



**The Cheshire East Borough Design Guide  
Supplementary Planning Guidance**

**Sustainability Appraisal (SA)  
&  
Habitats Regulations Assessment (HRA)  
Report: Updated**

**March 2017**

*enfusion*



# Cheshire East Local Plan: The Cheshire East Borough Design Guide Supplementary Planning Document

## Sustainability Appraisal (SA) & Habitats Regulations Assessment (HRA) Report: Updated

**March 2017**

*For and on behalf of Enfusion Ltd*

<i>date:</i>	March 2017	
<i>prepared for:</i>	Cheshire East Borough Council	
<i>prepared by (2016):</i>	Barbara Carroll Alastair Peattie	Enfusion
<i>updated by (2017):</i>	Barbara Carroll Cheryl Beattie	Enfusion
<i>quality assurance:</i>	Barbara Carroll	Enfusion

*enfusion*  
environmental planning and management for sustainability



Treenwood House  
Rowden Lane  
Bradford on Avon  
BA15 2AU  
t: 01225 867112  
[www.enfusion.co.uk](http://www.enfusion.co.uk)

# Cheshire East Local Plan

## The Cheshire East Borough Design Guide SPD:

### SA & HRA Report: Updated March 2017

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## 1.0 INTRODUCTION

### **Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA)**

- 1.1 Sustainability Appraisal (SA) is a systematic process that must be carried out during the preparation of a Local Plan relating to development. The purpose of SA is to promote sustainable development through assessing the extent to which an emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives<sup>1</sup>.
- 1.2 The mandatory requirement for SA of local plans is set out in Section 19 of the Planning and Compulsory Purchase Act 2004 and in Paragraph 165 of the National Planning Policy Framework (NPPF). Extant guidance<sup>2</sup> recommends that SA incorporates the requirements for Strategic Environmental Assessment (SEA) set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations) implementing the requirements of the EU SEA Directive<sup>3</sup> into UK legislation. The purpose of SEA is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of plans with a view to promoting sustainable development.
- 1.3 Supplementary Planning Documents (SPDs) are not required to be subject to SA but they may, in exceptional circumstances, require an SEA if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.

### **Habitats Regulations Assessment (HRA)**

- 1.4 The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] require that HRA is applied to all statutory land use plans in England and Wales. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance - specifically sites and species protected under the Habitats Directive (92/43/EEC) and the Birds Directive (79/409/EEC).
- 1.5 A HRA screening must be carried out in order to determine if the SPD will result in any impacts that are likely to have significant effects on these protected sites - either alone or in combination with other plans and projects. Significance is judged taking into account the site's conservation objectives, site integrity, and condition. If the HRA screening process identifies any objectives or policies that are likely to have a significant effect on a European protected site, they will be subject to more detailed Appropriate Assessment (AA).

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<sup>1</sup> <http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/strategic-environmental-assessment-and-sustainability-appraisal-and-how-does-it-relate-to-strategic-environmental-assessment/>

<sup>2</sup> ibid

<sup>3</sup> EU Directive 2001/42/EC

## **The Cheshire East Borough Local Plan & the Design Guide SPD**

- 1.6 The new Local Plan sets planning policies and allocates sites for development up to 2030; it is comprised of 3 key documents - The Local Plan Strategy, the Site Allocations & Development Policies Documents, and the Waste Development Plan Document. The Council submitted its Local Plan Strategy to the Secretary of State in May 2014 and the independent examination is ongoing. Until the documents in the new Local Plan are adopted, the Saved Policies<sup>4</sup> from previous Local Plans (Congleton Borough, Crewe & Nantwich, Macclesfield, and Cheshire Minerals & Waste) comprise the statutory development plan for Cheshire East with regard to determining planning applications.
- 1.7 The new Local Plan Strategy outlines the importance of good design in a number of the Draft Plan's Strategic Priorities, including the following policies:
- SP2 focuses on the creation of sustainable communities including prioritising locating new housing in sustainable locations that promote healthier lifestyles and is well-designed, sustainable and energy efficient
  - SP3 protects and enhances environmental quality including the efficient management of resources and respecting the character and distinctiveness of places through careful design and siting of development
  - SP4 focuses on reducing the need to travel and promoting more sustainable transport with easy and safe accessibility to work, shop, services and recreation
- 1.8 Policy SD1 sets out a number of key design principles to be used at a local level in order to achieve sustainable development. Policy SD2 expands on these key principles of sustainable development, placing particular importance for new development to contribute positively to an area's character and identity with sustainable transport and efficient use of natural resources. Policy SE1 emphasises the need for design quality and that development proposals should make a positive contribution to their surroundings. Delivering sense of place, respecting local distinctiveness, designing for pedestrian priority and quality public realm are all important as well as liveability and safety. Policy SE9 energy Efficient Development and Policy SE8 Renewable and Low Carbon Energy support and guide development that follow the energy hierarchy and deliver low or zero carbon energy.
- 1.9 The new Cheshire East Council (CEC) Design Guide SPD is part of a tool of measures that seek to guide developers and ensure that they may understand the character of the area and design appropriately. The SPD cannot set out new policy but it does expand upon the Council's existing policies as set out within the adopted Local Plans – Congleton Borough (2005), Crewe & Nantwich (2005) and Macclesfield Borough (2004) – as well

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<sup>4</sup>[http://www.cheshireeast.gov.uk/planning/spatial\\_planning/saved\\_and\\_other\\_policies/saved\\_and\\_other\\_policies.spx](http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/saved_and_other_policies.spx)

as the design policies of the emerging Cheshire East Borough Council Local Plan Strategy.

- 1.10 The CEC Design Guide SPD is structured within 2 volumes. Volume 1 provides a policy backdrop and describes the uniqueness of the Cheshire East Borough with a description of how landscape informs settlement structure and details of Settlement Character Areas. A Best Practice Design Approach is included with guidance on the chronology for good masterplanning and urban design, together with an introduction to the Use of Building for Life 12 (BfL12)<sup>5</sup> industry standard for well-designed homes and neighbourhoods, and information on developments requiring Design Codes and preparation of Design & Access Statements. Sections 2 and 3 provide details for Urban and Street Design respectively.
- 1.11 Whilst Volume 1 provides the foundations for design, Volume 2 provides the structure. The initial section on Working with the Grain of the Place in Volume 2 explains using the character and setting of the area positively to influence design as it progresses. Section 4 presents an outline checklist for Green Infrastructure and Landscape Design. Section 5 explains principles of Sustainable Development (SD) including spatial (passive and active) design, energy, water, information & communication technology, waste & recycling, and adapting to climate change, and provides a SD checklist. Section 6 explains how many aspects of Quality of Life, the general well-being of people and communities, are influenced by good design, including open/green spaces, identity, employment opportunities, living spaces and leisure accessibility all contributing to health and happiness; a Quality of Life checklist is provided.

### **The SA & HRA of the Cheshire Borough Design Guide SPD**

- 1.12 The new Design Guide SPD is intended to apply to the Saved Policies from the three former Councils' Local Plans for the time being - but will apply to the new Local Plan when it is adopted. The Borough Local Plans and Saved Policies were subject to environmental appraisal on the basis of the legal and regulatory requirements at the time.
- 1.13 The submitted Local Plan Strategy has been subject to SA and HRA in accordance with the NPPF (2012) and updated planning practice guidance<sup>6</sup>. A revised Local Plan SA Scoping Report was published in 2012 and an updated SA Report and HRA (Final) Report accompanied the Local Plan Strategy on submission for examination in May 2014<sup>7</sup>. These reports included the findings of assessment of the key Strategic Principles (SP2-4) and key Policies (SD1, SE1, SE8, SE9) that relate to good design of proposed development.
- 1.14 It should be noted that further SA work was carried out to take account of the further technical work and suggested revisions to the Local Plan Strategy

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<sup>5</sup> <http://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition>

<sup>6</sup> [www.planningguidance.communities.gov.uk](http://www.planningguidance.communities.gov.uk)

<sup>7</sup> <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library#sd>

arising during the suspension of the Examination<sup>8</sup> and published in 2016. Following the resumed examination and the further work identified by the Inspector as necessary to the Proposed Changes (March 2016) version of the Plan in order for it to be adopted, further SA work was undertaken to consider the proposed Main Modifications to the Plan with a Further SA Addendum Report prepared (February 2017). The proposed Main Modifications to the Local Plan Strategy will be placed on public consultation in February 2017 and including its accompanying SA Further Addendum Report. Upon adoption of the Plan, there will be an SA/SEA Adoption Statement published that includes reporting how the SA/SEA has informed the preparation of the Plan.

- 1.15 Government guidance advises that SPDs do not require a Sustainability Appraisal but may in exceptional circumstances require an SEA if they are likely to have significant effects that have not already been assessed during the preparation of the Local Plan. In consideration of the ongoing examination of the Cheshire East Local Plan Strategy, the issues arising, and the extent of the interest from people, communities and developers, it was decided to undertake SA, incorporating SEA and HRA, of the draft Design Guide SPD to clearly demonstrate that due processes have been followed, and to provide clarity and reassurance to consultees and the Inspector.
- 1.16 This SA, incorporating the requirements of the SEA Regulations, and HRA have been carried out in consideration of extant Government guidance, good practice, and pragmatism, taking into account proportionality - the status of the SPD within the Local Plan hierarchy of documents and the tiering of assessment processes.

## **Consultation & Finalising the SPD**

- 1.17 As part of the SPD preparation process, focused work was carried out with a wide range of stakeholders in order to ensure appropriate and proportionate involvement in advance of full formal public consultation. The details of this early consultation, and how stakeholders' views were taken into consideration, are reported in the Interim Statement of Consultation<sup>9</sup> (April 2017). The Draft Design Guide SPD was published for public consultation between 5 April and 17 May 2016. Comments received have been taken into account, where appropriate, in finalising the SPD. The main issues raised and how they have been addressed will be summarised in the finalised SPD Statement of Consultation upon adoption of the SPD and available on the Council's website [www.cheshireeast.gov.uk/planning/borough-design-guide](http://www.cheshireeast.gov.uk/planning/borough-design-guide). The Draft SPD was subject to SA/SEA & HRA and the SA & HRA Report (January 2016) accompanied the Draft Design Guide SPD on public consultation in April 2016.

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<sup>8</sup> <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library>

<sup>9</sup> <http://www.cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>



## **This SA/SEA and HRA Report**

- 1.18 This SA/SEA & HRA Report (February 2017) updates the SA/SEA & HRA Report (January 2016) published in April 2016 and it is part of the wider SA process for the emerging Local Plan Strategy and associated documents. Any comments received on the SA Report (January 2016) have been considered. The changes made to the Draft SPD as a result of the consultation representations were subject to screening for their significance with regard to SA/SEA (and in accordance with the requirements of the SEA Regulations). Any significant amendments were tested through SA, any likely significant effects identified, and the previous SA findings updated.
- 1.19 The Local Plan Strategy (LPS) is at a late stage of development with the examination Hearings completed and the Proposed Main Modifications arising published for public consultation<sup>10</sup> between 6 February and 20 March 2017 prior to adoption of the LPS anticipated soon thereafter. There is significant consideration afforded to the emerging LPS in planning decisions but until it is adopted, the saved policies from the previous Councils' Plans comprise the statutory development plan for the Cheshire East Borough area. The previous Plans were subject to Environmental Appraisal in accordance with the legislative requirements at the time. However, in consideration of the length of time since this was undertaken, and to clearly demonstrate SA/SEA process compliance at the current time, it was decided to undertake SA of the saved policies – and as reported in this SA Report Updated.
- 1.20 Following this introductory Section 1, Section 2 of this report outlines the approach taken and methods used. The findings of the appraisals are presented and discussed in section 3, including the consideration of alternatives. Section 4 presents the HRA and its findings. Section 5 explains the updating of the SA following consultation in 2016 and changes made to the Draft SPD. Monitoring proposals are indicated in section 6, together with a summary conclusion and next steps. Appendix A details the SA of the Saved Policies and Appendix B details the screening of changes arising from consultation for their significance with regard to the previous SA findings.

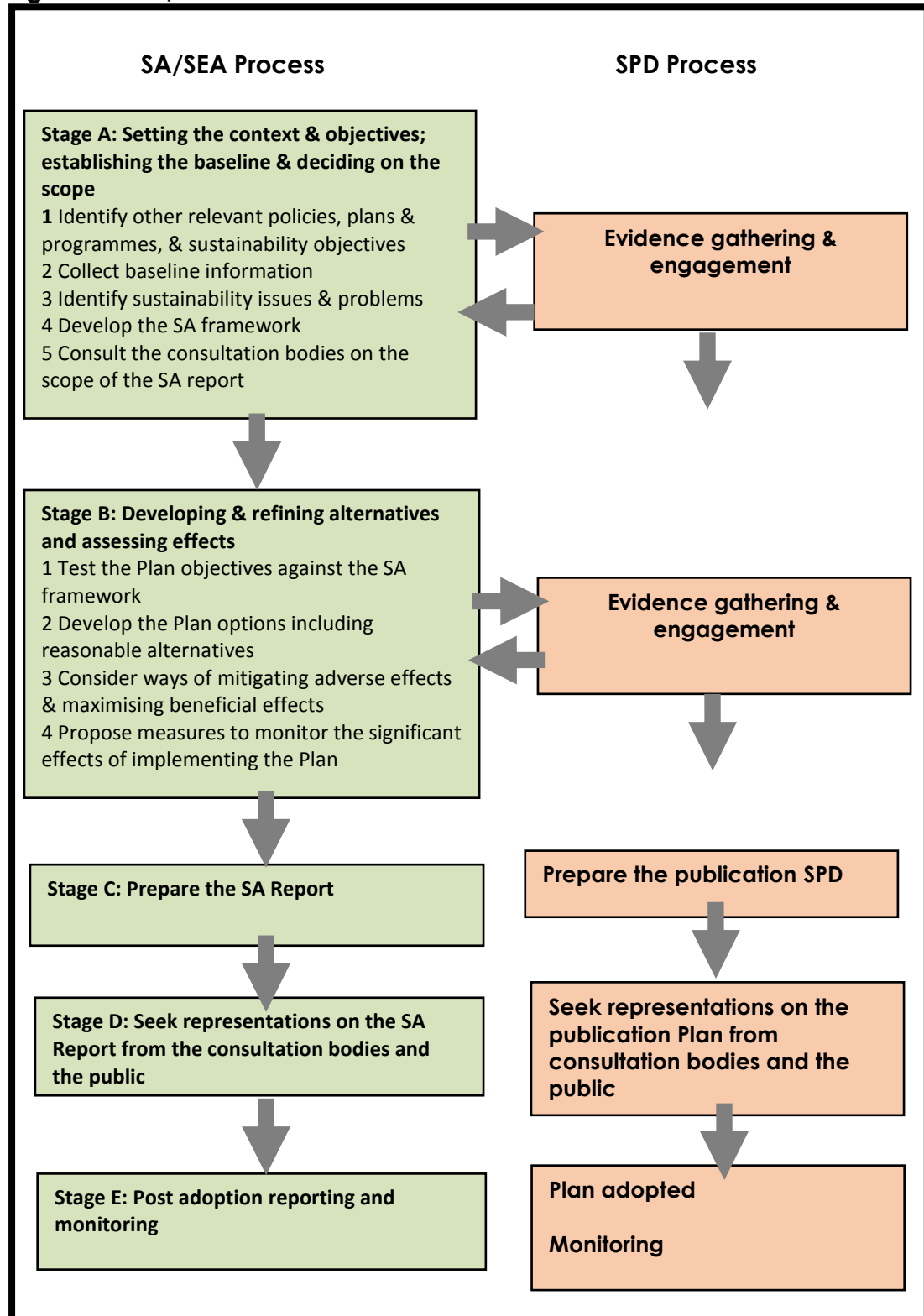
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<sup>10</sup> <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/mm>

## 2.0 APPROACH AND METHODS

### Introduction and the SA Process

Figure 2.1: SA/SEA Process and the SPD Process



- 2.1 National Planning Practice Guidance<sup>11</sup> sets out the key stages and tasks for the SA (incorporating SEA) process and their relationship with the Local Plan process. The above diagram sets out the SA/SEA stages and tasks as they are applicable to the SPD preparation process, and shows how the two processes interact.
- 2.2 The first stage A of the SA process must identify the scope and level of detail of the information to be included in the SA Report. It sets out the context, objectives and approach of the assessment; and identifies relevant environmental, economic and social issues and objectives. Stage B of the SA process comprises the assessment of effects, including of any reasonable alternatives to the proposals in the draft plan; ways of mitigating adverse effects and maximising beneficial effects are considered, and monitoring measures proposed. Stage C of the SA process includes the preparation of the Sustainability Report that must include certain information. Stage D considers representations made on the SA Report from the consultation bodies and the public. After examination and adoption of the plan, SA Stage E includes the preparation of the post-adoption statement and considers monitoring.
- 2.3 Consultation on the proposed scope of the SA/SEA is required with the statutory bodies; wider public consultation is required for the draft plan and accompanying SA Report. It is important to note that SA is an iterative and on-going process. Stages and tasks in the SA process may be revisited and updated or revised as a plan develops, to take account of updated or new evidence as well as consultation responses. Government advises a pragmatic approach to SA/SEA and plan-making and suggests that the evidence base can be used for both processes. This SA Report (January 2016; updated March 2017) is Stage C.

### **SA/SEA Scoping**

- 2.4 An initial SA Scoping Report (2009) and a revised SA Scoping Report (March 2012) were prepared and subject to consultation with the public and statutory bodies. Comments received were reviewed and a final SA Scoping Report completed in May 2012. This completes Stage A of the SA process and sets the scope for the assessment of Local Plan documents, including a SA Framework of Objectives and significance criteria that form the basis for assessment against the baseline conditions and character of the area.
- 2.5 The SA of the draft Design Guide SPD used the SA Framework of Objectives that has been applied to the Local Plan Strategy. The SA Framework of Objectives for the Local Plan is set out below in Table 2.1.

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<sup>11</sup> [www.planningguidance.communities.gov.uk](http://www.planningguidance.communities.gov.uk)

**Table 2.1: SA Framework**

<b>No. SA Objective</b>	<b>Appraisal Criteria/Rationale</b>
1. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability	Will it provide an appropriate quantity and quality of housing? Will it provide an appropriate mix of housing types and tenures? Will it deliver sufficient affordable and low cost housing?
2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport.	Will it provide good opportunities to access facilities and services? Will it provide good opportunities to access various forms of public transport? Will it provide good opportunities to access open space? Will it provide good opportunities to access jobs?
3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion.	Will it increase equality? Will it increase social inclusion? Will it create a cohesive community? Will it reduce poverty? Will it address issues of the ageing population? Will it result in a better quality of life for all?
4. Create an environment that promotes healthy and active lifestyles.	Will it improve human health? Will it reduce the number of long term illnesses? Will it reduce smoking, alcohol use and obesity? Will it create a healthy environment with good opportunities to access facilities that encourage an active lifestyle?
5. Maintain and/or create vibrant rural communities.	Will it contribute to a vibrant rural community? Will it make sure that the rural environment - built and natural, is maintained or enhanced? Will it create a cohesive rural community?
6. Create a safe environment to live in and reduce fear of crime.	Will it promote design that discourages crime and anti-social behaviour? Will it promote the safety of the community?
7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough.	Will it maintain or enhance necessary infrastructure? Will it maintain or enhance necessary services and facilities? Will it increase the accessibility of the countryside? Will it provide the infrastructure to support the existing community? Will it provide the infrastructure to support the future community - considering cumulative impacts?
8. Manage the causes and effects of climate change.	Will it reduce emissions of greenhouse gases - in particular carbon dioxide and methane? Will it reduce the heat island effect? Will it increase resilience to extreme weather events and longer term rising temperatures? Will it prevent or mitigate flooding or rising sea levels? Will it encourage the efficient use of water?

9. Positively address the issues of water quality and quantity and manage flood risk within the Borough.	<p>Will it encourage the efficient use of water?</p> <p>Will it encourage water efficient design and layout of schemes/buildings?</p> <p>Will it encourage the re-use and recycling of water, for example grey water and/or rain water harvesting?</p> <p>Will it maintain and improve the quality of ground and surface waters?</p> <p>Will it prevent loss and encourage additional provision of permeable surfaces?</p> <p>Will it minimise risk to people, property and ecosystems from flooding?</p>
10. Manage the impacts of development and associated activities to positively address all forms of pollution.	<p>Will it positively contribute to the management of air pollution?</p> <p>Will it positively contribute to the management of water pollution?</p> <p>Will it positively contribute to the management of contaminated land/make sure additional contamination does not occur?</p> <p>Will it encourage positive remediation of sites?</p>
11. Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally.	<p>Will it protect or enhance biodiversity?</p> <p>Will it protect and minimise the fragmentation or cause enhancement of habitats?</p> <p>Will it help protect any species at risk?</p> <p>Will it protect or enhance geodiversity and geological sites and features?</p> <p>Will it protect or enhance internationally, nationally, regionally or locally designated sites or species?</p>
12. Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated.	<p>Will it protect or enhance the landscape?</p> <p>Will it protect or enhance the townscape?</p> <p>Will it complement the existing built and natural environment, ensuring that the area remains distinctive?</p> <p>Will it protect or enhance the areas internationally, nationally or locally designated heritage assets and their setting?</p>
13. Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources.	<p>Will it encourage the efficient use of energy?</p> <p>Will it result in energy efficient development?</p> <p>Will it result in the high quality design and layout of development?</p> <p>Will it promote and encourage the use of renewable energy?</p> <p>Will it incorporate renewable energy technologies?</p>
14. Achieve sustainable waste management through adhering to the principles of the waste hierarchy	<p>Will it make sure of the treatment of waste with regard to the principles of waste hierarchy?</p> <p>Will it encourage sustainable methods of construction and use?</p> <p>Will it result in appropriately designed waste management facilities?</p> <p>Will it encourage the disposal of waste as close to point of origin as possible?</p>
15. Manage mineral extraction and encourage their	<p>Will it encourage the reuse and/or recycling of minerals?</p>

recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations.	Will it protect nationally, regionally and locally important mineral resources? Will it allow for the delivery of a sufficient supply of minerals? Will it balance the need to deliver minerals with social and environmental issues?
16. Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure.	Will it reduce the use or result in efficient consumption of natural resources? Will it allow the creation of natural resources? Will it protect, enhance, create or connect green infrastructure assets? Will it make sure of the protection or enhanced use of the best quality agricultural land? Will it encourage the re-use of previously developed land, buildings and infrastructure?
17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas. 18. To maintain and enhance the vitality and viability of town and village centres with a balanced provision of retail, leisure, visitor and cultural facilities.	Will it result in sustainable economic growth? Will it contribute to the achievement of a competitive, low-carbon economy? Will it allow a diverse range of business types? Will it positively affect both the urban and rural economy? Will it enhance the viability and vitality of town centres? Will it enhance the viability and vitality of village centres? Will it create a balanced provision of retail, leisure, visitor and cultural facilities?
19. Positively manage the Borough's diverse rural economy.	Will it contribute to the achievement of a diverse rural economy?
20. Improve access to education and training, and the links between these resources and employment opportunities	Will it increase access to education and training opportunities? Will it increase access to jobs and employment opportunities?

2.6 The SEA Regulations (12 (3)) require consideration of the objectives of other relevant Plans and Programmes (PP) during the SA/SEA scoping stage. The PP Review was undertaken and reported for the SA Scoping in 2009, updated 2012, and this informed the higher level SA/SEA; overall they remain relevant to the SA/SEA of the SPD.

2.7 The SEA Regulations also require that the likely significant effects on the relevant aspects of the environment should be assessed and reported; a number of key issues are named. The characteristics of the plan area should be described, including the likely evolution without the plan. Government advises a pragmatic approach to the collation, analysis and reporting of this baseline information - and much of it is shared between the plan-making and SA/SEA processes. The baseline characteristics were identified, and consulted upon, in the SA scoping 2009 and 2012. Issues for sustainable development were identified and contributed to the preparation of the SA Framework of Objectives.

## Appraising the draft Design Guide SPD

- 2.8 As explained above, this SA/SEA is part of an assessment tier that correlates with the hierarchy of plan-making and, in line with Government guidance, is proportionate to the stage of plan-making and assessment. It should also be remembered that at subsequent levels of plan-making, there are the Environmental Impact Assessment (EIA) Regulations (amended 2015) that require assessment of development proposals above certain thresholds. The SPD must be in conformity with the higher level Local Plan that has been subject to detailed SA/SEA.
- 2.9 Accordingly, the same SA Framework was used to structure the appraisal of the SPD and to demonstrate conformity with the previous higher level SAs. The appraisal used the previous baseline information and any relevant evidence that has been updated since 2014 as part of the ongoing examination of the Local Plan Strategy, including the evidence supporting the SPD. This formed the basis for testing the draft SPD against the SA Objectives, together with professional judgment in the absence of any relevant information, particularly with regard to cumulative effects.
- 2.10 In compliance with the SEA Regulations, the appraisal considered the likely significant effects, including short, medium and long term, permanent, and temporary, positive and negative, secondary, cumulative and synergistic, wherever possible and relevant. Any gaps or difficulties were also reported. The appraisal recognised 6 levels of significance in the same way as the earlier SAs of higher level planning documents and as shown in the following diagram:

**Table 2.2: Categories of Significance**

Categories of Significance		
Symbol	Meaning	Sustainability Effect
--	Major Negative	Problematic because of known sustainability issues; mitigation likely to be difficult and/or expensive
-	Minor negative	Potential sustainability issues; mitigation and/or negotiation possible
+	Minor positive	No sustainability constraints and development acceptable
++	Major Positive	Development encouraged as would resolve existing sustainability problem
?	Uncertain	Uncertain or Unknown Effects
/	Neutral	Neutral effect
- ?	It is possible to have two symbols for an SA Objective. For example, a policy or development could have the potential for a minor negative effect against SA Objective 11 (Biodiversity); however, there is an element of uncertainty until lower level assessments have been carried out.	



- 2.11 The SA considered the likely significant effects of the implementation of the Design Guide SPD on the sustainability objectives for the Cheshire East Borough area. SA Objectives were grouped by themes so that the appraisal could focus on the key aspects. Many of the issues and aspects of the draft SPD are inter-related and the appraisal sought to focus on the key matters, avoid duplication, and retain the readability of the report. For each sustainability theme, the relevant SA Objectives are recorded and a narrative provided describing any significant effects identified, mitigation of any significant adverse effects, and any suggestions for enhancing beneficial effects. The findings of the HRA were integrated into the SA (and also reported here later in section 5).

### **Alternatives Considered**

- 2.12 The EU SEA Directive requires assessment of the likely significant effects of implementing the plan and “reasonable alternatives” taking into account “the objectives and geographical scope” of the plan and the reasons for selecting alternatives should be outlined in the Report. The Directive does not specifically define the term “reasonable alternative”; however, UK SA/SEA guidance<sup>12</sup> advises that it should be taken to mean “realistic and relevant” i.e. deliverable and within the timescale of the plan. This is confirmed by the NPPF (paragraph 167) that requires that assessments should be proportionate to the level and scope of decision-making.
- 2.13 The Design Guide SPD is limited to its geographical scope (the Cheshire East Borough area) and its sphere of influence aligned with its purpose - to provide developers, their agents and design teams with a framework of advice that will support compliance with requirements in the Cheshire East Local Plan Strategy for key Policies SD1, SE1 Design, SE 8 & 9 Energy. The Submission SA Report (May 2014) considered the implications of the do-nothing scenario with no design policy in the Local Plan and significant negative effects were identified, particularly with regard to energy, climate change, local distinctiveness, heritage, community safety, sustainable construction, and waste management. At this stage, no other reasonable alternatives were identified. The higher level plan-making and accompanying SAs have been subject to wide consultation and no additional alternatives have been suggested.
- 2.14 In consideration of the purpose, objectives and sphere of influence of the SPD and its place in the plan and SA hierarchies, there were no other reasonable alternatives possible that required testing through the SA/SEA process at this stage.

### **Appraising the Saved Policies**

- 2.15 The draft Design Guide SPD had been tested according to sustainability themes that recognise the inter-relationships amongst the SA Objectives. The same approach was taken for appraising the relevant saved policies to help

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<sup>12</sup> <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>



provide correlation and compatibility, using the same SA Framework and undertaken by the same independent consultants. As the policies and proposals in the adopted Local Plans had been subject to Environmental/Sustainability Appraisal<sup>13</sup> (according to legislation and guidance at that time), a pragmatic approach was taken to update the SA with the updated/refined SA Framework and in consideration of “significant” effects in accordance with the requirements of the SEA Regulations and EU Directive.

### **Appraising the Finalised Design Guide SPD & Updating the SA**

- 2.16 Many of the proposed changes to the Design Guide SPD are minor with regard to significance for the SA process - they are concerned with correcting errors, addressing omissions, providing more clarity, and updating of information; others seek to improve the overall usability and interpretation of the document. The proposed changes were screened for their significance with regard to SA using professional judgment – do the changes, deletions and additions significantly affect the findings of the SA Report (July 2016) accompanying the Revised Plan (March 2016) and/or do they give rise to significant environmental/sustainability effects?
- 2.17 A pragmatic and proportionate approach was taken and as relevant to this stage of plan-making and assessment. A professional judgment was made for SA significance taking into account the proposed change and using the same method and SA Framework of Objectives for sustainable development as the previous SA work for the LPS, thus providing continuity and consistency of process. The work was undertaken to the same level and by the same independent specialist consultants.
- 2.18 Similarly, a pragmatic and proportionate approach was taken to assessing the relevant saved policies from the previous Councils' Plans. Relevant policies were grouped by SA topic and assessed using the same method and SA Framework of Objectives for sustainable development as the SA work for the LPS. A narrative approach using independent professional judgment was used to identify and report any significant effects.

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[http://www.cheshireeast.gov.uk/planning/spatial\\_planning/saved\\_and\\_other\\_policies/congleton\\_local\\_plan/congleton\\_local\\_plan.aspx](http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/congleton_local_plan/congleton_local_plan.aspx)  
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[http://www.cheshireeast.gov.uk/planning/spatial\\_planning/saved\\_and\\_other\\_policies/macclesfield\\_local\\_plan/macclesfield\\_local\\_plan.aspx](http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/macclesfield_local_plan/macclesfield_local_plan.aspx)

### 3.0 SUSTAINABILITY APPRAISAL FINDINGS: DRAFT SPD

#### Context

- 3.1 Three Strategic Priorities for the Local Plan Strategy provide the overarching aims for the plan:
- Promoting economic prosperity by creating conditions for business growth
  - Creating sustainable communities, where all members are able to contribute and where all infrastructure required to support the community is provided
  - Protecting and enhancing environmental quality
- 3.2 The planning and management for these 3 priorities for development growth in the Cheshire East Borough area are defined through the Strategic Policies, Sites and Strategic Locations. Policy SD1 sets out key design principles to be used at a local level in order to achieve sustainable development in the Cheshire East Borough area. Policy SD2 expands on these key principles, applying them to new development proposals. Policy SE1 requires that development proposals should make a positive contribution to their surroundings in terms of sense of place, design quality, sustainable design, liveability/workability, and safety. Policies SE8 Renewable & Low Carbon Energy, and SE9 Energy Efficient Development set out the importance of high standards for sustainable energy.
- 3.3 The Sites and Strategic Locations proposed in the Local Plan Strategy have been selected after calls for sites, analysis of potential site options using a constraints and opportunities approach, and subject to SA. Thus the sites and locations proposed for the Cheshire East Borough area have been determined to be those most sustainable and deliverable within the scope and timescale of the Plan. Potential major negative effects have been avoided or mitigated, and where possible, likely positive effects have been enhanced. Details are provided in the SA Reports accompanying the submission Local Plan Strategy through examination.
- 3.4 The Design SPD (Vol 2) is founded on a proactive use of the Building for Life 12 (BfL12)<sup>14</sup> guidance by the Design Council Cobe that is the industry standard for the design of new housing developments and neighbourhoods, believing that housing should be attractive, functional and sustainable. BfL12 seeks to build better homes and involve local communities in planning through a structured approach with 12 urban design criteria representing a Question/Answer checklist for the quality of placemaking. This provides a systematic framework that can be assessed and monitored; developers achieving at least 9 of the 12 criteria are eligible for Built for Life™ accreditation. Each section of the SPD includes a clearly boxed table with

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<sup>14</sup> <http://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition>

the relevant BfL12 questions and further explanation specific to Cheshire East to help guide the development project.

### **SA of the Draft Design Guide SPD**

- 3.5 The findings of the SA of the Cheshire East Design Guide SPD (Volumes 1 & 2) are discussed in the following section and according to sustainability themes that recognise the inter-relationships amongst the SA Objectives:

- Housing & Employment; Services & Amenities
- Communities & Health; Accessibility
- Climate Change
- Water
- Biodiversity
- Cultural Heritage & Landscape
- Natural Resources: Energy, Waste, Minerals & Land

#### **Housing and Employment;**

*[SEA Topics: Population, Material Assets]*

##### **SA Objectives:**

1. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability.
17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas
18. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas.
19. Positively manage the Borough's diverse rural economy.
20. Improve access to education and training, and the links between these resources and employment opportunities.

- 3.6 Cheshire East is under development growth pressures and has full objectively assessed needs for housing and employment as set out in Policy PG1. Whilst other Policies promote appropriate quantity, mix and affordability, Policy SE1 Design requires that development proposals make a positive contribution to their surroundings, with details provided in the Design Guide SPD - thus supporting SA objectives for housing quality and a low carbon economy with positive effects that will be cumulative in the longer-term.
- 3.7 The SPD provides more certainty of positive effects on housing quality by defining what quality means for housing and its setting in Cheshire East; specific aspects of housing are detailed and case examples/SD precedents provided. Whilst the Design SPD does not directly affect objectives for the economy and education/training, these are likely to be supported through high quality and sustainably designed housing for local workers. The influence

of high quality design on employment and job satisfaction is explained in the SPD (Vol 2 Quality of Life vi 15-18) and this will contribute to more certainty of positive effects.

## **Communities and Health; Services and Amenities; Accessibility**

*[SEA Topics: Population, Health, Material Assets]*

### **SA Objectives:**

2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport
3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion
4. Create an environment that promotes healthy and active lifestyles
5. Maintain and/or create vibrant rural communities
6. Create a safe environment to live in and reduce fear of crime.
7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough.
10. Manage the impacts of development and associated activities to positively address all forms of pollution *[Air]*

- 3.8 An aim of the Design SPD and associated toolkit elements is to enable communities and elected members to better participate and articulate design concerns. The toolkit seeks to *"provide a mechanism to recognise, support and celebrate good design in the planning process and resist design that is poorly considered and not of the quality expected in the Borough"* (Vol 2 07). Overall, this commitment and approach to enabling better participation will support SA Objectives for communities with potential major positive effects that will be cumulative in the longer-term.
- 3.9 Development proposals will be expected to include a Design and Access Statement that will provide details. Accessibility is considered by the Design SPD in section i 40-50 that explains how to maintain and improve connectivity through sustainable routes (walking, cycling & public transport) with the development whilst avoiding conflicts with existing residents. Section iv Green Infrastructure includes a useful diagram (page 55) that explains its multi-functionality and the links between sustainable transport network, biodiversity and human health, together with more details on proactively designing for good accessibility. Green Infrastructure section iv 24-60 provides details of accessibility standards, including for recreation and green space with positive effects for accessibility and health in both short and longer-term.
- 3.10 The Design SPD recognises the importance of design to help reduce inequality and promote social inclusion, for example, section iv 77 specifically explains how allotments, community gardens and orchards can help with social cohesion and inclusion. This can also be positive for health and well-being thus promoting SA Objectives 3, 4 and 5 with the potential for long-term cumulative effects. Accessibility to community services and amenities is

covered by the SPD, for example, good access to leisure and entertainment facilities and services is explained in section vi 21-22, with positive effects.

- 3.11 Generally, health in Cheshire East is good (Health & Wellbeing Strategy, 2014) although there are significant challenges such as unhealthy lifestyles, and an increasingly ageing population. Health is more than just the absence of disease or infirmity and, for example, the World Health Organisation defines health as a state of complete physical, mental and social wellbeing. Quality of Life (QoL) may have a different meaning for nearly everyone but the concept does recognise that other factors including jobs, housing, neighbourhood, community and cultural aspects are key elements to overall health and well-being.
- 3.12 The Design SPD includes section vi on QoL and explains those aspects that may be impacted by design. Paragraphs vi 07-08, 11-12 encourage sport, recreation and informal exercise that promote healthy lifestyles thus supporting SA Objective 4 with major positive effects in both the short and long-term. Vibrancy of communities is supported by the section on Quality of Life (Vol 2 vi 09-10, 13-14) that recognises how interaction of residents helps build community spirit with positive effects. Section v 51 explains how resident information packs can help inform residents on sustainable lifestyles – and thus overall promoting sustainability objectives with positive effects within the scope of a Design SPD.
- 3.13 The SPD includes details regarding security and safety through design, for example, Secured by Design is detailed in section ii 18 and 23, with positive effects for SA Objective 6. Air quality is addressed directly through considerations of energy in buildings, for example, section v 21 and 26. Also addressed through considerations of Green Infrastructure and positive effects on air quality, for example, section iv 16. Overall, these inter-related factors will contribute to major positive effects for SA Objectives on accessibility, communities and health, particularly in the longer-term.
- 3.14 **SA Recommendation:** It is noted that social inclusion and community attributes are positively encouraged through design but no specific mention is made of diversity and equality. This might be inferred through inclusion, and section v Sustainable Development Principles (v02) does include comment on “...designing in flexibility for changes of use, lifestyle and demography.” However, it would strengthen the sustainability of the Design Guide SPD with regard to SA accessibility/inclusion objectives if the different needs of people (for example, parents/carers with young children and the elderly) at different times of life were made explicit.

## Climate Change

[SEA Topics: Climatic Factors]

### SA Objectives:

**8.** Manage the causes and effects of climate change.

- 3.15 Managing and adapting to climate change is directly addressed within the SPD through consideration of thermal efficiencies/energy reduction (v 26), sustainable water use (v 38 also includes consideration of increasing frequency of severe weather such as flash flooding; through Sustainable Drainage Systems (SUDS) section iv; - and other ways including landscaping in v 52-54). Importantly, the SPD also recognises the significance of local food production and its increasing role in contributing to mitigating negative effects – as explained in section iv 75. The longer-term predicted effects are acknowledged (for example, section v 52) and ways that design can help build resilience to climate change is introduced with further mitigation of negative effects. Although sustainable transport is explained and encouraged throughout the SPD, for example, ii 49 and connectivity to public transport hubs, iii 02 and priority over the motor car, and SD principles v 02, 04 and 09-11, 13, the links between motor car usage, carbon emissions and climate change effects is not explained and this could be made more explicit. Overall, within its scope and sphere of influence, the Design SPD is likely to have major positive effects on climate change in the longer-term.
- 3.16 **SA Recommendation:** The inter-relationships between motor car use, sustainable transport modes, greenhouse gas emissions, and climate change could be made more explicit and thus enhancing the sustainability of climate change SA objectives through increased awareness/education.

## Water

[SEA Topics: Water, Material Assets, Health]

### SA Objectives:

- 9. Positively address the issues of water quality and quantity and manage flood risk within the Borough
- 10. Manage the impacts of development and associated activities to positively address all forms of pollution. [Water]

- 3.17 Water Management is addressed in the Design SPD in section v 38-39. Water as an increasingly important resource is introduced in v38 and the inter-relationships between resource use and flood risk management is made and sustainable urban drainage is clearly signposted to section iv. Water (quantity) resource management is detailed through design considerations for reducing consumption as well as for harvesting rainwater and recycling greywater. Paragraph v39 explains the relevant section regarding potable water use per person as required through the Building Regulations 2015 (G).
- 3.18 Flood risk management as part of overall water management is addressed in the Design SPD Guide under Blue Infrastructure within section iv Green Infrastructure & Landscape Design. As mentioned above, SUDS is signposted within SD Principles section v water management to section iv – although it is not explicit that sustainable drainage as part of flood risk management is considered under Blue Infrastructure (a term that may not be familiar to all users of the SPD). Nonetheless, by considering flood risk management and SUDS within the Green/Blue Infrastructure section, the importance of natural



resource management as part of infrastructure is emphasized, together with strong detailed guidance (section iv 61-70) on the inter-relationships and multi-functionality of these aspects of sustainable development with major positive effects for the SA objectives on water and flood risk management. Overall, the Design SPD is likely to have major positive effects on the water resource (quantity and flood risk management) and in the longer-term with cumulative and synergistic effects.

- 3.19 Potential pollution of water is not specifically addressed by the Design SPD and will be dealt with by other Local Plan Policies and through mechanisms by the relevant environmental regulator, the Environment Agency. Water is potentially most at risk from polluting activities during the construction phase and the likelihood of negative effects are minimised/mitigated through the use of an Environmental Management Plan. Grey water recycling is also a potential source of water pollution with possible minor negative effects that is mitigated through careful planning, design and management.
- 3.20 **SA Recommendation:** The sustainability of the Design SPD could be enhanced against the SA objective relating to water quality by including a comment on avoidance of pollution of water – perhaps most useful in the section iv on Green/Blue Infrastructure or as part of general comment on construction principles.

### **Biodiversity**

[SEA Topics: biodiversity, flora, fauna]

#### **SA Objectives:**

**11.** Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally.

- 3.21 Important biodiversity and geodiversity protected at the international and national levels has already been considered through the site allocation process during the Local Plan preparation. Sites that could have major negative effects on such important habitats and features have been avoided. This is confirmed by the findings of the HRA Screening, as set out in the following section 4 of this SA Report. Policy SE3 Biodiversity and Geodiversity of the Cheshire East Local Plan Strategy provides protection and enhancement of biodiversity; “*development proposals which are likely to have a significant adverse impact on a site with national or international designations will not be permitted*”. Development proposals which are likely to have a significant adverse impact on regional or locally designated biodiversity or geodiversity will not be permitted (except in exceptional circumstances and in line with national planning policy); all development must aim to positively contribute to conservation and enhancement. Policies SE5 Trees, Hedgerows & Woodland, and SE6 Green Infrastructure provide additional protection and enhancement for biodiversity.
- 3.22 Biodiversity is addressed by the Design SPD in section iv on Green Infrastructure (iv 07-16). Paragraphs iv07-08 set out the context for promoting

biodiversity and clearly explain the role of the Cheshire and Peak District Biodiversity Action Plans for guiding development and advising biodiversity priorities. Paragraph iv09 appropriately states that "...development should not lead to loss of biodiversity and ideally should enhance it" thus promoting the fundamental principle of no net loss with positive effects. Paragraphs iv11-13 explain the possibilities for designing biodiversity within the overall wider landscape context and provide examples through a diagram. Paragraphs iv14-15 explain the potential for negative effects and how they might be mitigated including through the mitigation hierarchy from avoidance through to off-site compensation.

- 3.23 Paragraph iv16 addresses the importance of green corridors and explains their multi-functionality for "...delivery of other social and environmental effects including landscape, air quality, access and recreation" with further direct and indirect positive effects on SA objectives, including biodiversity and health. Overall, the Design SPD is likely to have major positive effects on biodiversity in the longer term. The SPD is strong on providing the context for biodiversity with the interactions and multi-functionalities and benefits of the biodiversity resource, including health and well-being. There is no specific mention of ecosystem services – the national<sup>15</sup> approach to the environment in terms of the benefits provided to society and continued economic prosperity.
- 3.24 Geodiversity is noted in the Design SPD within the Green Infrastructure section at iv96 where the components of National Character Areas (NCAs) are discussed in regard to effects on landscape – and this is considered further in this SA Report in the following section on landscape. Policy SE3 Biodiversity and Geodiversity protects and enhances geodiversity in the same way as biodiversity (see above 3.20) such that there will be no significant adverse effects arising from proposed development.
- 3.25 **SA Recommendation:** The positive sustainability of the Design SPD could be strengthened by making explicit that geodiversity and important geological features should be protected and enhanced. The explanation and justification for the socio-economic benefits of enhancing biodiversity could be strengthened by reference to ecosystem services.

### Cultural Heritage and Landscape

[SEA Topics: Cultural Heritage, including architectural & archaeological heritage; Landscape]

#### SA Objectives:

- 12.** Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated

<sup>15</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf)



- 3.26 Volume 2 of the SPD within section iv Green Infrastructure & Landscape Design explains how Landscape Design contributes to the setting and effective integration of a new development into its environment (iv86). Paragraphs iv87-93 introduce good landscape design through understanding the natural and cultural elements (iv87), provide policy context and references for further information (iv88-89), set out principles (iv91) and the relevant questions for BfL12 (iv91-2). The further paragraphs iv94-146 provide details of landscape design according to the principles.
- 3.27 Policy SE4 The Landscape recognises the significance and high quality of the Cheshire East landscape and requires protection/conservation of the historic, natural and man-made landscape features. Policy SE7 conserves and enhances the character, quality and diversity of the historic environment; it requires high quality design. The particular importance of some landscapes is recognised and the Council has identified 9 areas of special character and qualities in the Cheshire East area. Volume 1 (ii01-241) of the Design SPD describes in detail the 5 additional settlement character areas created from north to south within the Cheshire East area as follows:

- North Cheshire Fringe
- Gritstone Edge
- Silk, Cotton & Market Towns
- Salt & Engineering Towns
- Market Towns & Estate Villages

These detailed characterisations provide the context for guiding good landscape design appropriate for the area, with further details provided in Volume 2 - Tables iv02-06. The SPD is strong on providing the characterisation context for Landscape Design, recognising inter-relationships with other factors and thus supporting sustainability objectives with positive effects.

- 3.28 Volume 2 section iv details landscape characterisation and design including paragraphs iv94-100 on landscape character; paragraphs iv101-106 on designations and policies; paragraphs iv107-112 details site analysis including biodiversity and sustainable water management; and paragraphs iv113-124 consider layout design – all with positive effects on SA objectives for landscape. Section iv125 outlines the potential impacts and effects on landscape from new development and the requirements/standards for assessing impacts through Landscape Visual Appraisal (LVA) or Landscape & Visual Impact Assessment (LVIA). Section iv129-132 addresses mitigation and enhancement possibilities – all with major positive effects on SA objectives for landscape with the potential for cumulative effects in the longer-term. Paragraphs on open space, materials, phasing and management all contribute to positive effects and mitigation of potential negative effects.
- 3.29 The importance of designated Conservation Areas is explained in iv104-5. Paragraph iv106 deals specifically with heritage and advises that a Heritage Impact Assessment may be required. This supports positive effects for SA objectives on cultural heritage including architectural heritage. Policy SE7 The Historic Environment requires that the character, quality and diversity of Cheshire East's historic environment will be conserved and enhanced.

Although the importance of all aspects of landscape character, including heritage, is mentioned in the SPD, the importance of impacts on the settings of heritage features is not made explicit and there is no mention of the archaeological resource. Thus these particular aspects of SA objectives are not progressed, although they are protected by SE7 that requires all new development should make a positive contribution "...including the setting of assets and where appropriate, the wider historic environment."

- 3.30 **SA Recommendation:** The sustainability of the Design SPD would be strengthened through specific mention of the significance of the settings of heritage features and assets, and the potential for impacts on the archaeological resource – which may require an archaeological impact assessment (alone or as part of any requirement for an Environmental Impact Assessment EIA depending upon the scale and location of the new development).

### **Natural Resources: Energy, Waste, Minerals, Land**

[SEA Topics: Soil, Material Assets]

[Water, Biodiversity and Air are considered within other themes]

#### **SA Objectives:**

- 10.** Manage the impacts of development and associated activities to positively address all forms of pollution [contaminated land]
- 13.** Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources
- 14.** Achieve sustainable waste management through adhering to the principles of the waste hierarchy
- 15.** Manage mineral extraction and encourage their recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations
- 16.** Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure

- 3.31 The Design SPD is very strong on energy efficiencies and promoting renewable energy, for example, as detailed in section v23-37, and as previously discussed here in the context of adapting/mitigating to climate change, and promoting sustainable transport and water management.
- 3.32 Waste and Recycling in new developments are specifically addressed in paragraphs v49-50, including layouts, flexibility and suggesting community composting where appropriate – all contributing to major positive effects for these SA Objectives. Encouragement of the vernacular and use of local materials will also contribute to sustainability objectives. Materials use is discussed in v40-42, including consideration of Whole Life Costs – with concomitant positive effects on SA Objectives for sustainable use of resources

in the longer term. Consideration of minerals is beyond the scope of influence of the Design SPD and covered by other Policies in the Local Plan Strategy – SE10 Sustainable Provision of Minerals.

- 3.33 Paragraph i14 introduces the situation for greenfield and brownfield land in the Cheshire East area, including that many of the contaminated or problematic brownfield sites have already been reclaimed and redeveloped. The Design SPD has limited relevance to this element of the SA Objective. It does note that brownfield land will continue to be promoted (i15) and explains how this might affect developer contributions. It might also be useful to mention that brownfield land is often rich in biodiversity and this can be an important factor in development.
- 3.34 Agricultural land is not specifically mentioned within the Design SPD. The sites selection and allocation process (and its accompanying SAs) through the emerging Local Plan Strategy have considered the potential loss of agricultural land and its quality. The Design SPD promotes local and community food production – section iv24-81 – and this will have positive effects on SA Objectives for efficient use of natural resources including land. Overall, within its scope and sphere of influence, the Design SPD is likely to have major positive effects on natural resources in the longer-term.

### **Inter-relationships**

- 3.35 The Draft Design SPD is strong on guiding developers, communities and other interested people on the interactions and inter-relationships between sustainability factors. This can make guidance difficult to navigate and use, however, this SPD is well structured and explains clearly the inter-relationships, particularly the inherent interactions between biodiversity, landscape, cultural and historic heritage, socio-economic factors, especially health and well-being.

## 4.0 HABITATS REGULATIONS ASSESSMENT

### Requirement for Habitats Regulations Assessment

- 4.1 The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] require that HRA is applied to all statutory land use plans in England and Wales. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance.
- 4.2 The Habitats Regulations transpose the requirements of the European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna [the Habitats Directive] which aims to protect habitats and species of European nature conservation importance. The Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) which are designated under European Directive (2009/147/EC) on the conservation of wild birds [the Birds Directive]. In addition, Government guidance also requires that Ramsar sites (which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within the HRA process as required by the Regulations.
- 4.3 The process of HRA is based on the precautionary principle and evidence should be presented to allow a determination of whether the impacts of a project or plan, when considered in combination with the effects of other plans and projects against the conservation objectives of a European Site; would adversely affect the integrity of that site. Where effects are considered uncertain, the potential for adverse impacts should be assumed.

### Guidance and Good Practice

- 4.4 The application of HRA has been informed by a number of key guidance and practice documents. Draft guidance for HRA 'Planning for the Protection of European Sites: Appropriate Assessment', was published by the Government (DCLG, 2006) and is based on the European Commission's (2001) guidance for the Appropriate Assessment of Plans. The DCLG guidance recommends three main stages to the HRA process:
- **Stage 1:** Screening for Likely Significant Effect
  - **Stage 2:** Appropriate Assessment, Ascertaining Effects on Integrity
  - **Stage 3:** Mitigation Measures and Alternatives Assessment
- 4.5 If alternative solutions or avoidance/ mitigation measures to remove adverse effects on site integrity cannot be delivered then current guidance recommends an additional stage to consider Imperative Reasons of Overriding Public Interest (IROPI) for why the plan should proceed. For the HRA of land use plans IROPI is only likely to be justified in a very limited set of circumstances and must be accompanied by agreed, deliverable

compensation measures for the habitats and species affected. For this reason the IROPI stage is not detailed further in this report.

- 4.6 More recently Natural England has produced additional, detailed guidance on the HRA of Local Development Documents (Tyldesley, 2009 (as updated)) that complements the DCLG guidance, and builds on assessment experience and relevant court rulings. The guidance: sets out criteria to assist with the screening process; addresses the management of uncertainty in the assessment process; and importantly outlines that for the HRA of plans; '... what is expected is as rigorous an assessment as can reasonably be undertaken in accordance with the requirements of the Regulations ...'.

### **HRA Screening of the Draft Design Guide SPD**

- 4.7 An overview of the SPD and emerging Local Plan Strategy is provided within Section 1 of this Report. While it is important to note that the Design Guide currently relates to saved policies from a number of adopted plans - including Congleton Borough Local Plan, Crewe and Nantwich Local Plan, Macclesfield Local Plan - these will eventually be replaced by the emerging new Cheshire East Local Plan once adopted. This is reflected in Volume 1 of the Design Guide where it sets a number of relevant policies contained in the emerging Local Plan Strategy within the policy context. The three former Borough Local Plans and saved policies were subject to environmental appraisal on the basis of the legal and regulatory requirements at the time.
- 4.8 The Local Plan Strategy has been subject to HRA with a Final Report accompanying it on submission in May 2014. The HRA (Final) Report (Feb 2014) sets out the findings of the HRA process for the emerging Local Plan Strategy<sup>16</sup>. It concluded that, *"The existing policies and provisions in the Cheshire East Council Local Plan Strategy and other plans and strategies (see assessment tables at Appendix C) should ensure that potential significant adverse effects on the integrity of all identified European sites are avoided. However, as the Local Plan Strategy is a high tier plan, this means that it is difficult to devise more specific mitigation measures as the precise nature, scale, timing and location/layout of development is not known. Therefore, it will be necessary that Construction Environment Management Plans, landscaping, green infrastructure and open space proposals are submitted to the Council during the planning application process as part of sustainable development proposals for any sites in close proximity to European sites"*.
- 4.9 It should be noted that further HRA work has been carried out to take account of the further technical work and suggested revisions to the Local Plan Strategy arising during the suspension of the Examination. The findings of this work is presented in a HRA Addendum and concludes that the further evidence and suggested revisions are not likely to have adverse effects on the integrity of any European sites, subject to the inclusion of additional policy text within the Plan<sup>17</sup>.

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<sup>16</sup> <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library>

<sup>17</sup> Ibid.

- 4.10 The SPD provides guidance for the design of future residential development in the borough. It sets out a number of criteria or questions that any proposal for residential development must consider and address. For the purposes of the HRA, it is important to note that the Design Guide SPD itself does not actually propose any residential development or associated infrastructure or activities. This will arise as a result of policies within the emerging Local Plan Strategy as well as applications submitted through the development management process.
- 4.11 Given the findings of the ongoing HRA process for the emerging Local Plan Strategy and that the SPD sets out criteria for future residential development and does not itself propose any development, it is considered that the Design Guide SPD will not have likely significant effects on any European sites and therefore further detailed assessment is not required.

## 5.0 CONSULTATION & FINALISING THE DESIGN GUIDE SPD

### Consultation on the SA & HRA Report (2016)

- 5.1 The SA & HRA Report (January 2016) of the Draft Design Guide SPD (April, 2016) accompanied the draft SPD on public consultation 5 April to 17 May 2016. No representations were received from the public, key stakeholders or the statutory environmental bodies (Environment Agency, Historic England, Natural England) on the SA/SEA & HRA Report and its findings, implying endorsement of the approach and the findings.

### SA of Saved Policies

- 5.2 As explained in the introduction to this report (paragraph 1.19), it was decided to undertake SA of the saved policies as set out within the adopted Local Plans – Congleton Borough (2005), Crewe & Nantwich (2005) and Macclesfield Borough (2004). The previous Plans were subject to Environmental Appraisal in accordance with the legislative requirements at the time. However, in consideration of the length of time since this was undertaken, and to clearly demonstrate SA/SEA process compliance at the current time.
- 5.3 The details of the SA and findings are provided in Appendix A. Overall the SA found that there are no significant negative effects from the Saved Policies. It is acknowledged that the relative significance of issues such as climate change, the understanding and practice of sustainable design and environmental sustainability have developed since this 2004-5, for example, with regard to ecosystems and Green Infrastructure. Nonetheless, it is considered that there are sufficient mitigation measures through Policies in the 3 Local Plans to avoid/minimise negative effects. The Saved Policies also offer potential for some positive effects that will be cumulative in the longer term.

### Finalising the SPD & SA of Changes

- 5.4 The details of the screening for SA significance are provided in Appendix B. Many of the modifications to the Design Guide are minor for clarification and to improve overall usability – and will not significantly affect the findings of the previous SA. Additional text added for clarity contributes to strengthening previously found positive effects and/or confirms mitigation measures to ensure no negative effects and removing any previous uncertainty. Overall, the proposed modifications to the Design Guide SPD are likely to confirm and strengthen the previous findings of the SA with positive effects for sustainable development that will be cumulative in the longer term.



## 6.0 SUMMARY CONCLUSIONS & PROPOSED MONITORING

### Summary & Conclusions

- 6.1 Supplementary Planning Documents (SPDs), unlike the Local Plan Strategy & Sites Allocation Documents, do not have a mandatory requirement for SA incorporating Strategic Environmental Assessment. However, in consideration of the recent history of, and interest in, the Cheshire East Local Plan, the Council decided to commission an independent SA of the draft Design SPD to clearly demonstrate that due processes have been followed, and to provide clarity and reassurance to consultees and the Inspector.
- 5.2 The SA has been undertaken according to good practice and in line with Government guidance. It is aligned with the SA of the Local Plan Strategy, following the same methods and approach, and is proportionate - acknowledging the hierarchy of plan-making and the tiering of assessments processes. Overall, the SA has found that the implementation of the Design Guide SPD will have major positive effects on SA Objectives within the scope and sphere of influence of the Plan. The SA made a few minor suggestions that could improve the sustainability of the SPD through making certain factors more explicit. The summary findings may be represented as follows:

**Table 5.1: Summary SA Findings**

No. SA Objective	
<b>SA Theme: Housing &amp; Employment; Services &amp; Amenities</b>	<b>+</b>
1. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability	++
17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas.	0/+
18. To maintain and enhance the vitality and viability of town and village centres with a balanced provision of retail, leisure, visitor and cultural facilities.	0/+
19. Positively manage the Borough's diverse rural economy.	0/+
20. Improve access to education and training, and the links between these resources and employment opportunities	0/+
<b>SA Theme: Communities &amp; Health; Accessibility</b>	<b>++</b>
2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport.	++
3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion.	+
4. Create an environment that promotes healthy and active lifestyles.	++
5. Maintain and/or create vibrant rural communities.	+
6. Create a safe environment to live in and reduce fear of crime.	++
7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough.	0/+



10. Manage the impacts of development and associated activities to positively address all forms of pollution <i>[air]</i> .	0/+
<b>SA Theme: Climate Change</b>	<b>++</b>
8. Manage the causes and effects of climate change.	++
<b>SA Theme: Water</b>	<b>++</b>
9. Positively address the issues of water quality and quantity and manage flood risk within the Borough.	++
10. Manage the impacts of development and associated activities to positively address all forms of pollution <i>[water]</i> .	0/-
<b>SA Theme: Biodiversity</b>	<b>++</b>
11. Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally.	++
<b>SA Theme: Cultural Heritage &amp; Landscape</b>	<b>++</b>
12. Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated.	++
<b>SA Theme: Natural Resources – Energy, Waste, Minerals, Land</b>	<b>++</b>
10. Manage the impacts of development and associated activities to positively address all forms of pollution <i>[contaminated land]</i>	0?
13. Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources.	++
14. Achieve sustainable waste management through adhering to the principles of the waste hierarchy	++
15. Manage mineral extraction and encourage their recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations.	0
16. Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure.	+

- 5.3 The HRA Screening concluded that the Design Guide SPD is not likely to have significant effects on any European sites as it does not propose any residential development itself. Development will arise as a result of policies in the Local Plan Strategy as well as applications submitted through the development management process. The HRA process for the emerging Local Plan Strategy concluded that the policies and proposed development will not have significant adverse effects on any European sites.

### Updating the SA

- 5.4 No comments were received on the SA/SEA & HRA Report (January 2016) from the public consultation between 5 April and 17 May 2016. The relevant Saved Policies from the previous Councils' Plans have been subject to SA and it was found that there were no significant negative effects with suitable

mitigation measures in place and possibilities for promoting positive effects. The proposed modifications to the Design Guide SPD were screened for their significance with regard to SA/SEA. Overall, the findings of the previous SA and HRA remain valid and relevant. Most changes were for clarification and to improve the usability and interpretation of the guide, and not significant for the SA. Some changes strengthened mitigation measures thus removing any uncertainty and confirming that there are no negative effects; other changes strengthened likely positive effects. Overall, the proposed modifications to the Design Guide SPD will have positive effects for sustainable development that is likely to be cumulative in the longer term.

### **Proposed Monitoring**

- 5.5 The SPD, together with the other Local Plan Documents and the SAs, will be monitored as part of the Council's comprehensive Monitoring Report, as required by Government. The SPD has been compiled within the context and requirements of BfL12 - the industry standard; thus self-monitoring. The SPD also includes questions and checklists throughout to aid monitoring. Specific mention of monitoring is noted, for example, Volume 2 v20-21 with measures of sustainability. Page 81 section iv provides longer term certainty because it encourages the provision of Landscape & Habitat Management Plans. No additional proposed monitoring that might be required as part of the SEA process was indicated from the findings of the SA.

## **Appendix A: Sustainability Appraisal of Saved Policies as set out within the adopted Local Plans – Congleton Borough (2005), Crewe & Nantwich (2005) and Macclesfield Borough (2004)**

- A.1 The SA findings (2016) of the Draft Design Guide SPD were considered according to sustainability themes that recognise the inter-relationships amongst the SA Objectives. The same approach was taken for appraising the relevant saved policies to help provide correlation and compatibility. As the policies and proposals in the adopted Local Plans had been subject to Environmental/Sustainability Appraisal<sup>18</sup> (according to legislation and guidance at that time), a pragmatic approach was taken to update the SA with the updated/refined SA Framework and in consideration of "significant" effects in accordance with the requirements of the SEA Regulations and EU Directive.

### **Housing and Employment;**

*[SEA Topics: Population, Material Assets]*

#### **SA Objectives:**

2. Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability.
17. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas
18. To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas.
19. Positively manage the Borough's diverse rural economy.
20. Improve access to education and training, and the links between these resources and employment opportunities.

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[http://www.cheshireeast.gov.uk/planning/spatial\\_planning/saved\\_and\\_other\\_policies/congleton\\_local\\_plan/congleton\\_local\\_plan.aspx](http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/congleton_local_plan/congleton_local_plan.aspx) "A full appraisal has been undertaken of all the policies and proposals in this Local Plan to assess their likely impact on a broad range of environmental and sustainability factors" (paragraph 1.35)  
[http://www.cheshireeast.gov.uk/planning/spatial\\_planning/saved\\_and\\_other\\_policies/crewe\\_and\\_nantwich\\_local\\_plan/crewe\\_and\\_nantwich\\_local\\_plan.aspx](http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/crewe_and_nantwich_local_plan/crewe_and_nantwich_local_plan.aspx) "The Borough Council has carried out an appraisal of the Policies and Proposals contained in the Local Plan. This is summarised in a separate Background Document entitled "Borough of Crewe and Nantwich Local Plan Review 2011 – Environmental Appraisal".  
[http://www.cheshireeast.gov.uk/planning/spatial\\_planning/saved\\_and\\_other\\_policies/macclesfield\\_local\\_plan/macclesfield\\_local\\_plan.aspx](http://www.cheshireeast.gov.uk/planning/spatial_planning/saved_and_other_policies/macclesfield_local_plan/macclesfield_local_plan.aspx) "An environmental appraisal of the Borough Local Plan has been carried out. In each section there is a summary of the appraisal for that particular topic. The results of the full appraisal are available as a background report" (paragraph 1.9)

**Key Saved Policies:**

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich (2005): BE2 Design Standards

Macclesfield (2004): BE1 Design Guidance; DC1-10 Design & Amenity

**Other Relevant Saved Policies:**

Congleton LP (2005): H1-19 Housing; E3-19 Economy; DP1-11 Development Proposals

Crewe & Nantwich (2005): RES1-13 Housing; E1-7 Employment

Macclesfield (2004): H1-13 Housing; E1-8, 11 & 14 Employment

- A.2 Saved Policies specifically on Design are not all directly relevant to SA Objectives on Housing & Employment; however, they do help ensure that the details of the type of new development aligns with the aims of the Local Plans. Other Saved Policies that promote housing and employment will have major positive effects for SA Objectives on housing and economy/employment. An appropriate quantity & mix of housing and employment is secured through the specific development proposals. Thus SA objectives for housing quality and a low carbon economy are supported with major positive effects that will be cumulative in the longer-term.

**Communities and Health; Services & Amenities; Accessibility**

*[SEA Topics: Population, Health, Material Assets]*

**SA Objectives:**

2. Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport
3. Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion
4. Create an environment that promotes healthy and active lifestyles
5. Maintain and/or create vibrant rural communities
6. Create a safe environment to live in and reduce fear of crime.
7. Maintain and enhance community services and amenities to sustain the existing and future community of the Borough.
10. Manage the impacts of development and associated activities to positively address all forms of pollution *[Air]*

**Key Saved Policies:**

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

**Other Relevant Saved Policies:**

Congleton LP (2005): GR6-7 Amenity & Health, GR9-10 Accessibility, GR14-16 Cycling & Walking, GR22-23 Services & Facilities, GR19 Infrastructure, S1-16 Town Centres & Shopping, RC1-13 Recreation & Community Facilities, DP4 Retail Sites, DP5 Recreation Sites

Crewe & Nantwich LP (2005): BE1 Amenity, BE3 Access, TRAN1-7 transport, RT1-17 Recreation & Tourism, S1-13 Shopping, Town Centres & Regeneration, CF1-3 Community Needs

Macclesfield LP (2004): NE18 Access to Nature Conservation, RT1-11 Recreation & Tourism, T1-5 Transport, DC15-16 Provision of Facilities,

- A.3 SA Objectives for sustainable communities are supported by specific design policies. For example, Congleton LP GR3 requires consideration of access to services and facilities, including adequate measures for public open space and recreation, together with an appropriate range of dwelling types and sizes taking into account the social mix in the locality – all with neutral to positive effects on SA Objectives 2-5 & 7. GR2 1) D) requires consideration of relationship to neighbouring properties and the locality generally, providing mitigation measures to avoid/minimise potential negative effects and support SA Objectives for existing and new communities. Macclesfield LP RT1-3 protects open spaces and recreational facilities requiring enhancement, as appropriate, - providing mitigation measures and the potential for some minor positive effects; DC6 controls accessibility, including for special needs groups thus supporting SA Objectives for inclusivity.
- A.4 Congleton LP GR3 Policy Criterion IV requires a safe environment supporting SA Objective No 6; GR2 Criterion IV also requires incorporation of measure to reduce the risk of crime - all with synergistic positive effects. Crewe & Nantwich LP BE2 requires provision of design and layout for public safety and to deter vandalism and crime, and BE3 requires safe pedestrian access, providing mitigation measures to reduce any negative effects. Macclesfield LP DC3 Amenity protects health and DC5 protects safety including reducing the risk of further crime providing mitigation measures against potential negative effects.
- A.5 Congleton LP GR3 Criterion V seeks safe and convenient pedestrian & cycle movement, minimising impacts of the car with potential positive effects on air quality in the longer term. Crewe & Nantwich LP BE1 requires that new development should not lead to an increase in air pollution and NE17 Pollution Control requires that new development will not lead to any increase

in air pollution – providing strong mitigation measures. Macclesfield LP RT7 seeks to create a network of cycleways, bridleways & footpaths with the minor positive effects on SA Objectives for accessibility and human health that will be cumulative and synergistic in the longer term.

- A.6 SA Objectives for sustainable communities are supported by LP Policies for provision and accessibility to services and facilities with positive effects that are cumulative in the longer term. Some Policies are specifically associated with provision of sufficient infrastructure, for example, Congleton GR19. Site specific requirements for services and facilities are set out in many policies – providing strong mitigation measures for potential negative effects and positive effects in the longer term.
- A.7 Some Policies have direct positive effects through protecting human health, for example, Congleton LP GR6, and Macclesfield LP DC3. Other Policies encourage healthy lifestyles through provision and access to recreational & open space facilities, such as Congleton LP RC1-2 & DP5, Crewe & Nantwich LP RT1-6, 9-17, and Macclesfield DC15-16. Certain Policies encourage healthy lifestyles through provision and access to sustainable transport modes of cycling and walking, for example, Congleton LP GR14-16, Crewe & Nantwich LP RT9 & TRAN6, and Macclesfield TR2-5. Certainty of positive effects is further secured through site specific requirements in development proposals/site allocations ensuring that mitigation measures to reduce/avoid potential negative effects are implemented.

## Climate Change

[SEA Topics: Climatic Factors]

### SA Objectives:

8. Manage the causes and effects of climate change.

### Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

### Other Relevant Saved Policies:

Congleton LP (2005): GR9-16 Accessibility & Transport,

Crewe & Nantwich LP (2005): TRAN1-12 Transportation,

Macclesfield LP (2004): H5 (4) Housing

- A.8 This section considers the implications of Saved Policies on managing and adapting to climate change with regard to accessibility and transport; flood risk is considered within the section on water and energy is considered in the section on natural resources. Congleton LP GR3 1) A) requires efficiencies with regard to access to services & facilities and choice of travel with the potential

for neutral or minor positive effects in the longer term through mitigation measures of reducing vehicle emissions by reducing the need to travel.

- A.9 Similarly, Crewe & Nantwich LP TRAN1-2 promotes public transport, TRAN3 promotes pedestrians, and TRAN5-6 promote cycling – all contributing to reducing the need to use vehicles and with potential for minor positive cumulative effects in the longer term. Macclesfield LP H5 requires that windfall housing sites should take into account any risk that may result from climate change; policies encouraging sustainable transport such as RT6 will reduce the need to travel with vehicles with the potential for minor positive cumulative effects in the longer term through reducing emissions.

## Water

[SEA Topics: Water, Material Assets, Health]

### SA Objectives:

- 9. Positively address the issues of water quality and quantity and manage flood risk within the Borough
- 10. Manage the impacts of development and associated activities to positively address all forms of pollution. [Water]

### Key Saved Policies:

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenities

### Other Relevant Saved Policies:

Congleton LP (2005): GR21 Flood Prevention

Crewe & Nantwich LP (2005): BE4 Drainage, Utilities & Resources; NE17

Pollution Control; NE20 Flood Prevention;

Macclesfield LP (2004): DC17-20 Water Resources,

- A.10 Utilities, prevention of pollution/protecting water quality, and flood risk are generally addressed directly through specific Saved Policies in the 3 Local Plans, for example, Congleton GR19-21 that includes requirement for using Sustainable Drainage Systems (SUDS), as appropriate, in GR20 1) & V). Mitigation measures are thus provided by Saved Policies such that there will be no significant negative effects on SA Objectives Nos 9 -10; there is also the potential for minor positive effects where SUDS are implemented with cumulative effects in the longer term.
- A.11 For example, Crewe & Nantwich LP NE17 specifically requires that pollution of surface water or groundwater will not be increased, providing strong mitigation measures with overall neutral effects on SA Objectives. Flood prevention is detailed in NE20 ensuring no significant negative effects.



Macclesfield LP DC17-20 protect water quality, the natural floodplain functioning and require incorporation of SUDS where appropriate, to reduce flood risk with the potential for positive effects.

## **Biodiversity**

*[SEA Topics: biodiversity, flora, fauna]*

### **SA Objectives:**

**11.** Protect and enhance biodiversity, habitats, geodiversity and important geological features; with particular care to sites designated internationally, nationally, regionally and locally.

### **Key Saved Policies:**

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

### **Other Relevant Saved Policies:**

Congleton LP (2005): NR1-5 Natural Environment

Crewe & Nantwich LP (2005): NE5-10 Nature Conservation

Macclesfield LP (2004): NE1-18 Natural Environment

- A.12 Specific Design Policies do not necessarily directly support objectives for biodiversity as this is protected by other Saved Policies. For example, Congleton Saved Policy GR2 11) D) requires new development to maximise opportunities for creating wildlife/nature conservation habitats where such features can reasonably be included as part of site layouts and landscaping works with potential positive effects for SA Objective No 11 that are likely to be cumulative in the longer term. Crewe & Nantwich LP NE5-10 Nature Conservation Policies require new development to protect, conserve and enhance the natural conservation resources from international to local providing strong mitigation measures for any negative effects and the potential for minor positive effects, which will be cumulative in the longer term. Macclesfield LP NE7-18 protects nature conservation and seeks enhancement; NE15 specifically requires habitat enhancement, with the potential for positive effects that are cumulative in the longer term
- A.13 Important biodiversity and geodiversity protected at the international and national levels had already been considered through the site allocation process during the Local Plan preparation. Sites that could have major negative effects on such important habitats and features have been avoided. Further protection is provided through specific Saved Policies such as Congleton NR1-5 that require avoidance and/or other mitigation measures



for potential negative effects, Crewe & Nantwich NE5-10, Macclesfield LP NE11. Geodiversity is not specifically cited in the Saved Policies of the LPs and this reflects the planning guidance at the time (specificity included in the NPPF, 2012).

- A.14 There is no mention of Green Infrastructure<sup>19</sup> that recognises the inter-relationships between biodiversity for nature, people and environmental resources, or ecosystem services – the national<sup>20</sup> approach to the environment in terms of the benefits provided to society and continued economic prosperity. However, these are matters that have developed since the preparation of the Local Plans and their Saved Policies. Overall, there are no significant negative effects likely from the Saved Policies and some minor positive effects are indicated through those Policies protecting important biodiversity.

### **Cultural Heritage and Landscape**

*[SEA Topics: Cultural Heritage, including architectural & archaeological heritage; Landscape]*

#### **SA Objectives:**

- 12.** Protect and enhance the quality, integrity and distinctiveness of the area's heritage, landscapes and townscapes, in particular those that are internationally, nationally or locally designated

#### **Key Saved Policies:**

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

#### **Other Relevant Saved Policies:**

Congleton LP (2005): GR4-5 Landscaping; BH1-16 Built Environment & Heritage

Crewe & Nantwich LP (2005): BE1-21 the Built Environment

Macclesfield LP (2004): NE1-18 Natural Environment; BE1-24 Built Environment

- A.15 The key Saved Policies on Design detail the requirements for new development and specifically relate to requirements for landscaping/townscape and heritage. For example, Congleton LP GR1 expects all development to be of a high standard, GR2 Design specifies overarching design criteria including landscaping, layouts & design that support the SA Objective with positive effects; GR2 111) requires respect for conservation, historic, architectural & archaeological valued/important features and areas within the site and a statement of design principles is required for large-scale, complex or sensitive sites providing further mitigation measures for any potential negative effects. GR3 requires consideration of

<sup>19</sup> <http://publications.naturalengland.org.uk/publication/35033>

<sup>20</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf)

the intrinsic qualities and character of the site and its surroundings – all contributing to provision of mitigation measures to avoid negative effects and promote positive effects against SA Objective No 12.

- A.16 Crewe & Nantwich LP BE2 requires new development to achieve a high standard of design and wherever possible, enhance the build environment. Saved Policies NE1-4 protect visual amenity and special landscape values in the countryside providing mitigation measures to limit negative effects for this SA Objective. Saved Policies BE7-14 include requirements to preserve and enhance Conservation Areas and protect Listed Buildings with mitigation measures for potential negative effects and the possibility for positive effects through enhancement.
- A.17 Macclesfield LP BE1 requires promotion of high standards of design that reflect local character, respecting surrounding buildings and their settings, and contributing to a rich environment and adding to the vitality of the area – all with positive effects for SA Objective No 12 that will be synergistic and cumulative in the long term. BE3-13 sets out requirements for Conservation Areas providing strong mitigation and seeking enhancement with positive effects. BE2 seeks to preserve, enhance and interpret the historic fabric with further detailed requirements set out in BE15-24 including the settings of important historic assets.

### **Natural Resources: Energy, Waste, Minerals, Land**

*[SEA Topics: Soil, Material Assets]*

*[Water, Biodiversity and Air are considered within other themes]*

#### **SA Objectives:**

- 10.** Manage the impacts of development and associated activities to positively address all forms of pollution [contaminated land]
- 13.** Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from renewable resources
- 14.** Achieve sustainable waste management through adhering to the principles of the waste hierarchy
- 15.** Manage mineral extraction and encourage their recycling/re-use to provide a sufficient supply to meet social and economic needs whilst minimising impacts on the environment and communities and safeguarding resources for future generations
- 16.** Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land and optimise the re-use of previously developed land, buildings and infrastructure

**Key Saved Policies:**

Congleton LP (2005): GR2 & GR3 Design

Crewe & Nantwich LP (2005): BE2 Design Standards

Macclesfield LP (2004): BE1 Design Guidance; DC1-10, 13-14 Design & Amenity

**Other Relevant Saved Policies:**

Congleton LP (2005): NR6-9 Reclamation of Land, Renewable Energy

Crewe & Nantwich LP (2005): BE4-6 Land, Infrastructure, Utilities; NE12

Agricultural Land Quality; NE19 Renewable Energy

Macclesfield LP (2004): DC19 Water Resources; DC62 Renewable Energy

- A.18 Protection of natural resources is generally not addressed directly through Design Saved Policies but rather through topic specific Policies, although Congleton GR2 Criterion VI requires taking into account the need for energy conservation and efficiency – with positive effects for SA Objective No 13. For example, Congleton NR6 Reclamation of Land protects life, health and the environment, and NR9 Renewable Energy guides such development with positive effects on SA Objectives.
- A.19 Crewe & Nantwich LP NE12 asserts that development on the best and most versatile agricultural land (Grade 1-3a) will not be permitted unless certain conditions are met – providing mitigation measures to minimise potential negative effects. BE2 Design Standards require that new development takes into account the need for energy efficiency by means of building type, orientation, and layout – with positive effects for SA Objective No 12.
- A.20 Macclesfield LP DC62 controls development proposals for renewable energy and the LP recognises that the most sustainable policies are those that promote woodland, landscapes and water resources that protect renewable energy sources for the future. Agricultural land is protected through Policies GC1-9 Green Belt & Countryside.
- A.21 Agricultural land has been protected through the assessment and allocation of specific sites in the Local Plans; extraction of minerals and sties for waste disposal are dealt with by the County Council's Plans; there are no likely significant negative effects on SA Objective Nos 14-16, mitigation measures are in place and some positive effects may be indicated.

**Inter-relationships**

- A.22 There are various inter-relationships of effects from design and other policies, particularly the inherent interactions between biodiversity, landscape, cultural and historic heritage, and socio-economic factors especially health and well-being. The Saved Policies are in accordance with legislation and guidance at the time they were prepared. The relative significance of issues such as climate change, the understanding and practice of sustainable design and

environmental sustainability have developed since this time, for example, with regard to ecosystems and Green Infrastructure. Nonetheless, it is considered that the Saved Policies in the 3 Local Plans still provide sufficient mitigation measures to avoid/minimise negative effects; they also offer potential for some positive effects that will be cumulative in the longer term.

## Appendix B: Screening of Modifications to SPD for Significance for the SA

The table below summarises the key changes that have been made to the draft Design SPD considering issues raised during the public consultation (6 April to 18 May 2016). Many of the modifications are minor text amendments to improve clarity, consistency and accuracy; others seek to improve the overall usability and interpretation of the document. Such changes are not likely to significantly affect the previous findings of the SA (January 2016) and they are not recorded here. The full schedule of issues raised and modifications made is set out in the appendix to the Statement of Consultation on adoption of the SPD (available on the Council website <http://www.cheshireeast.gov.uk/planning/borough-design-guide> ).

SA Ref No.	Summary of Changes, Deletions and Additions	<b>Screening:</b> <b>do the changes, deletions and additions significantly affect the findings of the previous SA or give rise to significant effects?</b> SA & HRA Report (January 2016) <a href="http://www.cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx">http://www.cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx</a>
1	Further clarification for considering the needs of different age groups & family circumstances (SA recommendation No 1). Additional text suggesting that Lifetime Homes principles could be considered.	The further clarification contributes to likely positive effects found for the SA accessibility/inclusion objectives.
2	New paragraph added after Vol 2 iv/63 to make explicit the inter-relationships between public transport, walking/cycling and consequent impacts on greenhouse gas emissions (SA recommendation No 2).	The further clarification contributes to likely positive effects found for the SA objective on climate change.
3	New paragraph after Vol 2 iv/63 requiring avoidance of water pollution (SA recommendation No 3).	This confirms mitigation measures to ensure no negative effects on SA objectives for water quality, confirming neutral/positive effects and removing any uncertainty – overall, confirms findings of previous SA.
4	Additional text “and geodiversity” after iv/09; and new paragraph on ecosystem services after iv/11 (SA recommendation No 4).	This confirms mitigation measures to ensure no negative effects on SA objectives for geodiversity and removing any uncertainty.  The new paragraph on ecosystem services strengthens the likely positive effects on biodiversity & inter-relationships with human health and socio-economic factors – overall, confirms findings of previous SA with potential for enhanced cumulative effects in the longer term.

5	New paragraph after i/07 includes explicit requirement to consider potential impacts on heritage assets and their settings and including archaeology (SA recommendation No 5).	This confirms mitigation measures to ensure no negative effects on SA objectives for the historic environment and removing any uncertainty.
6	Additional clarity provided within the wording on the trigger for design coding including alignment with definition in Local Plan of 150 units for strategically important development (Vol 1 iii/30-32).	The additional clarification, especially in paragraph iii/32 that now aligns the trigger for outline schemes requiring a supporting Design Code at more than 150 dwellings, confirms mitigation measures to ensure no negative effects on SA objectives, removes any uncertainty, & strengthens possibilities for enhancement of positive effects that will be cumulative in the longer term.
7	Addition of sample settlement guidance for Poynton as a Key Service Centre in Vol 1 ii	Should confirm mitigation measures for any potential negative effects & confirm Kiley positive effects for Poynton – confirms findings of previous SA.
8	Clarification of tissue studies requirements for settlements & changes to Vol 1 iii/57.	Clarifies requirements for contextual assessment of site & wider context; not significant with regard to the SA findings.
9	New paragraph after i/27 to make explicit the connection between Neighbourhood Plans & the SPD.	This is likely to enhance positive effects identified for SA objectives on communities by helping to ensure that local design matters are taken into consideration in new development.
10	Amendments to paragraph iv/17 to include reference to the canal towpath network for travel choices & recreation.	This explicit mention of towpaths should strengthen positive effects found for SA objectives on sustainable transport, human health, and recreation.
11	Clarification for enclosure ratios including new text after ii/30.	This should help ensure mitigation measures are implemented for any potential negative effects on landscape/townscape & visual impact; helps remove any uncertainty in the SA findings for SA Objectives on landscape/visual amenity.
12	Additional text provided in checklist on p90 and after v/10 providing further information on cycling including provision of storage.	Enhances support for SA objectives on sustainable transport and human health and strengthens positive effects found in the previous SA.
13	Sustainability checklist – amendments to criteria 7 & 8 for clarification.	Clarification but overall not significant for SA findings.
14	Minor rewording in Vol 1 iii/11 & 12 to include "strongly encouraged" to a comprehensive approach for adjoining land/developments.	Provides clarification for a comprehensive approach that will help ensure that inter-relationships between effects are considered with likely enhancement of positive effects & confirmation of mitigation measures for any negative effects.
15	Additional text after vi/26 to make explicit that health impact assessments should consider noise &	This will strengthen the positive effects found in the SA for objectives on pollution control and human health.

	other forms of pollution that would adversely impact upon their emotional & physical well-being.	
16	Additional reference to cycling facilities criteria 3 & 4 & 5 of Working with the Grain of the Place Checklist; additional question in sustainability checklist.	This will strengthen positive effects for SA objectives on sustainable transport & human health by explicit mention of cycling.
17	Amendments to Vol 1 i/46 & iii/63-68 to provide clarification regarding lighting requirements.	Clarification supports positive effects for SA objectives on pollution control/visual amenity and human health with regard to safety; also confirms mitigation measures for any negative effects on bats & biodiversity SA objectives.
18	Additional sentence after Vol 2 iv/15 to include specific reference to nesting birds & roosting bats.	This will strengthen positive effects for SA objective on biodiversity.
19	Further references to towpaths & canals as important aspects of green & blue infrastructure in Vol 2 – text added after iii/39 & iv/71.	This will strengthen the positive effects for SA objectives on sustainable transport & human health.
20	Additional paragraph after v/13 to reinforce text on protection of natural resources in chapter iv.	Will reinforce positive effects for SA objectives on air, land & water quality.
21	Additional paragraph after Vol 2 iv/115 to address succession planting and specific reference to veteran trees, ancient woodland & hedgerows.	This additional specific text on trees will strengthen positive effects and confirm mitigation measures for SA objectives on biodiversity and landscape/visual amenity.
22	Additional text after Vol 2 vi/19 to include requirement for sufficient natural light.	Will strengthen positive effects on SA objective for human health.