

to Emily Hrycan
English Heritage North West
3rd Floor, Canada House,
3 Chepstow Street,
Manchester
M1 5FW

date 19 November 2014

your ref
my ref
service Forward Planning
tel 0151 691 8221 Please ask for John Entwistle
fax 0151 691
email johnentwistle@wirral.gov.uk

Dear Ms Hrycan

PROPOSED NEIGHBOURHOOD PLAN – STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING

The Devonshire Park Neighbourhood Planning Forum published their draft proposals for a statutory Neighbourhood Development Plan for Devonshire Park in May 2013, to which you kindly responded on 9 July 2013.

The final proposed Neighbourhood Plan has now been submitted to the Council for publicity and independent examination and has been accompanied by a Strategic Environmental Assessment Screening Report.

Although formal publicity is still yet to begin, which I will notify you of again separately, I thought it might be helpful if we could provide you with an advance copy of the proposals, to give you some additional time to allow you to determine whether you agree that the plan proposals are not likely to have any significant environmental effects in terms of EU Directive 2001/42/EC or the associated national regulations and will not require the preparation of an additional environmental report.

Please take this letter as notice under the Environmental Assessment of Plans and Programmes Regulations 2004.

I look forward to hearing from you.

John Entwistle
Principal Forward Planning Officer

Encl: copy of Devonshire Park NDP and SEA.



ENGLISH HERITAGE
NORTH WEST

By email:

Our ref: 1551

Your ref:

10/11/14

Dear Nr Entwistle

Devonshire Park Neighbourhood Forum SEA/HRA Screening Report

Thank you for consulting English Heritage about the above document.

Draft SA Scoping Report

Thank you for consulting English Heritage, on this occasion we have no comment to make on the Draft SA scoping/screening reports, we do not need to be consulted at future stages unless the developing plan proposes significant impacts or changes in relation to designated heritage assets or their setting that would require statutory notification to English Heritage by virtue of government notification procedures, See

<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/consultation-and-notification-requirements-for-heritage-related-applications/>

We have attached a list of heritage assets in this area for your information.

By way of guidance:

English Heritage has produced a document, which you might find helpful in providing guidance on the effective assessment of the historic environment in Strategic Environmental Assessments. This can be found at <http://www.english-heritage.org.uk/publications/strategic-environ-assessment-sustainability-appraisal-historic-environment/>.

English Heritage recommends that a scoping report should:

- Review the objectives of relevant policies, plans and programmes;
- Establish the baseline for the historic environment, including any trends and targets and gaps in the existing information;
- Identify sustainability issues and opportunities for the historic environment and heritage assets;
- Develop sustainability appraisal objectives;
- Identify indicators and targets;
- Consider how alternatives will be assessed;
- Provide sufficient information on the proposed methodology for the appraisal to assess whether effects upon the historic environment will be properly addressed.

1

SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1
5FW

Telephone 0161 242 1400 Facsimile 0161 242 1401
www.english-heritage.org.uk

Please note that English Heritage operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available



English Heritage suggests that scoping reports are tailored to the type, purpose and level of plan under consideration. This accords with the NPPF, which requires that local plans are based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

Context

The report should identify the built environment and its character and distinctiveness and refer to the historic environment. There is the potential for undesignated assets and archaeology on some sites, and these should be referred to within the baseline information.

Relevant Plans, Programmes and Policies

In terms of the plans and policies identified, this needs to cover all those relevant at an international, national and local level that would have a direct bearing for the historic environment. Page 5 and 6 of our guidance provides a list of the most relevant ones and the Scoping Report should be amended to include these.

Baseline information

Baseline information should describe the current and future state of the historic environment, providing the basis for identifying sustainability issues, predicting and monitoring effects and alternative ways of dealing with them. It can use both quantitative and qualitative information and should be kept up to date. It is important that meaningful conclusions can be drawn from the baseline information; what it means for the Local Plan and how the historic environment is to be dealt with.

The baseline information in the scoping report on the historic environment should include all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged. This not only involves undesignated (or local heritage assets) but the potential for unrecorded archaeology, and historic landscape character areas for example. Appendix 1 of our guidance provides a list of other data sources available, which covers a wide variety of the historic environment and Page 8 provides a list of the recommendations that should be used to determine the adequacy of the baseline information.

The NPPF recognises the importance of undesignated heritage assets and therefore this should be included within the baseline data. The source of this information should be included within the Scoping Report and reference made to them and recognise the opportunities for their enhancement and contribution to for example, well being, local identity and tourism.

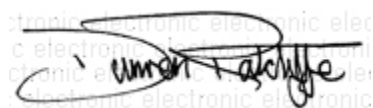
The importance of local character and identity including the landscape and townscape of an area is an important consideration. The Scoping Report should recognise the importance of this and the source of this information should be included within the Scoping Report and reference made to them in key issues and opportunities.

SEA Objectives

It is important that the role the historic environment plays in sustainable development and the contribution it makes to delivering social, cultural, economic and environmental benefits is recognised. The historic environment underpins sustainable development and therefore, it may warrant including in other objectives including the need for specific reference to landscape character. Our guidance provides further assistance in the various ways the historic environment can be incorporated into the objectives in the scoping report.

English Heritage strongly advises that you engage conservation, archaeology and urban design colleagues at the local and county level to ensure you are aware of all the relevant features of the historic environment and that the historic environment is effectively and efficiently considered as part of the Local Plan, the allocation of any site and in the preparation of the SEA. They are also best placed to advise on local historic environment issues and priorities, including access to data held in the HER (formerly SMR). They will be able to provide you with the Historic Environment Records for the area including any relevant studies, and ensure a joined-up and robust approach is undertaken.

Yours sincerely,



Darren Ratcliffe
Historic Places Adviser (North West)

to Ms Kate Wheeler,
Natural England Consultation Service,
Hornbeam House,
Electra Way,
Crewe Business Park,
Cheshire
CW1 6GJ

date 19 November 2014

your ref 88205
my ref
service Forward Planning
tel 0151 691 8221 Please ask for John Entwistle
fax 0151 691
email johnentwistle@wirral.gov.uk

Dear Ms Wheeler

PROPOSED NEIGHBOURHOOD PLAN – STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING AND HABITATS REGULATIONS ASSESSMENT

The Devonshire Park Neighbourhood Planning Forum published their draft proposals for a statutory Neighbourhood Development Plan for Devonshire Park in May 2013, to which you kindly responded on 11 July 2013 (your ref 88205) - and stated that you did not consider that this plan would pose any likely significant risk to internationally or nationally designated nature conservation sites.

The final proposed Neighbourhood Plan has now been submitted to the Council for publicity and independent examination and has been accompanied by a Strategic Environmental Assessment Screening Report and a Habitats Regulations Assessment Report.

Although formal publicity is still yet to begin, which I will notify you of again separately, I thought it might be helpful if we could provide you with an advance copy of the proposals, to give you some additional time to allow you to determine whether you agree that the plan proposals are not likely to have any significant environmental effects in terms of EU Directive 2001/42/EC or the associated national regulations and will not require the preparation of an additional environmental report and that the plan proposals are also not likely to have any significant effect on the conservation objectives of any relevant European Site and that no further appropriate assessment is required to satisfy the requirements of EU Directive 92/43/EEC or the associated national regulations.

Please take this letter as notice under the Environmental Assessment of Plans and Programmes Regulations 2004 and under the Conservation of Habitats and Species Regulations 2010.

I look forward to hearing from you.

John Entwistle
Principal Forward Planning Officer

Encl: copy of Devonshire Park NDP, SEA and HRA.

Date: 02 December 2014
Our ref: 137790
Your ref: J C Entwistle



johnentwistle@wirral.gov.uk
BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

Dear Mr Entwistle,

Devonshire Park Neighbourhood Development Plan

Thank you for your consultation on the above dated 19 November 2014 which was received by Natural England on the same date.

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.

Natural England notes that this Devonshire Park Neighbourhood Plan (Devonshire Park NDP) is advancing ahead of the Core Strategy. As such, the Local Planning Authority should ensure consistency with the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of the Core Strategy to outline any environmental issues as a result of the development of this site.

Devonshire Park Neighbourhood Plan – Habitats Regulations Assessment Plan

It is noted that the Council's opinion is that the Devonshire Park NDP, to which this HRA statement relates, does not allocate any sites for development and therefore 'is not likely to have a significant effect on any European site (as defined in the Conservation of Habitats and Species Regulations 2010 (as amended) either alone or in combination with other plans or projects'. However, Devonshire Park NDP Policy 1 states that 'new development will be supported in the plan area' and in addition to this the HRA of the Core Strategy proposes some additional work with regard to the issue of loss of off-site supporting habitat to inform the development of the Site Allocations DPD to ensure no adverse impacts on European sites.

In relation to the Habitats Regulations, a Neighbourhood Plan cannot progress if it would result in a likely significant effect on any European Site (see Schedule 2, The Neighbourhood Planning (General) Regulations 2012). Therefore reduction and/or avoidance measures may need to be incorporated into the Neighbourhood Plan to ensure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the effects of the Plan on European protected sites. This will be particularly important if a Neighbourhood Plan is to progress **before** a Local Plan/Core Strategy has been adopted and/or the Neighbourhood Plan proposes development which has not been assessed and/or included in the HRA for the Local Plan.

In addition to the HRA process, **if environmental effects are predicted a SEA screening exercise should also be undertaken.** A SEA may be required where:

- a neighbourhood plan allocates sites for development



- a neighbourhood plan contain sensitive natural assets that may be affected by the plan
- a neighbourhood plan may have significant effects that have not already been considered and dealt with in the Sustainability Appraisal for the Local Plan.

Summary

The conclusions are in Natural England's opinion uncertain for the reasons outlined above and we recommend that some more justification is required to support the conclusion of no likely significant effect, it is not sufficient to rely on the HRA of the Core Strategy since it has not yet been adopted and seems to suggest the need for further assessment.

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.

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

Yours sincerely

Janet Baguley

Fraser, Andrew S.

From: Entwistle, John C.
Sent: 02 March 2015 15:06
To: Fraser, Andrew S.
Subject: FW: Devonshire Park Neighbourhood Plan

From: Wheeler, Kate (NE)
Sent: 02 March 2015 14:17
To: Entwistle, John C.
Subject: RE: Devonshire Park Neighbourhood Plan

Dear John

Thank you for the emails and the revised HRA and SEA screening documents that now reflect the inclusion of the avoidance statement and (in the case of the HRA screening document) further emphasise the specific characteristics of the Neighbourhood Plan Area.

I confirm that the proposed changes to the HRA and SEA screening documents satisfactorily address Natural England's comments in correspondence reference 139316.

Thank you

Kind regards

Kate Wheeler
Lead Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area

Post should be sent to **Mail Hub Block B Government Buildings, Whittington Road, Worcester WR5 2LQ** marked for my attention.

<http://www.naturalengland.org.uk>

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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From: Entwistle, John C.
Sent: 02 March 2015 11:06
To: Wheeler, Kate (NE)
Subject: RE: Devonshire Park Neighbourhood Plan

Good Morning Kate,

Have you had a chance yet to look through the amended HRA and SEA screening documents? If you were able to give me an indication of when you are likely to be able to respond, that would be helpful, as we are in the process of appointing the Examiner and finalising timescales for the Examination this month.

Regards

John Entwistle - Principal Forward Planning Officer

Regeneration and Planning Service,
Wirral Council,
North Annexe, Wallasey Town Hall, Brighton Street, Wallasey
Wirral CH44 8ED
Email: johnentwistle@wirral.gov.uk
Fax: 0151 691 8188
Visit our website: www.wirral.gov.uk

From: Wheeler, Kate (NE)
Sent: 17 February 2015 18:25
To: Entwistle, John C.
Subject: RE: Devonshire Park Neighbourhood Plan

Hello John

I will be back at work on Monday 23rd February so will take a look at this early next week.

Kind regards

Kate

Kate Wheeler
Lead Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area

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From: Entwistle, John C. _____
Sent: 11 February 2015 16:54
To: Wheeler, Kate (NE)
Cc: Fraser, Andrew S.
Subject: RE: Devonshire Park Neighbourhood Plan

Kate – further to the letter attached to your email below, I’ve amended both the HRA and SEA screening documents to reflect the inclusion of the avoidance statement and (in the case of the HRA screening document) further emphasise the specific characteristics of the Neighbourhood Plan Area. Tracked changes are highlighted in yellow.

I would be grateful if you could confirm for the benefit of the Examiner that the proposed changes to the HRA and SEA screening documents satisfactorily address Natural England’s comments and as modified that the HRA and SEA screening documents meet the Basic Condition relating to compatibility with the relevant EU Obligations. We are intending to forward all the relevant documentation to the Examiner by early March.

Regards

John Entwistle - Principal Forward Planning Officer
Regeneration and Planning Service,
Wirral Council,
North Annexe, Wallasey Town Hall, Brighton Street, Wallasey
Wirral CH44 8ED
Email: johnentwistle@wirral.gov.uk
Fax: 0151 691 8188
Visit our website: www.wirral.gov.uk

From: Wheeler, Kate (NE) _____
Sent: 06 February 2015 11:39
To: Entwistle, John C.
Subject: Devonshire Park Neighbourhood Plan

Dear Mr Entwistle

Please find attached Natural England's response to the above consultation.

<<139316 Devonshire Park Neighbourhood Plan.pdf>>

Thank you

Kind regards

Kate Wheeler

Lead Adviser

Cheshire, Greater Manchester, Merseyside & Lancashire Area

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<http://www.naturalengland.org.uk>

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to Mr Stephen Sayce
The Environment Agency
Richard Fairclough House
Knutsford Road
Latchford, Warrington
Cheshire
WA4 1HT

date 19 November 2014

your ref SO/2006/000255/OR-04/IS2-L01
my ref
service Forward Planning
tel 0151 691 8221 Please ask for John Entwistle
fax 0151 691
email johnentwistle@wirral.gov.uk

Dear Mr Sayce

PROPOSED NEIGHBOURHOOD PLAN – STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING

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The final proposed Neighbourhood Plan has now been submitted to the Council for publicity and independent examination and has been accompanied by a Strategic Environmental Assessment Screening Report.

Although formal publicity is still yet to begin, which I will notify you of again separately, I thought it might be helpful if we could provide you with an advance copy of the proposals, to give you some additional time to allow you to determine whether you agree that the plan proposals are not likely to have any significant environmental effects in terms of EU Directive 2001/42/EC or the associated national regulations and will not require the preparation of an additional environmental report.

Please take this letter as notice under the Environmental Assessment of Plans and Programmes Regulations 2004.

I look forward to hearing from you.

John Entwistle
Principal Forward Planning Officer

Encl: copy of Devonshire Park NDP and SEA.

Wirral Metropolitan Borough Council
Department of Regeneration, Housing &
Planning
North Annexe
Wallasey Town Hall
Brighton Street
Wallasey
CH44 8ED

Our ref: SO/2006/000255/OR-
04/IS3-L02

Your ref:

Date: 12 February 2015

FAO Robert Oates

Dear Robert

**STRATEGIC ENVIRONMENTAL ASSESSMENT & HABITATS REGULATIONS
ASSESSMENT
DEVONSHIRE PARK NEIGHBOURHOOD PLAN**

Further to our previous response we can confirm we have no specific concerns or requirements and no further comments to make with regards to either the Strategic Environmental Assessment or Habitat Regulations Assessment.

Should you wish to discuss this in more detail please do not hesitate to contact this office.

Yours faithfully

Mr Stephen Sayce
Sustainable Places Advisor