

Cheshire West and Chester Council - Local Transport Plan 3

Outline of findings of Strategic Environmental Assessment and consultation responses.

Background

This note sets out the key recommendations arising from the Strategic Environmental Assessment (SEA) undertaken for Cheshire West and Cheshire's draft Local Transport Plan (LTP) policies.

It also summarises the issues raised by consultees who reviewed the SEA.

The SEA was carried out in accordance with the requirements of The Environmental Assessment of Plans and Programmes Regulations (2004) which transposes Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (the SEA Directive) into UK legislation.

The Council commissioned consultant WSP Environmental Ltd to prepare both the Scoping Report and the Environmental Report so the work was independent and impartial from the team that produced the draft LTP.

The SEA was shared with three statutory consultees. These are English Heritage, Natural England and the Environment Agency. In addition, it was sent to the Welsh equivalent organisations (the Countryside Council for Wales and Cadw). It was also placed on the LTP consultation webpages and was open to formal public consultation between 11th October and 31st December 2010.

Key findings from the SEA

The SEA notes that the LTP is broadly welcomed. The strategy recognises the linkages between transport and wider environmental, social and economic considerations and puts forward proposed policies that are intended to help achieve more sustainable outcomes. The structure of the document, based on a number of cross-cutting priorities, is also welcomed. Structuring the Strategy around priorities, rather than a more traditional approach based on modes of transport, allows cross cutting issues like climate change to be addressed in one place.

The strategy makes appropriate linkages between transport and a range of topics that are relevant to the SEA assessment. These include biodiversity, landscape, culture and heritage, population, water, material assets and climatic factors.

The key priorities have been identified through extensive consultation and also reflect key national priorities, including climate change adaptation and mitigation.

A number of opportunities to strengthen the LTP are noted. These are set out below with the Council's proposed responses.

Cross-cutting recommendations

Recommendation	Suggested response
Specific targets relating to modal shift should be included in LTP3 for new and existing developments. As an example, Northamptonshire County Council is proposing to adopt a target of achieving 20% shift from single occupancy car trips on new developments and 5% modal shift in existing areas, which will be incorporated in its LTP3. The differential rates recognise the difficulties associated with achieving modal shift in existing areas (although higher rates have been achieved in other areas). Such targets have a role in helping to drive the rate of change in an area and are important in Cheshire West and Chester given the anticipated growth in traffic over the plan period. The Local Development Framework (or whatever emerges after the Coalition Government's Localism Bill) will be key to achieving modal shift in new developments and appropriate policies for inclusion in the LDF will also be needed. These targets go beyond targets relating to monitoring, they will help drive the pace of change;	It is proposed to monitor overall modal share over the course of the LTP as a performance indicator. However, it is considered inappropriate to set a global "one size fits all" approach with a broad target for modal shift. Instead, the Council considers that it is best to set individual targets for modal shift for new developments as these can be included in travel plans and enforced through planning conditions and obligations.
The Quality of Life section could also make reference to the use of Construction and Environmental Management Plans for significant projects, e.g. those requiring Environmental Impact Assessment, with the responsibility for producing and adhering to CEMPs placed on contractors.	To be added to the draft document.
Contractors should also be required to adopt 'Considerate Construction' schemes or similar.	To be added to the draft document.
The later stages of the SEA need to ensure that LTP3 covers requirements relating to monitoring for significant environmental effects	The suggestion is noted.
Given the likely impacts of the spending review on all aspects of local authority services the Strategy could make the connection with other potential funding sources, for example, the European Regional Development Fund.	The delivery plan will include commentary on other funding sources. This will include options to access to Regional Growth Fund and Local Sustainable Transport Fund.

Biodiversity

Recommendation	Suggested response
<p>The Strategy will lead to a number of transport related developments (the details of which were not known when the SEA was published). While these projects will be subjected to Environmental Impact Assessment where appropriate, they may not lead to optimum outcomes. The Strategy should, therefore, include the following principles that will guide future developments.</p> <ul style="list-style-type: none"> - The overall aim should be to achieve a net gain in biodiversity associated with each specific scheme (using ecological 	The principles are noted and will be considered for inclusion in the final strategy.

<p>budgeting techniques to inform this).</p> <ul style="list-style-type: none"> - Scheme specific Biodiversity Action Plans should be prepared for major site, (i.e. those requiring Environmental Assessment). Contractors should be made responsible for developing and implementing these. - LTP3 could make a commitment that schemes should be designed and built using The Civil Engineering Environmental Quality Assessment and Award Scheme (CEEQUAL). This is an assessment and awards scheme for improving sustainability in civil engineering and public realm projects. The Quality of Life section could do this. 	
<p>It is also suggested that reference is made to following relevant legislation in relation to protected sites (not just species).</p>	<p>The suggestion is noted.</p>
<p>General mitigation measures which should be employed are avoiding removal of vegetation during the bird breeding season, the replacement of vegetation lost, measures to reduce fragmentation and severance such as species tunnels etc.</p>	<p>The suggestions are noted.</p>
<p>New lighting associated with transport schemes needs to take account of potential impacts on sensitive species and the Quality of Life Section could highlight this.</p>	<p>To be added to the draft document.</p>
<p>LTP3 should contain a statement to the effect that any proposals that would significantly harm a European site would not be supported by the Strategy. This will help ensure LTP3 is compliant with the Habitats Directive</p>	<p>The comment is noted. The development of work relating to the Habitats Directive will advance as the Council progresses its Local Development Framework. It is more important that this issue is addressed in the local planning framework.</p>

Air

Recommendation	Suggested response
<p>The need for Air Quality Management Areas to be declared near European sites should also be kept under review.</p>	<p>The suggestion is noted and will be added to the draft document.</p>
<p>LTP3 could require all new development to be 'air quality neutral.' Air quality neutral development is a concept being promoted in London through the Mayor's Air Quality Strategy.</p>	<p>It is considered that this is an issue for the LDF rather than the LTP.</p>

Water

Recommendation	Suggested response
<p>The quality of life section should recognise the impacts that transport infrastructure can have on water quality and the need to protect and improve</p>	<p>This is noted.</p>

this.	
Mitigation for operational effects associated with infrastructure should include oil interceptors to avoid pollution to any nearby water courses and drains.	This is noted – the level of detail is over and above that to be set out in the Integrated transport Strategy. This is an issue best dealt with in planning and design briefs.

Material assets

Recommendation	Suggested response
Every effort should be made to incorporate the use of recycled aggregate in construction of infrastructure such as realigned footways, expansion of lanes, changes in surfacing etc.	The comment is noted
Best practice construction techniques should be employed in order to reduce waste arisings. A Site Waste Management Plan will be required in some instances.	The comment is noted.

Cultural heritage

Recommendation	Suggested response
It will be important that highways schemes such as junction improvements and changes to signalisation do not clutter the street scene and any new street furniture helps to achieve an improved street scene. Particular consideration should be given to the improving the visual impact of highways infrastructure within Conservation Areas and near historic buildings.	The Council is already committed to improving street scene and is active in removing unnecessary signage.
There is potential for some schemes to impact on the setting of Scheduled Ancient Monuments and a detailed assessment will be required to ensure that adequate mitigation measures are put in place.	The comment is noted. All appropriate assessments will be undertaken for any work to Scheduled Ancient Monuments.
Parking policy within the town centre could include reducing the prominence of car parking as a land use and improving the appearance of car parks.	The comment is noted and will be considered as part of longer term work to develop a unified approach to parking in the Borough.

Climatic factors

Recommendation	Suggested response
It is not possible to say at this stage if the policies in the LTP3 will be sufficient to help meet longer term targets relating to carbon dioxide emissions. The Climate Change Act 2008 set out a target of an 80 percent reduction in carbon dioxide emissions from 1990 levels by 2050. LTP3 has a 15 year timescale but has a role in helping to put transport on the right trajectory for helping to achieve this target. LTP3 should commit to understanding and monitoring the carbon footprint of the transport sector.	The Delivery Plan and future reviews of the LTP will include an assessment of carbon emissions arising from transport. Tackling carbon emissions is one of the LTPs top priorities. The Council is keen to see a clear lead from national government to achieve the target set by the Climate Change Act.
A carbon budgeting approach across key sectors	It is considered that this approach falls outside

in the Council's area is required. This should recognise that the carbon footprint of the transport sector is likely to grow as traffic is forecast to increase. Emissions from other sectors will need to be reduced to reflect this if the area is to move towards making its contribution to national targets on the reduction of emissions.	the remit of the LTP.
The Strategy could also recognise the role that the network could help play in helping the built and natural environment cope with climate change, for example the soft estate could have a role in the attenuation of water;	The comment is noted.
Sustainable Drainage (SUDS) techniques should be utilised to ensure that the creation of impermeable surfaces does not significantly increase the rate of surface water run off and risk of flooding. SUDS should be adopted in all schemes, where possible, including smaller scale intensification.	Where appropriate, this technique will be considered.
Opportunities to offset the CO2 emissions of construction should be investigated. Preferential parking could be given to low CO2 emission vehicles, for example in town centres.	The comment is noted.
References to biofuels should reference sustainable biofuels, given the concerns associated with the impacts of obtaining biofuels from some sources. Recommends the use of the term "sustainable bio-fuels" in document.	The suggestion is noted and will be added to the draft document.
Travel centres could be promoted in larger developments to help encourage modal shift;, e.g. by managing initiatives like car clubs, personal travel planning and site wide travel plans;	The Council is seeking to re-establish its smarter choices agenda, Such options may be developed as part of the Local Sustainable Transport Fund if funding is secured.

Human health

Recommendation	Suggested response
Appropriate best practice pollution prevention measures should be implemented through a construction environmental management plan for specific projects.	It is suggested that this approach is considered by the Environmental Health team as part of their ongoing advice for specific projects.

Written responses from consultees

Natural England

Recommendation	Suggested response
Overall support for the SEA and pleased that previous comments on Scoping report have been taken forward.	The comment is noted.

Contradiction in some of the evidence on car use noted. Needs clarification.	The comment is noted.
Suggested programme need to show alternative options alongside preferred options.	The Integrated Transport Strategy policy options represent the Council's draft preferred options. This should have been made clearer in the supporting text.
A number of queries about the scoring criteria that was used for the assessment methodology.	The scoring criteria was developed and undertaken by WSP Consulting and is considered to be fit for purpose for this exercise.
Uncertainty whether the assessment methodology was consistently applied to the full strategy or just individual chapters.	The assessment was applied to the full draft strategy.
Keen to see additional recommendations about improving access to open spaces and the countryside. Also need to recognise the important role that transport networks can play as part of wildlife habitats.	The suggestion is noted.
A number of differences noted between appraisal matrices and those in draft LTP3.	To meet the request of Councillors a number of minor changes were made to the draft Integrated Transport Strategy prior to it being made available for public consultation. The SEA was developed in parallel so it was also available for consultation. The SEA, therefore reviewed the original draft prior to the amendments being made.
A number of appraisal sections could have had more detail rather than passing on aspects of the assessment to other parts of the document.	The SEA was developed and undertaken by WSP Consulting. It is considered that the level of detail presented in the report is adequate to meet the needs of the SEA.
A number of cumulative effects are not mentioned in the appraisal matrices. Eg, potential impact on biodiversity of as a result of development on previously developed land.	The comment is noted and was an oversight of the assessment methodology.
The biodiversity elements of the appraisal is welcomed and supported.	The comment is noted.
Recognition that LTP could have both positive and an adverse impact on the landscape.	The comment is noted
Proposed mitigation measures in Table 4.5 are welcomed. Suggestion that additional measures be considered relating to:- Landscape – consider loss of tranquillity and light pollution and measures to reduce the impact of transport infrastructure on landscapes and townscapes. Human health – consider measures to promote the use of public transport (not just active modes) to travel to the natural environment. Recognise health and well-being benefits of access to natural environment.	The suggestions are noted.
Need to consider how aspects of the SEA will be monitored over the lifetime of LTP3.	Reviewing the SEA will be undertaken as part of the Council's approach to monitoring overall LTP delivery.
Need to complete a Habitat Regulations Assessment noted.	See HRA commentary below. Any changes arising from the future development of the RFA will be incorporated into the LTP as part of the Council's duty to keep this strategy under review.

Cadw (Ancient Monuments Administration), Welsh Assembly Government

Recommendation	Suggested response
Headline objective 11 (page 29) refers to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is noted that this Act relates only to physical alterations to listed building and conservation areas and does not cover impacts on their setting, or impacts on other types of designated, or undesignated, historic asset.	This is outside the remit of the LTP.
The approach to scoring in the SEA refers to landscapes and townscapes of historic value. The approach also needs to consider individual assets.	The suggestion is noted and will be added to the draft document.

Countryside Council for Wales

Recommendation	Suggested response
Noted that CCW has no remit to comment or influence English plans or policies. Comments are therefore made in the context of CCW responsibilities as advisers to the Welsh Assembly Government on the natural heritage of Wales and its coastal waters.	The comment is noted.
CCW welcomes that previous comments have been incorporated in the SEA Environmental Report.	The comment is noted
Impact beyond the plans boundaries are not considered although the connection between West Cheshire and North East Wales are noted (eg, the A55 corridor).	The impact and implications of cross-boundary travel is considered in detail in the draft Integrated Transport Strategy and supporting baseline report.
Welcome proposed mitigation for negative environmental effects identified within the assessment. However, the high levels of uncertainty identified by the assessment combined with its reliance on other elements of the plan counteracting the potential significant negative environmental effects, make it difficult to see how these measures effectively mitigate any of the effects which may be relevant to Wales.	This is a high level strategic assessment which was focussed on proposed activities within West Cheshire. Nevertheless, it is considered that mitigation options are universal in their potential benefits both sides of the border.
CCW welcome the commitment to develop a Habitats Regulations Appraisal (HRA) of the plan in due course. It is noted that plan must comply with any recommendations made by the HRA.	The comment is noted.

Habitats Regulations Assessment

Cheshire West and Chester Council is preparing a new Local Development Framework. Work is being taken forward in parallel to work to prepare the new Local Transport Plan.

As part of ongoing work to produce the Core Strategy an initial screening process of a Habitats Regulations Assessment was undertaken in 2010. This was prepared to

assess the impacts of land use proposals (including transport) against the conservation objectives of a European site.

The scoping report concluded that:

- The most likely effects on Natura 2000 sites are related to the potential further development within Ellesmere Port, water abstractions and pressures from new development in the Chester and Ellesmere Port areas and increased recreational pressures arising from new residential development in the Borough as a whole;
- On the basis of the information reviewed by the Scoping Report it is the Council's opinion that the proposals to which this screening opinion relates:
- Is not directly connected with or necessary to the management of the site; and
- Is not likely to have a significant effect on each of the following sites, either alone, or in combination with other plans or projects.
 - Alyn Woods (SAC);
 - Berwyn (SPA);
 - Berwyn and South Clywd Mountains (SAC);
 - Brown Moss (SAC);
 - Deeside and Buckley Newt sites;
 - Fenn's, Whixhall, Bettisfield, Wem and Cadney Mosses (SAC);
 - Halkyn Mountain (SAC);
 - Liverpool Bay (SPA);
 - Manchester Mosses (SAC);
 - Mersey Narrows and North Wirral Foreshore (Ramsar);
 - Rixton Claypits (SAC); and
 - Rostherne Mere (Ramsar).

The information provided suggests that there is sufficient uncertainty at this stage to exclude the possibility of an Appropriate Assessment for the following sites:

- Dee Estuary (SCI Ramsar and SPA);
- Mersey Estuary (Ramsar and SPA);
- Midland Meres and Mosses Phase One (Ramsar);
- Midland Meres and Mosses Phase Two (Ramsar);
- Oak Mere (SAC);
- River Dee and Bala Lake (SAC); and
- West Midlands Mosses (SAC).

In conclusion, it is planned that a revised screening assessment and then a further scoping report will be prepared as the next stage of the HRA process. This work will look in more detail at the potential effects upon these sites arising from the Core Strategy preferred options (including its transport impacts) in combination with other plans and programmes. It is anticipated that this will take place during the second half of 2011. Any issues that may have an impact on the LTP will be noted and the

LTP will be updated, as appropriate, to take these issues into account as part of the Council's duty to keep the LTP under review.

Glossary

- Natura 2000 – A network of protected areas across the EU comprising SPAs and SCAs, designed to protect the most seriously threatened habitats and species across Europe.
- Ramsar – Wetland sites designated for conservation under the Convention on Wetlands of International Importance, especially as waterfowl habitat (the Ramsar Convention). Planning Policy Statement 9: Biodiversity and Geological Conservation requires that Ramsar sites receive the same protection as designated SPAa and SACs in terms of policy.
- SAC – Special Areas of Conservation. Sites which have been designated under the European Union's Habitats Directive for wildlife protection. The aim of the designation is to conserve important or threatened species and habitats.
- SPA – Special Protection Area. These are sites which have been established to protect wild birds under the European Commission Directive on the conservation of wild birds.