Date: 22 August 2025
Our ref: 518118
Your ref: Cheshire West and Chester Local Plan (Regulation 18)

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Dear Cheshire West and Chester Council

Planning consultation: Cheshire West and Chester Local Plan (Regulation 18) – July 2025

Thank you for your consultation on the above dated and received by Natural England on 04 July 2025.

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.

For clarity, we have reviewed the following documents:

- Habitats Regulation Assessment Initial Screening – June 2025
- Issues and Options (Regulation 18) - July 2025
- Sustainability Appraisal – June 2025

Natural England outline our comments below:

Habitats Regulation Assessment Initial Screening – June 2025

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by AECOM. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects. Natural England therefore advises that your screening is repeated in light of the matters below and an Appropriate Assessment is undertaken, to assess the implications on European sites, in view of the site conservation objectives. Natural England is a statutory consultee at the Appropriate Assessment stage of the HRA process. We recommend that Natural Resources Wales are also consulted due to cross-boundary designations.

3. Background to Impact Pathways: Table 3.1 Possible Impact Pathways

Water Quality

Natural England would encourage that all possible impact pathways follow the same naming pattern. Natural England note the following headings which all relate to the same matter but each use differing headings: Water Quality, Eutrophication (Water Quality), Water Pollution (Water Quality), Pollution to Groundwater (Water Quality), Presence of Pollution (Water Quality), Pollution – Pesticides/Agricultural Runoff (Water Quality).

Many of English designated sites relating to meres and mosses have potential groundwater and surface water pathways which has not been identified within the table. Eutrophication and contamination are also relevant to these sites.

Hydrological changes (Water Quantity, Level and Flow)

We advise the naming convention is consistent throughout the table, noting that the following headings have been utilised for the same issue: Hydrological changes (water quantity, level and flow), Water Quantity, Drainage (Water Quantity, Level and Flow), Human Induced Changes in Hydraulic Conditions (Water Quantity, Level and Flow), Inappropriate Water Levels (Water Quantity, Level and Flow), Water Depth (Water Quantity, Level and Flow), Hydrological Changes, Drainage/Reclamation for Agriculture.

The meres and mosses designated sites are vulnerable to changes in hydraulic conditions. A severance in water supply may see the loss of notified features. This potential impact has not been listed within the table.

Recreational Pressure

Similarly, we advise the naming convention is consistent throughout.

During the identification of impact pathways, Natural England recommend recreational pressure is identified as a possible impact pathway at Liverpool Bay SPA and Sefton Coast SAC.

Functionally Linked Land

The table would benefit from clearly specifying whether *disturbance* and *urbanisation* relates to Functionally Linked Land.

Air Pollution

It is noted that air pollution as a possible impact pathway is only considered for atmospheric nitrogen deposition and consequently, we advise amendment in alignment with paragraph 3.3 and due to wider low carbon fuel and carbon capture technology associated emissions.

River Dee and Bala Lake SAC

Qualifying features of the designated site include: Water courses of plain to montane levels with floating water plantain (also note the geological element), sea lamprey, brook lamprey, river lamprey, Atlantic salmon, bullhead and otter. Therefore, consideration of hydrological changes (water quantity, level and flow) and wider supporting habitat should be included within the table.

Rostherne Mere Ramsar

Notified features include Open water transition fen ('mere') with birds listed as noteworthy fauna within the Information Sheet on Ramsar Wetlands only.

Renewable Energy

Natural England note that the table does not consider the effects of renewable energy at designated sites. This can include on and off-shore wind turbines, hydroelectricity, solar and tidal energy, alongside low carbon fuel and carbon capture technologies.

Marine

We also advise that the table does not consider effects to the marine environment. Natural England recommend reference is also made to Marine Protected Areas: Conservation Advice Packages. Wider potential impacts which may require consideration include: noise, seabed disturbance, collision risk, deoxygenation, emergence regime changes, habitat structure changes, enrichment, disturbance to strata below the seabed, salinity changes, temperature changes, vibration, visual disturbance, water flow and wave changes.

3. Background to Impact Pathways: Commentary

Natural England advise the commentary on impact pathways is largely generic and not bespoke to the issues and opportunities within the Borough.

3.3 Background to Atmospheric Pollution

We wish to highlight there are further impact pathways associated to low carbon fuel and carbon capture technologies which would benefit further assessment. Examples of low carbon fuel and carbon capture technologies include: electric arc furnaces, blue hydrogen (created from natural gas and required to include carbon capture and storage), green hydrogen (created by splitting water into hydrogen and oxygen), hydrogen storage, carbon capture and storage (CCS), sustainable aviation fuel plants, other industries utilising hydrogen resource and carbon capture plants, lithium battery plants and small modular nuclear reactors.

Natural England is committed to helping to deliver more renewable and low carbon energy in a sustainable manner which avoids adverse impacts on the natural environment, but highlight these technologies have an evidence gap which should be identified due to the limited evidence base surrounding natural environment impacts. This can be further compounded by the lack of published and agreed Environmental Quality Standards for new chemicals or pollutants.

We would wish to see policies relating to these technologies to progress to Appropriate Assessment due to the uncertainties involved. This includes: EP1 Ellesmere Port, EP2 Origin – Stanlow and Thornton Science Park, EP3 Origin – Protos and EN 5 Low Carbon Fuel and Carbon Capture.

3.9 Background to Loss of Functionally Linked Habitat

Natural England advise this section refers to background resources such as Identification of Functionally Linked Land supporting Special Protection Areas (SPAs) waterbirds in the North West of England (NECR361), NECR483 Edition 1 Identification of Functionally Linked Land in the North West of England – Phase 2 (NECR483) and our SSSI Impact Risk Zones GIS dataset accessible from the data.gov.uk website should also be used to initially inform areas of Functionally Linked Land, alongside best available evidence at the time of your Local Plan preparation.

It is also possible to undertake detailed bird counts as indicated by Portsmouth Local Plan, but we also signpost the Local Plan by East Riding who approached a ‘tier system’ for Functionally Linked Land and recreational disturbance.

3.14 Background to Recreational Pressure

We advise reference should be made to evidence collected by Footprint Ecology which is being utilised to inform a Recreational Mitigation Strategy within the Liverpool City Region Combined Authority to ensure tailored information informs the background evidence.

Natural England note under Section 3.27 there is reference to avoidance and mitigation techniques which is typically reserved for the conclusions of the HRA screening stage. Natural England support locating new development away of sensitive designated sites and associated Functionally Linked Land. However, we have concerns with the mitigation measures listed which is discussed in more detail within Section *4. Test of Likely Significant Effects*.

3.32 Background to Water Quality

We welcome reference to the potential risks associated to Wastewater Treatment Works (WwTWs) within the plan area.

As part of the background information to water quality, Natural England would expect consideration of nutrient neutrality. There must be an initial assessment of the impacts associated to nutrient

loading to establish if there will be a likely significant effect within nutrient neutrality catchments. If this cannot be excluded, assessment should progress to Appropriate Assessment. This stage will consider if the nutrient load needs to be mitigated in order to remove the adverse effects to the European sites.

It is our advice to local planning authorities to take a precautionary approach in line with existing legislation and case law when addressing uncertainty and calculating nutrient budgets. This relates to West Midlands Mosses Special Area of Conservation (SAC) and Oak Mere SAC.

3.34 Background to Water Quantity, Level and Flow

In relation to paragraph 3.37, water levels at designated sites are influenced by a complex range of factors beyond abstraction and impermeable surfaces. Physical interventions such as puncturing the soil profile through piling or deep excavation can significantly alter subsurface hydrology. This can create hydraulic gradients, drawn down of water and unintended to ground water flow pathways. Therefore, we advise this section is amended to consider all potential impact pathways.

4. Test of Likely Significant Effects

In light of the above comments, Table 4.1 requires amendment, and we offer our broad initial comments below:

Table 4-1. Impact pathway parameters for considering the interaction between growth areas and Habitats sites

Atmospheric Pollution

We advise low carbon fuel and carbon capture technologies are considered as an impact pathway. We note the uncertainties regarding rail transport and do not agree that as a consequence this potential impact can be screened out from further assessment.

Functionally Linked Land

Natural England notes the precautionary distance of 20km to be screened within assessment. We advise reference to resources and signposting in Section 3.9 Background to Loss of Functionally Linked Habitat to inform Local Plan preparation.

We advise bats are referred to elsewhere to assist the clarity of the HRA which should focus on notified species of the designated sites listed. On this occasion, bats do not form part of the notified species of the European designated sites. Natural England has produced Protected species and development: advice for local planning authorities - GOV.UK standing advice to help planning authorities understand the impact of particular developments on protected species.

Recreational Pressure

Natural England welcome the reference to the study commissioned by Merseyside Environmental Advisory Service (MEAS) through Footprint Ecology which identified the percentage contribution that each Local Planning Authority (LPA) should make towards mitigating recreational disturbance through developer contributions based on the location that visitors are coming from.

We welcome the approach to screen recreational pressure within 5.5km of a growth area as a consequence of the study, but we raise concern with the approach to mitigate impacts. Recreational disturbance impacts generated by the Local Plan are unlikely to be sufficiently addressed by measures proposed within this document alone (Section 3.27). The provision of alternate recreational space may act as positive avoidance measure, but it would be difficult to quantify that users would also not be visiting the coastal areas alongside this provision. As a result, impacts to coastal designated sites are likely to still occur.

In addition, habitat management would not be sufficient to address concerns as this would likely infer compensation and be a requirement of the IROPI opinion (Imperative Reasons of Public

Interest) in which the appropriate stages of the HRA must be progressed to. We advise that the avoidance - mitigation - compensation hierarchy is firstly followed.

Natural England signpost the approach taken by Liverpool City Region Combined Authority in which we would strongly encourage your authority to collaborate with neighbouring authorities on the Recreational Mitigation Strategy to ensure the soundness of your Local Plan preparation.

Water Quality

We welcome the approach to consider Wastewater Treatment Works within the same growth areas. It would be beneficial to secure assurances from treatment providers to ensure any additional discharge can be adequately handled.

Natural England advise that our SSSI Impact Risk Zones GIS dataset accessible from the data.gov.uk website should also be utilised to inform impacts arising from surface water and to inform presence/absence of a nutrient neutrality catchment. We advise potential allocations CUD03 and CUD04 may have the potential to be situated within a nutrient neutrality catchment dependent upon foul and surface water arrangements which would benefit from further consideration.

Water Quantity, Level and Flow

Whilst we support the recognition of Wastewater Treatment Works and the need to understand their capacity restraints. These systems do not address all potential impacts. In some cases, surface water may not connect to the mains system in certain contexts, and they cannot mitigate the effects of physical severance of water supply to a designated site. Therefore, we advise that our SSSI Impact Risk Zones GIS dataset accessible from the data.gov.uk website are fully considered to ensure wider impacts are fully assessed.

4.13 Initial Screening of Potential Growth Options

Table 4.2 requires amendment in light of the above comments, but we offer our initial comments below and provide a full list of our screening exercise in Annex A.

Cuddington and Sandiway

The full name of the designated site should be provided: Midland Meres and Mosses Phase II Ramsar.

Farndon

Natural England advise the situation of allocations FA01, FA02 and FA03 would require further consideration of urbanisation and potentially recreational disturbance through increased water sports or boating craft due to the immediate proximity to the River Dee and Bala Lake SAC.

Neston and Parkgate

Urbanisation effects should be considered at The Dee Estuary SPA / SAC /Ramsar.

Chester, Malpas, Tattenhall and Farndon

The above growth areas would benefit from an understanding of current Wastewater Treatment Works (WwTWs) capacity.

4.15 Test of Likely Significant Effects (ToLSE) for Growth Option

The tables contained within this section may require updating in light of the above comments. We outline our broad comments below:

Atmospheric Pollution

We advise further consideration of allocations and policies which will contribute to industrial emissions or provide emissions from low carbon fuel and carbon capture technology sources, not just emissions associated with traffic.

Water Quality

We advise this section is bespoke to water quality issues, rather than a repeat of water quantity, level and flow comments.

5. Summary of Screening

Whilst generally supportive of the approach taken to screen potential impact pathways, there remain areas which require further assessment which include atmospheric pollution from a wider range of emission sources, renewable energy, water quality (specifically surface water run-off and nutrient neutrality considerations), hydrological changes and assessment of geological & species notified features pertinent to River Dee and Bala Lake SAC.

We also highlight that further details regarding the in-combination assessment would also be required as part of the HRA screening. Natural England notes the methodology considers neighbouring authorities' key plans, but no further details are provided (paragraphs 2.12 and 4.2).

Natural England would be pleased to offer our comments on the Appropriate Assessment once further certainty in the development allocations are presented.

Issues and Options (Regulation 18) - July 2025

1 Introduction

Evidence Base

Natural England has not reviewed the plans listed. However, we advise that the following types of plans relating to the natural environment should be considered where applicable to the plan area:

- Green and Blue infrastructure strategies
- Local Nature Recovery Strategies (LNRS)
- Biodiversity plans and strategies
- Rights of Way Improvement Plans
- River basin management plans
- National Landscape and National Park management plans
- Relevant landscape plans and strategies

2 Vision and 3 Objectives

The Plan should include the natural environment in its long-term vision and objectives for the plan area. These should be based on local characteristics and circumstances and include locally specific goals for nature recovery and enhancement, supported by policies and proposals in the plan in accordance to National Planning Policy Framework (NPPF) paragraphs 8(c), 20(d), 123 and 181.

Option A Take Forward The Current Local Plan Objectives

Should Option A be the preferred means of taking forward objectives, Natural England highlight that there is limited consideration of biodiversity assets including designated sites and deep restorable peat. Objectives are largely focussed upon on climate change resilience and green infrastructure.

Option B Use the Sustainability Appraisal objectives

Natural England highlight that these objectives are tailored to the plan area and consider a wider range of biodiversity assets which can shape sustainable development.

5 Spatial Strategy

In setting an overall strategy to guide development and allocate land the Plan should:

- Conserve and enhance the natural environment, including landscapes and green infrastructure (GI)
- Make as much use as possible of previously developed or 'brownfield' land
- Allocate land with the least environmental or amenity value

It should be recognised that some previously developed land is important for biodiversity as it can contain open mosaic habitats (dataset), a priority habitat. Further information on designated sites is at Designated Sites View (https://designatedsites.naturalengland.org.uk/). Natural England's Impact Risk Zones (IRZ) on MAGIC maps (www.magic.defra.gov.uk) identify potential development impacts.

5.1 Potential Growth Areas

Once further work develops on which sites will be taken forward for allocation, please consult Natural England so we can offer advice on their suitability with regard to impacts on and opportunities for the natural environment. Any additional growth may also need to be considered in the in-combination assessment.

Therefore, we offer the broad comments on information we have available in Annex A. Natural England identify that numerous allocations have the potential to impact a variety of designated sites, priority habitats, irreplaceable habitats and adjacent irreplaceable assets such as peat.

The Habitats Regulations Assessment prepared as part of the Local Plan will be required to assess development allocations whereby there is a potential to affect a habitat site (see Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk) and Natural England must be consulted on 'appropriate assessments' (see Appropriate assessment - GOV.UK (www.gov.uk) for more information for planning authorities).

Bird Species and Assemblages

Natural England advise progression to Appropriate Assessment within your Habitats Regulations Assessment (HRA), for your coastal development allocations. This is in terms of the impact pathway of Functionally Linked Land (FLL). We are of the opinion that these allocations will require project level desk-based assessments and habitat suitability assessments.

These assessments should include more detailed bird surveys. As the designated sites also contain species notified during passage, detailed surveys would be required to be conducted back-to-back in a two-year period covering passage and winter periods.

We also have specific concerns with allocation EP04 (Option B). This location is utilised by significant numbers of notified bird species and serves as the last open area along the Estuary. Natural England are aware from development surrounding the Mersey Estuary area such as Protos, Hynet, Frodsham Wind and Solar farm, that this area is a key area of undeveloped land. Natural England urge you to consider appropriate mitigation for this area, including whether mitigation would function to the benefit of the bird species. If not, you may need to consider the derogation tests of the Habitats Regulations, if you want to continue to allocate development to this area.

Alongside the above known projects, we are aware of a proposed solar farm at Rake Lane which may cause wider in-combination effects to allocation EP01 (Options B and C). Your assessment must be able to conclude that impacts to FLL can be suitably avoided and mitigated.

Water

Numerous allocations are sited in areas which may have the potential to affect water sensitive notified features. Designated sites include: River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid Special Area of Conservation (SAC) and a variety of coastal and meres & mosses designations which will require further assessment as the HRA progresses.

Allocations located within Chester, Malpas, Tattenhall and Farndon would benefit from an understanding of current Wastewater Treatment Works (WwTWs) capacity and their ability to handle further discharges as part of the HRA process. We advise Welsh Water is consulted to assist with your decision-making.

In addition, allocations CUD03 and CUD04 within Options B and C at Cuddington and Sandiway may have the potential to be situated within a nutrient neutrality catchment associated to West Midlands Mosses SAC (specifically Abbots Moss SSSI) dependent upon foul and surface water arrangements. We advise due to the uncertainties in design of the schemes at this stage, nutrient neutrality is progressed to Appropriate Assessment.

Air Quality

We advise that all development allocations must consider aerial pollutants arising from traffic emissions during construction and operational phases may have the potential to harm designated sites. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/ acidification.

APIS provides a searchable database and information on pollutants and their impacts on habitats and species. Natural England's approach to advising competent authorities on the assessment of road traffic emissions is attached within NEA001.

In addition, should an employment allocation have the potential to release industrial emissions, a 10km screening distance for European designated sites which are vulnerable to air quality changes is also applied. A commonly used tool is the Simple Calculation of Atmospheric Impact Limits (SCAIL) model which is freely available. The results of this initial screening should inform the need for any further detailed assessment. Please be aware that within your area Natural England applies a Process Contribution (PC) of **1%** of Critical Level/ Critical Load as a significance threshold for SSSIs and European sites. The PC is the amount of emissions produced by the proposal that will be received at the edge of the receptor (i.e. Designated site). Where the Critical Level/ Critical Load is in exceedance or the scheme involves low carbon fuel and carbon capture technology, Natural England would expect progression to Appropriate Assessment within the HRA.

Priority Habitat and Irreplaceable Habitat

Thirty-three allocated sites may contain priority habitats with nine allocated sites containing or adjoining ancient and semi natural woodland.

Peat

Our initial mapping data indicates that no allocations contain peat as per the England Peat Status Greenhouse Gas and Carbon Storage layer. However, allocations CH01, CH04 and DEL01 are located adjacent to a potential deep peat mass. Therefore, it is important to note design should ensure works on, and off peat do not compromise the wider peat mass in terms of hydrology connectivity. In addition, policy writers should have regard to the LNRS priorities for peat and the associated actions, especially around creating buffer zones to protect existing peat.

Best and Most Versatile Agricultural Land

Development has an irreversible adverse impact on the finite national and local stock of Best and Most Versatile (BMV) land. Areas of poorer quality land (Agricultural Land Classification/ ALC grades 3b, 4, 5) should be preferred to areas of higher quality land (grades 1, 2 and 3a). There is a requirement for detailed ALC surveys to support plan allocations and for subsequent planning applications (for all sites larger than 5 ha). ALC surveys to support plan allocations and for subsequent planning applications for smaller sites (1 – 5 ha) would be welcomed. We note that seven allocated sites have the potential to contain BMV agricultural land.

7 Ellesmere Port

EP1 Ellesmere Port
EP2 Origin – Stanlow and Thornton Science Park
EP3 Origin – Protos

Due to evidence constraints which are discussed in more detail within EN 5 Low carbon fuel and carbon capture, Natural England advise it is difficult to provide substantive comments on these proposed policies.

As a minimum, Natural England recommend the policies include the following information in regard to coastal designated sites, water and air quality concerns: It is the responsibility of the applicant to provide sufficient information about their proposed project and evidence to support assessment conclusions on the environmental impacts, for your authority to assess the scale, extent, timing, duration, reversibility and likelihood of any potential or increased risk of effects on designated sites, and to consider any mitigation which may be needed to avoid or minimise any adverse effects. This assessment should consider both direct and indirect effects.

13 Green Belt and Countryside

GB1 Green Belt and Countryside

Plan policies and proposals should positively enhance land within the Green Belt. This should include compensatory improvements to environmental quality and accessibility of remaining Green Belt where land is removed from the Green Belt, also having regard to the relevant priorities and actions in the LNRS.

Green Belt land can often be degraded ‘urban fringe’ landscapes. Therefore, there will be opportunities to ‘green’ the Green Belt and deliver environmental benefits such as landscape enhancement, habitat creation and enhancement and improved access to nature.

14 Transport and Accessibility

TA 1 Transport and Accessibility

We advise the locations of any potential infrastructure allocations or development including upgrades and expansions to existing infrastructure fully assess impacts to biodiversity assets such as designated sites, peat, soil, priority species and habitats & other notable species, alongside any landscape considerations.

Transport proposals also offer opportunities such as new habitats/connect habitats, e.g., railway embankments and highway verges and should be recognised as an opportunity. The green infrastructure associated with the transport network can play an important role in ecological connectivity contributing to wildlife corridors and stepping stones as referred to in paragraph 185 of the National Planning Policy Framework (NPPF). Transport networks should be designed and managed to maximise ecological connectivity and reduce severance impacts.

The Plan should have policies to maintain and improve access to nature and enjoyment of the countryside. Policies should be in place to protect and enhance public rights of way, access land and national trails, including the England Coast Path. Policies should provide for better connections and address unequal access to nature to support health and well-being outcomes. The design of

new or improved routes should consider a range of modes of access including walking, cycling and horse riding, as well as a range of users including children and older people, different socio-economic groups and people with disabilities.

TA 2 Key Local Transport Infrastructure Priorities

The Plan should consider the implications of coastal change and opportunities for nature and improved access. The Shoreline Management Plan should be used to inform the evidence base for the Plan. You may wish to include the England Coast Path within DM 37 Recreational Routeways.

Coastal Change Management Areas should be identified with appropriate policies set out for development and to manage the change. Policies should reflect and enhance the character of the coast and maintain the route of the England Coast Path. Opportunities for enhancing biodiversity, landscapes and access to nature should also be secured.

15 Infrastructure and Developer Contributions

Strategic mitigation solutions are progressing within the vicinity of your authority and are desirable to address the cumulative impacts of development on designated sites e.g. recreational pressures. Details of the study commissioned by Merseyside Environmental Advisory Service (MEAS) and undertaken by Footprint Ecology identified the percentage contribution Local Planning authorities should make towards mitigating recreational disturbance through developer contributions as based upon the location visitors are travelling from. We advise further collaboration is required from Cheshire West and Chester Council with neighbouring Liverpool City Region Combined Authority on this specific element.

In addition, Natural England advise it would be beneficial to hold further discussions with Liverpool City Region Combined Authority, Cheshire East Council and Warrington Borough Council in relation to LNRS delivery through BNG.

18 Visitor Economy

VE 1 Visitor Economy

We acknowledge comments made under point 18.6 which states *It is anticipated that the development of new attractions, or extensions to existing facilities would continue to be assessed by other relevant policies of the plan.* You may wish to strengthen this policy to ensure matters surrounding recreational disturbance at designated sites is clearly reflected and/or signposted.

19 Housing

HO4 Essential Rural Workers Dwellings

Natural England understand it is proposed to remove any cross referencing to other planning requirements. Within the Rural Worker Dwellings – Advice Note, under the heading *Making a planning application*, we would strongly recommend details of foul and surface water are provided. Surface run-off, septic tank and package sewage treatment plant discharges can contribute to elevated nutrients and changes in water quality at water sensitive designated sites. Therefore, we would recommend these matters are clearly addressed by design of the scheme, specification & management of treatment facilities and mitigation, where required.

22 Open Space, Sport, Recreation and Community Facilities

OS 1 Open Space, Sport and Recreation

In assessing greenspace provision, consideration should be given to the quality and accessibility of space, as well as the various uses that may need separate provision such as children's play space, opportunities for connecting with nature, formal sports areas and facilities for groups with a variety of needs.

Open space provision can use Natural England's Accessible Greenspace Standards to determine needs based on size, proximity capacity and quality. The Plan should identify, designate and have policies to protect and enhance areas of Local Green Space that are of particular importance to local communities. Alignment can also be made to LNRS.

23 Flood risk and Water Management

FW 1 Flood Risk and Water Management

United Utilities have launched a Sustainable Water Fund for councils to offer the opportunity to deliver rainwater management solutions in collaboration with United Utilities and help build a stronger, more resilient North West (Rainwater Management - United Utilities).

DEFRA have launched a shared standards for water efficiency for local plans. Though the standards only apply in East Anglia, they are complementary to the plan-led approach – our solution to water scarcity. As such, the shared standards are likely to form a model of how we can provide joint advice on water efficiency in other parts of the country where we have applied the plan-led approach. However, the shared standards approach is collaborative, and each collaboration may be different as it relies on water companies and the Environment Agency. In addition, the supporting evidence base contains location specific environmental impacts information.

In addition, LNRS offers priorities and actions that support collaborative approaches to flood and water management across the habitats and themes which would be beneficial to refer to.

LA 1 Landscape

In addition, the Plan should include a policy to reduce light pollution. Lighting can be harmful to wildlife and undermine enjoyment of the countryside or night sky, especially in intrinsically dark landscapes, such as protected landscapes and nature reserves. Where appropriate the Plan should identify areas of tranquillity and include policies to protect them.

25 Green Infrastructure, Biodiversity and Geodiversity

You may wish to consider if this planning policy should be divided into two separate planning policies such as Green Infrastructure (GI) and Biodiversity & Geodiversity.

GI 1 Green Infrastructure, Biodiversity and Geodiversity

Green Infrastructure

In relation to ENV 3 Green Infrastructure (GI), the 'type' should consider unequal access to natural green space and the needs of different user, age, and socio-economic groups.

We signpost the following resources: Natural England's Green Infrastructure Framework (GIF) to help prepare a GI evidence base that can support policies, site allocations and local design codes. Specific guidance for plan-makers is provided in the GI Process Journeys. The Green Infrastructure Map can be used to identify inequalities in access to greenspace and plan for new GI. The GI standards can be applied locally in policies and design codes.

Biodiversity Net Gain

Natural England welcome reference to Biodiversity Net Gain (BNG). We support setting a percentage target level of provision of at least 10% net gain with higher targets supported by evidence. The Plan should also set out the BNG strategy including:

- Requirements for on-site and off-site provision
- Identifying priority opportunities of strategic significance (habitats and areas) for BNG, for instance through mapping ecological networks
- Advising on the metric to use to calculate gains, for example the most up to date version of Defra's Biodiversity Metric

The Plan should also aim to achieve wider environmental gains, going beyond BNG, to include wider natural capital benefits such as improved water and air quality and recreation. Natural England's Environment Benefits from Nature tool can help identify opportunities.

Local Nature Recovery Strategies

Natural England recommend the policy includes specific reference to the Cheshire & Warrington Local Nature Recovery Strategy (LNRS). In alignment with the planning guidance on LNRS, the Council should have regard to the consultation draft Cheshire & Warrington LNRS documents and mapping until the final published version is available in November 2025: Cheshire and Warrington Local Nature Recovery Strategy consultation | Participate Now.

LNRS contributes to the opportunity to prioritise the protection and restoration of habitats. Cheshire and Warrington LNRS highlight opportunity areas and actions in the Local Habitat Map, where wildlife corridors and stepping stone habitats can be created to facilitate species movement and dispersal across the LNRS area and beyond. Actions that are not mapped are applicable for consideration across the Borough wherever they are relevant. For example, where urban actions are not mapped, they are applicable in any relevant urban location and all habitat themes can be checked for relevance with regards to unmapped actions that can inform site layout and design.

Reflecting the opportunities for nature recovery identified in the LNRS priorities, actions and mapping will help to maximise benefits for nature, people and the economy in Cheshire West and Chester area. This includes informing investment and funding for nature recovery including Biodiversity Net Gain, where sites identified in the LNRS mapping achieve a 1.15% uplift within the Statutory Biodiversity Metric. Government has referenced that Environmental Land Management schemes are likely to take account of LNRS priorities and actions in decision making. Other funding and investment opportunities such as tree and woodland planting as well as the Peat Fund are also likely to favourably view applications that deliver LNRS.

We advise LNRS has an interlinked relationship with wider policies including sustainable drainage systems, nature-based solution, peat, light pollution and GI.

Priority Habitats

We advise point 3 also refers to priority habitats. This should include appropriate protection and restoration of deep and shallow peatlands, found in fen and bog priority habitats that are valuable for biodiversity and as a carbon store. Other priority habitats include upland and lowland heathland, traditional orchards, meadows, woodlands and coastal habitats. Details can be found on the Joint Nature Conservation Committee website and on MAGIC maps (www.magic.defra.gov.uk)

Designated Sites

In accordance with National Planning Policy Framework (NPPF) paragraphs 181, 186(a)(b)(c), 187,188 and Glossary, the Plan should include policies and proposals to protect and enhance biodiversity, this includes designated nature conservation sites (internationally, nationally and locally designated sites of importance for biodiversity).

Natural England advise policy wording guides development, this includes the application of the mitigation hierarchy and the importance of addressing direct, indirect and cumulative impacts of development on designated sites. We signpost the approach taken to the *Conserving and enhancing biodiversity and geodiversity* section of the East Riding's Local Plan which you may wish to consider when formulating your policy wording. However, content must be tailored to the specific issues and opportunities within Cheshire West and Chester.

We would expect the policy to demonstrate key drivers, a summary of biodiversity assets including designated sites, a summary of example of impacts and opportunities which must include recreational pressure, Functionally Linked Land, air, water and marine. The policy and its supporting text must align with the HRA produced as part of the Local Plan preparation, as such any known or emerging mitigation must be supplied.

Peat

Natural England support the inclusion of peat within the proposed planning policy. The policy should also have regard to LNRS priorities and actions for peat. Development on peat leads to a permanent loss of an irreplaceable asset through extraction or sealing. The removal of peat on-site can cause implications to the natural drainage of wider peat assets, beyond the proposed schemes. This leaves areas of peat fragmented due to a severance of water supply and can cause localised draw down in the water table. Natural England wish to highlight that wider hydrological integrity is also needed for peat to function. The modification of the deep restorable peat renders the proposal area and wider peat landscape difficult, if not impossible to restore in the future. The sealing of peat with impermeable surfaces will also fundamentally change the nature of the underlying peat, as natural processes cannot continue.

We signpost the England Peat Status Greenhouse Gas and Carbon Storage dataset which indicates areas of deep peat. Natural England advise this evidence should be used as an initial tool to determine whether further hydrological and ground investigations are required. Additional sources of information include The British Geological Survey maps portal and existing borehole data from the British Geological Survey.

Where mapping indicates a peat presence and a lack of historic borehole data, further detailed survey is required. A peat survey should be undertaken by a soils scientist and should determine the presence of peat, it's depth and the presence of any spoil/waste materials that would impact the restoration ability. Natural England advise that peat surveys should be carried out in line with the IUCN peatland programme field protocol.

Agricultural Land

To assist in understanding agricultural land quality within the plan area and to safeguard BMV agricultural land in line with the NPPF, strategic scale ALC Maps are available. Natural England also has an archive of more detailed ALC surveys for selected locations. Both these types of data can be supplied digitally free of charge by contacting Natural England. Some of this data is also available on the magic website. The planning authority should ensure that sufficient site specific ALC survey data is available to inform decision making. For example, where no reliable or sufficiently detailed information is available, it would be reasonable to expect developers to commission a new ALC survey, for any sites they wish to put forward for consideration in the Local Plan. General mapped information on soil types is available as 'Soilscapes' on the magic website. Additional information regarding obtaining soil data can be found on the LandIS.

Natural England advise that any development on BMV land (grades 1, 2 and 3a) should be informed by a detailed soil survey. Any development on BMV should have a soil handling plan and sustainable soil management strategy based on detailed soil surveys. In addition, for minerals and other temporary forms of development, plans for reinstatement, restoration and aftercare will normally be required to return to the former land quality (ALC grade).

Marine Environment

The Plan should also have policies in place to ensure effective alignment of the terrestrial and marine planning regimes, for instance in plan areas on estuaries or areas with tidal rivers. This should include reference to the relevant marine plan.

27 Design and Sustainable Construction

DS 2 Sustainable Construction

The Plan should have a policy for the protection of and sustainable management of soils on development sites. This should set out mitigation measures to minimise soil disturbance and retain as many ecosystem services as possible through careful soil management during the construction process and appropriate soil re-use. The Plan should recognise that development (soil sealing) has

a major and usually irreversible adverse impact on soils. The impact of all types of development on soils should be considered.

Healthy soils are not only important for agriculture, but soils with high environmental value (e.g. wetland carbon stores such as peatland and low nutrient soils) are also important to ecological connectivity. Development should be supported by soils surveys and management plans - see Defra's Code of Practice for the sustainable use of soils on construction sites. We advise inclusion of this resource.

In light of Natural England's statutory purpose (see s.2 of the Natural Environment and Rural Communities Act 2006) and the Environmental Improvement Plan 2023 - GOV.UK (www.gov.uk) which states that *degraded lowland peat accounts for 3% of England's overall greenhouse gas emissions. Reducing these emissions, by rewetting our agricultural peat soils, is essential to meeting legally binding net zero targets*, Natural England do not support the principle of developing on restorable peat. Our comments coincide with those made under GI 1 Green Infrastructure, Biodiversity and Geodiversity.

DS 3 Climate Adaptation

The Plan should contain policies to mitigate and adapt to climate change impacts on the natural environment. You may wish to consider how this interacts with GI 1 Green Infrastructure, Biodiversity and Geodiversity.

The Plan should recognise that climate change mitigation and adaptation and biodiversity loss are interlinked. Many habitats provide essential ecosystem services to allow adaptation to climate change e.g. natural flood management, as well as mitigation e.g. through tree planting and retaining peat as a carbon store. Policies should set out appropriate nature-based solutions for climate mitigation and adaptation such as woodland or wetland creation or peatland restoration.

Policies should address water use, promoting the use of sustainable drainage systems (SuDS) and water sensitive design as part of a wider green infrastructure approach. This would also align with various priorities and actions in the LNRS. In areas of known water constraint, plans should include policies to manage available resources, such as water efficiency or water reuse measures.

Consideration also needs to be given to the likely impacts of climate change on protected sites, habitats and species. See the Climate Change Adaptation Manual, Carbon Storage and Sequestration by Habitat and National biodiversity climate change vulnerability model.

28 Energy

EN 5 Low Carbon Fuel and Carbon Capture

Natural England's ability to advise on this draft planning policy has been constrained by the limited available evidence about the likely impacts of the proposed projects on designated sites. We note that this is at least in part due to the use low carbon fuel and carbon capture technologies and further compounded by the lack of published and agreed Environmental Quality Standards for new chemicals or pollutants.

Therefore, we strongly recommend planning policy covers the following information to ensure sensitivities surrounding designated sites, water and air quality are fully assessed for impacts: It is the responsibility of the applicant to provide sufficient information about their proposed project and evidence to support assessment conclusions on the environmental impacts, for your authority to assess the scale, extent, timing, duration, reversibility and likelihood of any potential or increased risk of effects on designated sites, and to consider any mitigation which may be needed to avoid or minimise any adverse effects. This assessment should consider both direct and indirect effects.

Local Plan Issues and Options Sustainability Appraisal – June 2025

Natural England have provided comment on previous version of the Sustainability Appraisal under references 505871 and 511398. We are satisfied that all matters have been resolved.

Please send further correspondence, marked for my attention, to consultations@naturalengland.org.uk.

Yours faithfully

Zoe Haysted

Sustainable Development Senior Officer
Cheshire to Lancashire Area Team
Natural England

Annex A – Initial Screening of Allocated Sites Within Cheshire West and Chester Council

The table below indicates allocations which have the potential to impact statutory designated sites, priority habitats, irreplaceable habitats and assets as informed by Natural England resources during a screening exercise which took place in August 2025.

However, please note the following information has not been included:

- A 10km screening distance for European designated sites which are vulnerable to air quality changes as a result of industrial or agricultural related emissions
- Designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/ acidification. This has n
- Data from Natural Resources Wales in which we advise consultation in relation to cross-boundary designations and Functionally Linked Land
- Information from local records centre, wildlife trusts, or recording societies or resources such as NBN Atlas and Wetland Bird Survey Data

Allocation	Option	Designated Site	Functionally Linked Land	Provisional Priority Habitat or Ancient Woodland	Provisional Deep Peat	Provisional Best and Most Versatile Land
CH01	B and C			Deciduous woodland Coastal and floodplain grazing marsh	Adjacent	Proportion of Grade 2 and Grade 3
CH02	B and C	River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC River Dee (England) SSSI Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI		Deciduous woodland		Proportion of Grade 3
CH03	B and C					Proportion of Grade 3
CH04	B and			Traditional	Adjacent	

	C			orchard		
EP01	B and C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI	Information could be informed by known projects in the vicinity such as Protos, Hynet and Frodsham Wind & Solar Farm	Deciduous woodland		
EP02	B and C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI		Deciduous woodland		
EP03	B and C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI New Ferry SSSI				
EP04	A and B	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI		Coastal and floodplain grazing marsh		
ELT01	C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI				
NOR01	B and		Habitat	Deciduous		

	C		suitable for water birds	woodland		
NOR02	B and C	Witton Lime Beds SSSI				
NOR03	B and C	Witton Lime Beds SSSI				
NOR04	A, B and C					
NOR05	A, B and C					Proportion of Grade 3
NOR06	A, B and C			Deciduous woodland		
NOR07	A, B and C			Ancient & Semi-Natural Woodland (adjacent)		
NOR08	A, B and C			Good quality semi improved grassland Deciduous woodland Ancient & Semi-Natural Woodland		
NOR09	B and C		Habitat suitable for water birds			
NOR10	B and C					
NOR11	B and C			Traditional orchard		
NOR12	B and C			Ancient & Semi-Natural Woodland (adjacent)		
WIN01	A and B			Deciduous woodland		
WIN02A	A and B			Deciduous woodland		
WIN02B	A, B and C	Sandbach Flashes SSSI		Ancient & Semi-Natural Woodland		
WIN03	A and B	Wimboldsley Wood SSSI Sandbach		Deciduous woodland		

		Flashes SSSI				
WIN04	A and B			Deciduous woodland, Ancient & Semi-Natural Woodland		
WIN05	A and C	Wettenhall and Darnhall Woods SSSI Wimboldsley Wood SSSI		Deciduous woodland, Ancient & Semi-Natural Woodland		
WIN06	A and B					
WIN07	A, B and C			Traditional orchard		Proportion of Grade 2
CUD01	B and C			Deciduous woodland Traditional orchard		
CUD02	A, B and C	Midland Meres & Mosses - Phase 2 Ramsar West Midlands Mosses SAC Abbots Moss SSSI *CUD03 and CUD04 may have the potential to be situated within a nutrient neutrality catchment dependent upon foul and surface water arrangements		Ancient & Semi-Natural Woodland (adjacent)		Proportion of Grade 2
CUD03	A, B and C			Deciduous woodland		
CUD04	B and C			Deciduous woodland		
CUD05	B and C			Good quality semi improved grassland Deciduous woodland		

FAR01	A, B and C	River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC River Dee (England) SSSI	Habitat suitable for water birds			
FAR02	A, B and C					
FAR03	A, B and C		Adjacent to moderate potential (River Dee-Holt) Habitat suitable for water birds			
FRO01	B and C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI Beechmill Wood & Pasture SSSI	Adjacent to moderate potential (Weaver Estuary to Catton Hall) Habitat suitable for water birds			
FRO02	B and C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI Beechmill Wood and Pasture SSSI	Habitat suitable for water birds			
FRO03	B and C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI				
HEL01	B and C					
HEL02	B and C					
HEL03	B and C					
KEL01	A, B and C					

KEL02	B and C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI		Deciduous woodland		
MAL01	A, B and C	Taylor's Rough & Wellmeadow Wood SSSI				
MAL02	A, B and C					
MAL03	A, B and C					
MAL04	A, B and C	River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC River Dee (England) SSSI Taylor's Rough & Wellmeadow Wood SSSI				
MAL05	A, B and C					
NEP01	B and C	Dee Estuary/ Aber Dyfrdwy SAC The Dee Estuary Ramsar The Dee Estuary SPA Dee Estuary SSSI	Low potential (Parkgate Fields) Habitat suitable for water birds	Good quality semi improved grassland		
NEP02	B and C	Dee Estuary/ Aber Dyfrdwy SAC The Dee Estuary Ramsar The Dee Estuary SPA Dee Estuary SSSI	Low to moderate potential (including Parkgate Fields) Habitat suitable for water birds	Deciduous woodland		

		Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI New Ferry SSSI Dibbinsdale SSSI				
NEP03	B and C	Dee Estuary/ Aber Dyfrdwy SAC The Dee Estuary Ramsar	Low to moderate potential Habitat suitable for water birds			
NEP04	B and C	The Dee Estuary SPA Dee Estuary SSSI		Deciduous woodland		
NEP05	B and C		Habitat suitable for water birds			
NEP06	B and C		Adjacent to high potential Habitat suitable for water birds			
TARP01	A, B and C	Wettenhall and Darnhall Woods SSSI				
TARP02	A, B and C			Deciduous woodland		
TARP03	A, B and C					
TARP04	A, B and C					
TARP05	A, B and C					
TARV01	B and C					
TARV02	A, B and C					
TARV03	B and C			Deciduous woodland		
TAT01	A, B and C	River Dee and Bala Lake /				

TAT02	A, B and C	Afon Dyfrdwy a Llyn Tegid SAC River Dee (England) SSSI		Deciduous woodland		
TAT03	A, B and C					
TAT04	A, B and C					
TAT05	A, B and C					
TAT06	A, B and C					
TAT07	A, B and C					
ACB01	C			Traditional orchard		
ACB02	C					
ACB03	C					
ACB04	C			Traditional orchard		
ACB05	C					
CAP01	C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI	Habitat suitable for water birds	Deciduous woodland		
CAP02	C					
DEL01	C				Adjacent	
ELT01	C		Information could be informed by known projects in the vicinity such as Protos, Hynet and Frodsham Wind & Solar Farm			
ELT02	C			Deciduous woodland		
ELT03	C			Coastal and floodplain grazing marsh (adjacent)		Proportion of Grade 3
ELT04	C					
HOO01	C	Mersey Estuary Ramsar				
HOO02	C					
HOO03	C			Deciduous woodland		

		Mersey Estuary SPA Mersey Estuary SSSI Dibbinsdale SSSI				
HOO04	C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI New Ferry SSSI		Deciduous woodland		
LOS01	C	Plumley Lime Beds SSSI Witton Lime Beds SSSI		Ancient & Semi-Natural Woodland (adjacent)		
LOS02	C					
LOS03	C	Witton Lime Beds SSSI				
MOU01	C	Mersey Estuary Ramsar Mersey Estuary SPA Mersey Estuary SSSI				
MOU02	C					
MOU03	C			Ancient & Semi-Natural Woodland (adjacent)		