Plan policy summary	Likely Significant Effect (LSE) alone?	LSE in combination?
	no net loss of biodiversity.		
RCLE7	Supports small groups of wind turbines subject to criteria relating to impact on the surrounding countryside, sufficient wind, sufficient distance from the radio telescope at Wettenhall and the flight path, turbines being less than 30m tall. Supports small domestic or agricultural solar panels particularly on buildings. Does not support larger solar installations.	No LSE No links/pathways with water quality or atmospheric (air) pollution.	No
RSI1	Supports retention, continued use, refurbishment and improvement of community buildings. Protects historic assets, requires development to make a positive contribution to preserving and enhancing the asset and its setting	No LSE No links/pathways with water quality or atmospheric (air) pollution.	No
RSI2	Promotes opportunities to provide facilities and benefits to local people including and extended link around Winsford Flashes and extension and enhancement of the PROW network. New paths, tracks or PROW should be appropriate and sensitive to biodiversity and minimise pollution.	No LSE Extending recreational links along the Winsford Flashes has the potential to impact on water quality. The policy recognises the need for any new paths to minimise pollution and protect biodiversity. As such, the policy is unlikely to result in a significant effect on the international sites.	No