



Knowsley Council

Knowsley Local Plan

Design Quality in New Development SPD

Screening Assessment:

Habitats Regulation Assessment (HRA) &
Strategic Environmental Assessment (SEA)

July 2014

1.0 Introduction

- 1.1. This screening assessment is to determine whether the Design Quality in New Development Supplementary Planning Document (SPD) requires:
 - A Habitats Regulation Assessment (HRA) under European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora (the “Habitats Directive”) and associated Conservation of Habitats and Species Regulations 2010 (“Habitat Regulations”), and / or;
 - A Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2. The SPD will provide formal design guidance to supplement policies within the emerging Local Plan: Core Strategy, Merseyside and Halton Joint Waste Local Plan and saved policies of the Knowsley Replacement Unitary Development Plan. The SPD will set the context and assist design interpretation for developers and decision makers on all future pre-application discussions and outline, full and reserved matters planning applications.
- 1.3. The legislative background set out below outlines the regulations that require the need for this screening exercise. Sections 3 and 4 provide a screening assessment of the likely significant environmental effects of the SPD and examine the need for a HRA and an SEA respectively.
- 1.4. The preparation of the SPD will involve the local community in line with the requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004 and in line with the Council’s adopted Statement of Community Involvement (SCI).
- 1.5. This screening report is based on the content of the consultation version of Design Quality in New Development SPD expected to be published for consultation in September 2014. If necessary the screening report will be refreshed when a final version of the SPD is published for adoption (this should only be necessary if there is a major change to the purpose and content outlined below).

2.0 Legislative Background

- 2.1. In respect of HRA (which relates to internationally important nature conservation sites), the aim of this screening is to establish whether the SPD is likely to give rise to significant effects which have not been formally assessed in the context of the HRA of the Knowsley Local Plan: Core Strategy. The requirement under the “Habitats Directive” is to consider potential impacts on sites of European importance for Nature Conservation. This is done through a process referred to as a Habitat Regulations Assessment which starts with a screening stage and may need to be followed with more detailed examination through an “Appropriate Assessment”.

- 2.2. The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (SEA Directive). This Directive was transposed in UK law by the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations). This legislation places an obligation on local authorities to undertake a SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects. Guidance on the SEA process is provided in Planning Practice Guidance and *A Practical Guide to the Strategic Environmental Assessment Directive (ODPM, 2005)*.
- 2.3. The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents (see section 39(2)). It is considered best practice to incorporate the requirements of the SEA Directive into a Sustainability Appraisal. However, the 2008 Planning Act removed the requirement to undertake an SA for an SPD, although this did not replace the requirement to establish whether the proposed plan or programme required SEA. (Part 9, Chapter 2, paragraph 180 of the 2008 Planning Act amended section 19, subsection 5 of the 2004 Planning and Compulsory Purchase Act). Therefore this report focuses on screening for SEA and the criteria for establishing whether a full Assessment is needed.
- 2.4. Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan. A strategic environmental assessment is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see [regulation 5\(6\) of the Environmental Assessment of Plans and Programmes Regulations 2004](#)), unless it is considered that there are likely to be significant environmental effects.
- 2.5. Where the Council can demonstrate that any land-use or spatial plan is unlikely to have significant environmental effects (Regulation 9(3)), or where the proposed development is less than 0.5 hectares in area, a SEA will not be required.
- 2.6. There is some potential overlap between the two types of assessment; in particular an identified requirement for an “Appropriate Assessment” under the Habitat Regulations will automatically trigger a requirement for SEA (unless a “local level” or “minor modification” exemption applies). In this report, Section 3 considers the potential need for HRA whilst Section 4 does the same in respect of SEA.
- 2.7. The Council is required to first make a determination as to whether a Regulation 9 assessment is required, because there is a duty to consult with specified environmental organisations (Natural England, English Heritage

and the Environment Agency) when determining the need for SEA if the development falls within the criteria set by this Regulation. In situations where SEA is not deemed to be required, the Council has a duty to prepare a statement of its reasons for determining that SEA is not required. The SEA Screening Statement should provide sufficient information to demonstrate whether the SPD is likely to have significant environmental effects. If it is concluded that there are not likely to be significant environmental effects and therefore no need for SEA this statement will clearly indicate the reasons for such a decision.

3.0 Screening for HRA

- 3.1. It is a requirement under the Habitats Directive that the potential effects of “plans or projects” on designated European sites (Special Areas of Conservation / Special Protection Areas, also referred to as “Natura 2000 sites”) are considered, and where necessary are appropriately assessed. Regulation 61(1) of The Conservation of Habitats and Species Regulations 2010 states:

*“A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—
(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.”*

The authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site (Regulation 61(5)).

- 3.2. Therefore, where a plan or project is *“not directly connected with or necessary to the management of a [Natura 2000] site”*, the first stage in the ‘Habitat Regulations Assessment’ (HRA) process is to establish whether a *“significant effect”* is likely. This is referred to as the “screening stage”. If it is found that a significant effect is not likely then no further action is required but if potential effects are identified and deemed to be significant then further *“Appropriate Assessment”* is required and used as a tool to help modify the plan / project to ensure that impacts are removed or if this is not possible mitigated to prevent an adverse effect upon the integrity of the European site.
- 3.3. Regulation 61(3) requires that “The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify”. This reference to “assessment” is to “Appropriate Assessment” (if required) rather than the screening stage, but the Council is able to seek advice from Natural England and the Countryside Council for Wales (CCW) when deciding if “Appropriate Assessment” is necessary – the

draft screening report was issued to Natural England and the CCW on the 18 June 2014 as the means of obtaining that advice.

- 3.4. As the 'competent authority' under The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations') Knowsley Council was required to assess its Local Plan: Core Strategy through the HRA process as policies and site allocations in the plans could potentially affect the following Natura 2000 sites within or near the District:
- Mersey Estuary SPA/Ramsar Site
 - Manchester Mosses SAC
 - River Dee & Bala Lake SAC
 - Sefton Coast SAC
 - Dee Estuary SAC SPA & Ramsar site and SPA extension
 - Mersey Narrows & North Wirral Foreshore Ramsar and SPA
 - Ribble & Alt Estuaries SPA and Ramsar site
 - Liverpool Bay SPA
 - River Eden SAC
 - Martin Mere SPA
- 3.5. The Design Quality in New Development SPD is not a plan or project which will be implemented in its own right – it expands upon policies within the emerging Local Plan: Core Strategy, Merseyside and Halton Joint Waste Local Plan and saved policies of the Knowsley Replacement Unitary Development Plan. The relevant policies within the emerging Knowsley Local Plan: Core Strategy and the Merseyside and Halton Joint Waste Local Plan listed in the SPD have already been subject to HRA and these were judged to have no significant effect on the integrity of the European sites, either alone or in combination with other plans or projects. The SPD does not introduce new proposals of a type and/or scale outside the parameters of the Local Plan: Core Strategy. It is therefore the Council's current view that the Design Quality in New Development SPD is not likely to have a significant effect on a European site which means that an "Appropriate Assessment" is not required.
- 3.6. Notwithstanding the above conclusion, the Council has prepared a table at Appendix 1 to provide an overview of the scope of the Local Plan: Core Strategy HRA and its relationship to the guidance to be provided in the SPD.
- 3.7. The following comments were received from the appropriate nature conservation bodies relating to the HRA screening:
- Natural England – response dated 17 July 2014 - Unlikely to be any significant effects on any European Sites (full response at Appendix 2).
 - Natural Resources Wales (includes responsibilities of CCW) – response dated 18 July 2014 - Agree with the conclusion that the proposal is not likely to have a significant effect either on the River Dee and Bala Lake SAC, Dee Estuary SAC/SPA/Ramsar, or the Liverpool Bay SPA (full response at Appendix 3).

4.0 Screening for SEA

- 4.1. The SEA Directive requires SEA to be carried out for specified types of plan or programme (as specified in Regulation 5(2), 5(3) and 5(4)):
- a plan which is prepared for ... town and country planning or land use, and sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC ... [*i.e. the EIA Directive*], or;
 - a plan which, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive [*i.e. effects on Natura 2000 sites*]
 - a plan which sets the framework for future development consent of projects; and is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects
- 4.2. The first of the above parameters (from Regulation 5(2)) could, but would not normally, require an SPD to be made subject to SEA. The reasons why it might not are:
- i. It is the NPPF and Development Plan Document(s) (such as the Knowsley Local Plan: Core Strategy and Merseyside and Halton Joint Waste Local Plan) which “sets the framework for future development consents” of EIA development (SPDs are supplementary to these);
 - ii. It is possible that an SPD deals with matters which would not fall within the definition of EIA development.
- 4.3. The second of the parameters identified at paragraph 3.2 (from Regulation 5(3)) relates to the Habitats Directive and this was examined separately in Section 3 above.
- 4.4. The third parameter (from Regulation 5(4)), requires consideration of “does the plan set the framework for future development consent of projects?” - in this case (unlike the first parameter) this is not limited to EIA development, but there is potential to find that an SPD – due to its role as a supporting document to development plan documents which have already been subject to an independently examined SA/SEA process - does not “set the framework”. If the SPD “sets the framework for future development consents” in a manner which differs from the Core Strategy / Local Plan, then further consideration of whether it is “likely to have significant environmental effects” is necessary - the “determination under regulation 9(1)”. This requires consideration of the criteria specified in Schedule 1 to the Regulations.
- 4.5. The Council’s screening decision on whether SEA is required is achieved via a step-by-step review using Table 5.1 (below) - first looking at the “Regulation 5 questions”, and then – if necessary - the Regulation 9 / Schedule 1 criteria.

5.0 Assessment

5.1. Table 5.1 shows the Council's assessment in consultation with the Merseyside Environmental Advisory Service (MEAS) of whether the Design Quality in New Development SPD will require a SEA. The questions are informed by the Environmental Assessment of Plans and Programmes Regulations 2004 (Regulation 5, Regulation 9 and Schedule 1).

Table 5.1

Establishing the Need for SEA		
Stage	Yes / No	Reason
Part A – Regulation 5 Assessment		
<p>Is the plan of a description set out in Regulation 5(2)?, i.e.:</p> <p>(a) prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, and</p> <p>(b) sets the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Council Directive 97/11/EC(a).</p> <p>- and if "yes", does the Regulation 5(6) exemption potentially apply? [i.e. for (a) a plan which determines the use of a small area at local level; or (b) for a minor modification to a plan].</p> <p>N.B. such an exemption is not available if the plan, programme or modification is likely to have significant environmental effects [as determined under Regulation 9(1)] or it is the subject of a direction under Regulation 10(3) from the Secretary of State.</p> <p>[The Regulation 9 criteria, which would need to be considered in this scenario, are set out below</p>	No	<p>This SPD is prepared in relation to town and country planning, but does not "set the framework for future development consent for EIA development" because:</p> <p>(i) the policy framework is set at a higher level (Core Strategy / NPPF); and</p> <p>(ii) it doesn't specifically relate to EIA development</p> <p>The SPD does not modify the policy approaches within the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan or the emerging Knowsley Local Plan: Core Strategy, as it provides only additional guidance on the design of new development to supplement policy criteria.</p>

in Part B of this table.]		
<p>Is the plan of a description set out in Regulation 5(3)?, i.e.: A plan which, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive. - and if “yes”, does the Regulation 5(6) exemption potentially apply? [i.e. for (a) a plan which determines the use of a small area at local level; or (b) for a minor modification to a plan]. N.B. such an exemption is not available if the plan, programme or modification is likely to have significant environmental effects [as determined under Regulation 9(1)] or it is the subject of a direction under Regulation 10(3) from the Secretary of State. [The Regulation 9 criteria, which would need to be considered in this scenario, are set out below in Part B of this table.]</p>	No	<p>The SPD addresses principles and implementation of design, but does not set a policy framework for future development which would have potential effects, either alone or in combination with other plans and projects, on one or more Natura 2000 or Ramsar sites.</p> <p>The policy framework for development within Knowsley is alternatively set by the NPPF together with the adopted Knowsley Replacement Unitary Development Plan (UDP), Merseyside and Halton Joint Waste Local Plan and emerging Local Plan: Core Strategy, the latter two of which are subject to separate HRA assessments as appropriate (the UDP preceded the requirement for a HRA) . The SPD only provides supplementary guidance within these parameters.</p> <p>See Section 3 for detailed consideration of HRA requirements.</p>
<p>Is the plan of a description set out in Regulation 5(4)? i.e.: (a) sets the framework for future development consent of projects; and (b) is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects</p>	No	<p>The policy framework is set at a higher level by the NPPF, which together with the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and emerging Knowsley Local Plan: Core Strategy sets the policy framework for future development. The SPD will only provide additional guidance on the implementation of relevant design policies</p> <p>[As the SPD does not “set the framework”, a determination under regulation 9(1) is not necessary, but as a matter of record and for the avoidance of doubt a discretionary assessment against Schedule 1 is undertaken at Part C which concludes that the SPD is not expected to cause significant environmental effects].</p>

Part B - Regulation 9 Assessment		
<p>(for determining, in relation to plans of certain types, the likely significance of effects on the environment)</p> <p><i>N.B. the criteria in this part of the table are only relevant if a determination under Regulation 9(1) has been deemed necessary.</i></p>		
<p>A “determination under Regulation 9(1)” is not necessary in this instance and therefore this part of the table is not relevant but text is retained (in red) for information.</p> <p>Criteria (1) (a – e) and (2) (a – g) set out below are the criteria for determining under Regulation 9 whether a not a plan of the following types is likely to have significant environmental effects:</p> <ul style="list-style-type: none">• the plan or programme sets the framework for future development consent of projects <i>[as per Reg 5(4)(b)]</i>• the plan or programme determines the use of a small area at local level but is of a type which<ul style="list-style-type: none">→ sets the framework for future development consent of EIA projects [i.e. as described under Reg 5(2)] or→ requires assessment under the Habitats Directive [i.e. as described under Reg 5(3)]<i>[as per Reg 5(6)(a)]</i>• for a minor modification to a plan or programme which<ul style="list-style-type: none">→ sets the framework for future development consent of EIA projects [i.e. as described under Reg 5(2)] or→ requires assessment under the Habitats Directive [i.e. as described under Reg 5(3)]<i>[as per Reg 5(6)(b)]</i> <p>The criteria are from Schedule 1 of the SEA Regulations and must be taken into account when the responsible authority makes a determination under Regulation 9. [This determination also requires consultation with the conservation bodies (required by Regulation 9(2)), and a statement of reasons if it is concluded that the plan is unlikely to have significant environmental effects (required by Regulation 9(3))]</p>		

Part C – Indicative Assessment against Schedule 1		
Assessment of the likely significant effects of the SPD/guidance ¹		
SEA Directive Criteria	Response	Is there a significant or specific effect beyond that anticipated by the parent policy framework? Yes/No
1. The characteristics of plans and programmes, having regard, in particular, to:		
(a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to location, nature, size and operating conditions or by allocating resources.	The SPD does not allocate land, specify land uses or identify sites for development. This is done by the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and emerging Knowsley Local Plan. The guidance is provided in the form of general principles.	No
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The SPD has less material weight than the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and emerging Knowsley Local Plan; it only provides guidance relating to policy implementation and does not introduce new policies.	No
(c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD encourages development proposals to incorporate sustainable concepts within design parameters to help reduce the environmental impact of development and enhance quality of life within Knowsley. These objectives are enshrined in the NPPF, policies within the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan.	No

¹ Article 3(5) of Directive 2001/42/EC

<p>(d) Environmental problems relevant to the plan or programme.</p>	<p>The Sustainability Appraisal (incorporating SEA) and the Habitat Regulations Assessment for the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy identify strategic environmental constraints within the Borough. These are assessed and addressed by policies within these 'parent' documents. The SPD relates to design of new development and does not alter the approach relating to the environmental issues assessed in the parent documents.</p>	<p>No</p>
<p>(e) The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).</p>	<p>The SPD does provide some guidance on landscape and character matters which has the potential to inform Environmental Statements (EIA) and Habitats Regulations Assessments. The SPD does not however set standards, deemed to meet environmental legislation, and the guidance remains within the parameters of policy approaches within the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy.</p>	<p>No</p>
<p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>		
<p>(a) The probability, duration, frequency and reversibility of the effects.</p>	<p>The SPD will encourage new development in Knowsley to be designed and built to higher standards of urban design, having regard to the character and distinctiveness of the area. The overall medium to long-term environmental outcome as a result of the SPD is expected to be an enhancement to the quality and character of the built environment. Although this effect should be positive, it is not considered to be significant in its magnitude and does not go</p>	<p>No</p>

	<p>beyond national and local policy frameworks.</p> <p>The SPD will not give rise to any significant effects on the environment in addition to those considered as part of the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy.</p>	
(b) The cumulative nature of the effects.	<p>Gradual delivery of better designed more sustainable development over the life of the plan period.</p> <p>The SPD will not give rise to any significant cumulative effects in addition to those considered as part of the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy.</p>	No
(c) The trans-boundary nature of the effects.	<p>The SPD is related only to the implementation of the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy and will have no trans boundary effects beyond those considered in assessments relating to these documents.</p>	No
(d) The risks to human health or the environment (e.g. due to accidents)	<p>No risks as a result of the SPD have been identified.</p>	No
(e) The magnitude and spatial effects of the extent (geographical area and size of the population likely to be affected)	<p>The SPD is provided in the form of general principles to the quality of design of development. This will provide additional clarity on existing policies in the adopted Knowsley Replacement Unitary Development Plan, Merseyside</p>	No

	<p>and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy. The SPD is not site-specific and does not allocate land, prescribe land uses or identify sites for development.</p> <p>The spatial coverage of the guidance will relate to the whole of Knowsley. However any influence and cumulative effects as a result of the SPD remains moderate and positive.</p>	
(f) The value and vulnerability of the area likely to be affected due to:		
i. special natural characteristics or cultural heritage	The SPD only applies to areas already considered appropriate for development through policies in the adopted Knowsley Replacement Unitary Development Plan, Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy. The SPD will not give rise to any significant effects on natural characteristics or cultural heritage other than those fully considered in these parent documents, and other SPDs.	No
ii. exceeded environmental quality standards or limit values	The SPD does not allocate land, for development. The SPD does not promote particular uses which are likely to lead to environmental standards being exceeded. The SPD will have a beneficial effect in encouraging the implementation of higher environmental standards.	No
iii. intensive land use	The SPD does not allocate land or allocate sites for development. The SPD will not give rise to any significant effects as a result of intensification of land use, beyond those considered as part of the policy approaches of parent documents - the adopted Knowsley Replacement Unitary	No

	Development Plan, Merseyside and Halton Joint Waste Local Plan the emerging Knowsley Local Plan: Core Strategy and other area based SPDs.	
(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	<p>There are no landscapes of national or international recognition which will be affected by the SPD.</p> <p>The SPD will not give rise to any significant effects on natural characteristics in addition to those considered as part of the parent documents - the adopted Knowsley Replacement Unitary Development Plan, the Merseyside and Halton Joint Waste Local Plan, the emerging Knowsley Local Plan: Core Strategy and other area based SPDs. A separate Habitats Regulation Screening Assessment has determined that nearby sites of European significance to Knowsley would not be affected as a result of SPD. It is therefore considered there are no significant effects.</p>	No

Source: Annex 2 of SEA Directive 2001/42/EC

6.0 Statement of Reasons for Determination

- 6.1. In reviewing these criteria the Council has concluded that as the SPD does not “set the framework”, a determination under regulation 9(1) Environmental Assessment of Plans and Programmes Regulations 2004 is therefore not necessary. As a matter of record and for the avoidance of doubt a discretionary assessment against Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 has concluded that the Design Quality in New Development SPD would not give cause to anticipate significant environmental effects.
- 6.2. In addition, the Design Quality in New Development SPD is not a plan or project which will be implemented in its own right – it expands upon policies within the emerging Local Plan: Core Strategy, Merseyside and Halton Joint Waste Local Plan and saved policies of the Knowsley Replacement Unitary Development Plan. The relevant policies within the emerging Knowsley Local Plan: Core Strategy and the Merseyside and Halton Joint Waste Local Plan listed in the SPD have already been subject to HRA and these were judged to have no significant effect on the integrity of the European sites, either alone or in combination with other plans or projects. The SPD does not introduce new proposals of a type and/or scale outside the parameters of the Local Plan: Core Strategy. It is therefore the Council’s current view that the Design Quality in New Development SPD is not likely to have a significant effect on a European site which means that an “Appropriate Assessment” in the context of the Conservation of Habitats and Species Regulations 2010 is not required.
- 6.3. On the basis of the above, Knowsley Council considers that the Design Quality in New Development SPD will not have significant environmental effects beyond those considered by policies in the adopted Knowsley Replacement Unitary Development Plan, the Merseyside and Halton Joint Waste Local Plan and the emerging Knowsley Local Plan: Core Strategy, and therefore would not trigger a need for a Strategic Environmental Assessment or an Appropriate Assessment.

Appendix 1

Key potential pressure identified by Knowsley Core Strategy HRA	Natura 2000 site which could potentially be affected	How this key potential pressure is addressed within the SPD
<p><u>Recreational pressure</u></p> <p>Resulting from increased populations living in proximity to the Natura 2000 sites listed as well as an aging population with more leisure time. In addition, enhanced connectivity across the Mersey and encouraging greater use of Merseyway footpaths/cycle tracks.</p>	<ul style="list-style-type: none"> • Mersey Estuary SPA / Ramsar • Mersey Narrows and North Wirral Foreshore SPA / Ramsar • Sefton Coast SAC • Liverpool Bay SPA / Ramsar • Dee Estuary SAC, SPA, Ramsar • Ribble and Alt Estuaries SPA/Ramsar 	<p>A.1 – Movement Framework - recommends provision of open space within 800m (consistent with Policy CS21 of the Local Plan: Core Strategy) to provide recreational space which may result in less recreational pressure on the Natura 2000 sites.</p>
<p><u>Direct disturbance</u></p> <p>Direct disturbance to qualifying bird species from a range of sources including recreation, development, industry and infrastructure.</p>	<ul style="list-style-type: none"> • Dee Estuary SAC, SPA, Ramsar • Ribble and Alt Estuaries SPA/Ramsar • Mersey Narrows and North Wirral Foreshore SPA / Ramsar 	<p>A.1 – Movement Framework - recommends provision of open space within 800m (consistent with Policy CS21 of the Local Plan: Core Strategy) to provide recreational space which may result in less recreational pressure on the Natura 2000 sites.</p>
<p><u>Decrease in water quality – from discharge</u></p> <p>Discharge via rivers and drains by both treated wastewater and untreated runoff containing inorganic chemicals and organic compounds from everyday domestic products</p>	<ul style="list-style-type: none"> • Mersey Estuary SPA / Ramsar • Mersey Narrows and North Wirral Foreshore SPA / Ramsar • Sefton Coast SAC • Ribble and Alt Estuaries SPA/ Ramsar • Liverpool Bay SPA / Ramsar 	<p>B.1 – Sustainability in design - ensures integration of SuDS (in accordance with Policies CS2, CS8 and CS24 of the Local Plan: Core Strategy) to improve water quality through site drainage.</p>
<p><u>Decrease in water quality – from abstraction</u></p>	<ul style="list-style-type: none"> • Dee Estuary SAC, SPA, Ramsar • River Dee and Lake Bala SAC • River Eden 	<p>No impacts identified from this SPD (alternatively addressed via Policies CS2, CS19 and CS22 of the Local Plan: Core Strategy).</p>
<p><u>Decrease in air quality – due to car emissions other transport emissions and industrial emissions and power stations</u></p>	<ul style="list-style-type: none"> • Manchester Mosses SAC 	<p>A.1 – Movement Framework - reduces need for car journeys through ensuring local access to services and promotion of sustainable transport options (in accordance with Policies CS2, CS7 and CS19 of the Local Plan: Core Strategy).</p> <p>B.1 – Sustainability in design – encourages sustainable use of energy and low carbon energy sources reducing emissions (in accordance with Policies CS2, CS19, CS22 and CS23 of the Local Plan: Core Strategy).</p>

Key potential pressure identified by Knowsley Core Strategy HRA	Natura 2000 site which could potentially be affected	How this key potential pressure is addressed within the SPD
<p><u>Loss of supporting habitat</u></p> <p>Areas outside of Natura 2000 sites can provide supporting habitat for qualifying bird species, in Knowsley supporting habitat is located in agricultural land around Simonswood Moss.</p>	<ul style="list-style-type: none"> • Ribble and Alt Estuaries SPA/Ramsar • Martin Mere SPA/ Ramsar 	<p>No impacts identified from this SPD</p>

Appendix 2

Date: 17 July 2014
Our ref: 124126
Your ref:

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Dear Mr Wildgoose

Planning consultation: Consultation on draft SEA / HRA screening documents for Knowsley SPDs under preparation

Thank you for your consultation on the above dated 20 June 2014.

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

Habitat Regulations

Where a Plan could potentially lead to significant environmental effects it will be necessary to screen the Plan in relation to the Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive.

In relation to the Habitats Regulations, a Plan cannot progress if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out). Therefore measures may need to be incorporated into the Plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the Plan on European protected sites. It is our advice, on the basis of the material supplied with the consultation, that there are **unlikely to be any significant effects on any European Sites** from the Supplementary Planning Document SPD.

Strategic Environmental Assessment / Sustainability Appraisal

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

We have checked our records and based on the information provided, we can confirm that the SPDs will not be in, adjacent to or in close proximity to the following sites:

- Mersey Estuary Site of Special Scientific Interest (SSSI)

Page 1 of 2



Natural England is accredited to the Cabinet Office Service Excellence Standard

- Mersey Estuary Special Protection Area (SPA)
- Mersey Estuary Ramsar Site

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

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

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

For any queries relating to the specific advice in this letter only please contact Sally Maguire on 03000602110. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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

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

Yours sincerely

Sally Maguire MRTPI
Lead Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area

Appendix 3

Knowsley Council
Ground Floor Annexe
Municipal Buildings
Huyton
LL36 9YU

18 Gorffennaf / July 2014

Annwyl / Dear Syr/Madam,

RE: Knowsley Local Plan: Core Strategy, Merseyside and Halton Joint Waste Local Plan, and Knowsley Replacement Unitary Development Plan – Habitats Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) of Supplementary Planning Documents (SPD)

Thank you for giving Natural Resources Wales (NRW) the opportunity to comment on the HRA and SEA of the following Supplementary Planning Documents (SPD):

- Design Quality in New Development
- New Residential Development
- Shopfront and Signage

Natural Resources Wales brings together the work of the Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales, as well as some functions of Welsh Government. Our purpose is to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and in the future.

Our comments are made in the context of our responsibilities under the Conservation of Habitats and Species Regulations 2010 (as amended) and as advisers to Welsh Government on the natural heritage and resources of Wales and its coastal waters. It is not the role of NRW to comment on plans and programmes originating outside Wales except where those plans and programmes have the potential to affect Wales' natural heritage. Our comments will therefore be limited to those issues.

We welcome the efforts made in undertaking this HRA process. We have considered your HRA Screening under the Conservation of Habitats and Species Regulations 2010 (as amended) and we agree with the conclusion that the proposal is not likely to have a significant effect either on the River Dee and Bala Lake SAC, Dee Estuary SAC/SPA/Ramsar, or the Liverpool Bay SPA.

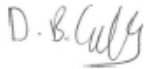
In terms of water resources, we recommend that you work closely with United Utilities.

The following comments are made without prejudice to any future discussions on Habitats Regulations Assessment processes at the project level. At the time of any other

consultation there may be new information available which we will need to take into account in making a formal response.

Please do not hesitate to contact us if we can be of any further assistance to you or if you wish clarification on any of the comments made.

Yn gywir / Yours sincerely



Bryn Griffiths
Senior Conservation Officer
Casework Team

For more information log on to
www.knowsley.gov.uk/LocalPlan

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