

Fiddlers Ferry Development Framework

Strategic Environment Assessment (SEA)

Screening Determination Statement

August 2024

1. Strategic Environmental Assessment Introduction

- 1.1 This statement sets out Warrington Borough Council's initial and final determination of the need for a Strategic Environmental Assessment (SEA) in accordance with Regulation 9 (3) of the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC for the Fiddlers Ferry Development Framework.
- 1.2 The Development Framework has been produced by the site's owner Peel NRE and is not a statutory planning document produced by the Council as the Local Planning Authority. It will, however, be approved by the Council's Cabinet. The Development Framework will ensure that the development of the site complies with planning policies in Warrington's statutory adopted Local Plan 2021/22 – 2038/39 and wider national planning policy.

2. Strategic Environmental Assessment Context

- 2.1 The requirement for a SEA is set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations), which implements the requirements of the European Directive 2001/42/EC.
- 2.2 The SEA Directive (2001/42/EC) identifies the purpose of SEA as "to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development".
- 2.3 Plans and programmes are defined under Article 2 (a) of the Directive as being:
 - Subject to preparation and/or adoption by an authority at national, regional or local level or which are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and
 - Required by legislative, regulatory or administrative provisions (administrative provisions include publicly available documents involving consultation, prepared formally which requires a plan or programme to be prepared).
- 2.4 In the context of the SEA Directive and determining if the Development Framework falls within the definition of a Plan or Programme, it should be noted that the Development Framework will not have any statutory status, or be adopted by the Council, in the context of being part of the legislative and statutory Plan making process. It is the adopted Local Plan 2021/22 – 2038/39 policies that set the established statutory framework for future development of the site and this will take primacy in the decision making process on the development of the land.
- 2.5 It is acknowledged however that the Development Framework will guide the comprehensive development of a large Local Plan allocation site in a sustainable

manner and will be a material planning consideration in the determination of planning applications in relation to the land.

- 2.6 It is also acknowledged that the Development Framework will be approved by the Council's Cabinet and that the SEA Directive is wide in scope and broad in purpose. The Council is therefore adopting a precautionary approach and concluding that a screening determination should be undertaken for the Fiddlers Ferry Development Framework.
- 2.7 Given the above, the Responsible Authority (Warrington Borough Council) must determine whether the plan or programme under assessment is likely to have significant environmental effects, taking account of the criteria set out in Schedule 1 of the Regulations. The Regulations require that the results of this process are set out in a Screening Determination Statement (this document), which must be publicly available.
- 2.8 Before the Responsible Authority makes a formal determination in relation to SEA, there is a requirement to consult the three statutory consultation bodies designated in the Regulations (the Environment Agency, Historic England, and Natural England) on whether an environmental assessment is required.
- 2.9 In this instance, the site's owner Peel NRE sought detailed planning advice from the Environment Agency and in March 2024 received a written response on the Draft Development Framework from the Environment Agency. Having regard to the advice provided, the Council's initial and final screening conclusions reflect the advice provided to Peel NRE by the Environment Agency.

3. Fiddlers Ferry Development Framework

- 3.1 The site at Fiddlers Ferry is allocated in the Local Plan (MD3) as a site that will deliver a minimum of 860 homes, approximately 101 ha of employment land and the required range of supporting infrastructure within the Plan period.
- 3.2 Policy MD3 Fiddlers Ferry can be viewed from the link below:

[Warrington local plan - 2021-22 - 2038-39 - Adopted December 2023](#)
- 3.3 The former power station itself will be remediated and redeveloped to provide new employment land. To the east of the former Power Station, within the allocation, is an area of land removed from the Green Belt for a minimum of 860 homes. This will create a new residential community and is also important in enabling the remediation of the former Power Station itself.
- 3.4 The southern part of the allocation, to the south of the railway line and St Helens Canal, contains the lagoons where fly ash from the power station was deposited. This part of the allocation will remain in the Green Belt but will be remediated over the longer term to provide a significant ecological and recreational resource.

- 3.5 Although the site is under the control of a single owner, it is important given its size that an appropriate mechanism is in place to ensure a comprehensive form of sustainable development is delivered across the site. This requirement is set out in detail in Local Plan Policy MD3.
- 3.6 Part 5 of policy MD3 requires a Development Framework to be agreed with the Council (by a decision of the Council's Cabinet) in advance of the determination of the application for the first part of the employment site and before any further planning applications are submitted. The Development Framework will be a material consideration in the determination of planning applications across the allocation site.
- 3.7 To ensure a coordinated approach to new development across the allocation site, part 6 of policy MD3 sets out that the Development Framework will provide:
- A comprehensive spatial masterplan for the entire development site, based on the principles and requirements set out in this policy and reflecting site opportunities and constraints;
 - A comprehensive infrastructure delivery strategy for the development site with details on phasing, delivery triggers and delivery responsibilities; and
 - An allocation wide approach to infrastructure funding, including planning obligations.
- 3.8 In accordance with adopted Local Plan policy MD3, the draft Framework has now been completed and subject to public consultation. Final amendments have been made to the Development Framework, that were not material to the Council's initial Screening Determination findings on the Draft Development Framework, taking into account further Council Officer comments and general consultation responses, before the final Framework progresses to the Council's Cabinet for approval.
- 3.9 The Framework contents are:
- Introduction
 - Vision & Background
 - Site & Context
 - Key Opportunities
 - Key Parameters
 - Spatial Masterplan
 - Delivery
- 3.10 The Development Framework will assist the landowner in ensuring a comprehensive form of development will be delivered across the whole of the site; as well as Development Management Officers who will apply the Framework in the determination of planning applications; ensuring applications comply with Local Plan policy requirements, and also informing the community of development proposals.

4. Initial Screening Determination

- 4.1 The Fiddlers Ferry Development Framework is not setting new policy and is a non-statutory document; it is a Framework that addresses adopted policy requirements and is designed to ensure the implementation of existing policy MD3 – Fiddlers Ferry, as set out in the adopted Local Plan.
- 4.2 The Local Plan 2021/22-2038/39 was adopted by Full Council on 04 December 2023 and has already been subject to a full and iterative SA/SEA and HRA through the Local Plan process, as well as extensive public consultation and an Examination in Public by the Planning Inspectorate. Planning applications that come forward following the approval of the Development Framework will be subject to screening for the need for Environmental Impact Assessment.
- 4.3 Initial screening of the Draft Fiddlers Ferry Development Framework was undertaken in May 2024, and led to the Council concluding that it is not likely that the Development Framework will result in any significant environmental impacts and therefore, SEA is not required.
- 4.4 The Council's initial Screening determination findings were then subject to statutory consultation with the Environment Agency, Historic England, and Natural England, as required by the Regulations. Natural England and the Environment Agency (the Council did not receive a response from Historic England) raised no objections with the Council's initial conclusions that the Draft Development Framework is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing policies which have already been subject to a Sustainability Appraisal.
- 4.5 The consultation responses received by the Council from the Environment Agency and Natural England are contained in Appendix 2 of this statement.

5. Final Screening Determination

- 5.1 As part of the iterative screening process and taking into account the initial screening determination responses from the Environment Agency and Natural England, along with further assessment of the Development Framework as it progressed; the results of the Council's final screening process for the Development Framework are set out in Appendix 1 of this statement.
- 5.2 Final Screening has again led to the Council concluding that it is not likely that the Fiddlers Ferry Development Framework will result in any significant environmental impacts and therefore, SEA is not required.

Appendix 1: SEA Screening Assessment of the Fiddlers Ferry Development Framework

Schedule 1 Environmental Assessment of Plans and Programmes Regulations 2004 (Criteria for determining the likely significance of effects on the environment)

SEA Directive Criteria	Summary of Environments effects	Likely Significant Effects?
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1. Characteristics of the Development Framework having particular regard to:		
a) The degree to which the plan or programme sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	<p>The Development Framework (a non-statutory planning document) will provide greater detail and additional guidance and support the implementation of Local Plan Policies MD3 - Fiddlers Ferry, DEV2 – Meeting Warrington’s Housing Needs, Dev 4 – Economic Growth and Development, DEV5 – Retail and Leisure Needs, DC4 – Ecological Network, DC5 – Open Space, Sport and Recreation Provision, ENV7 – Renewable and Low Carbon Energy Development, and ENV 8 – Environmental and Amenity Protection of the adopted Warrington Local Plan 2021/22 – 2038/39 policies.</p> <p>The Development Framework will not set a new framework for projects or other activities and does not introduce new policies.</p>	No
b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	<p>The purpose of the Framework is to support the implementation of existing policies in the adopted Warrington Local Plan 2021/22 – 2038/39 and to guide the preparation and determination of planning applications.</p> <p>Therefore, the Framework will not influence other plans or programmes as it forms a lower tier of the existing planning policy hierarchy, and consequently will not cause any significant environmental effects over and above those already assessed through the Local Plan SA/SEA.</p>	No
c) The relevance of the plan or programme for the integration	The Development Framework builds on MD3 policy principles and recognises the	No

<p>of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>opportunity to use land efficiently and promotes a range of sustainability principles.</p> <p>As such, it aligns with the promotion of sustainable development, as set out in the adopted Local Plan policies and is unlikely to give rise to significant effects over and above those already assessed through the Local Plan SA/SEA.</p>	
<p>d) Environmental problems relevant to the plan or programme.</p>	<p>The Local Plan SEA and HRA both identified environmental constraints within the Borough and across proposed site allocations for development. In this context, the Development Framework will not introduce or exacerbate any environmental problems and give rise to significant effects over and above those already assessed through the Local Plan SA/SEA.</p> <p>However, it is noted that given the sites previous industrial uses, as outlined in the Development Framework (to be a material consideration in determining planning applications for the site) and potential adverse conditions in the peripheral and auxiliary areas of the site the Framework needs to identify the requirement for future planning applications to ensure the protection of the aquatic environment through the planning application process.</p>	<p>No</p>
<p>e) The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes related to waste management or water).</p>	<p>The Development Framework will help support the implementation of other plans and programmes related to legislation on the environment through supporting the delivery of the Local Plan 2021/22 – 2038/39 policies.</p>	<p>No</p>

2. Characteristics of the effects and area likely to be affected having particular regard to:	Likely Significant Effect?	
a) The probability, duration, frequency and reversibility of the effects	The Development Framework promotes sustainable development, which will result in positive environmental effects. The Framework seeks to guide development and reduce adverse effects in a way that is consistent with policy. The Framework is considered unlikely to give rise to significant effects over and above those already assessed through the Local Plan SA/SEA.	No
b) The cumulative nature of the effects	Cumulative effects have been considered within the SA for the Warrington Local Plan. The Development Framework seeks to guide development and reduce adverse effects in a way that is consistent with policy. The Framework is considered unlikely to give rise to significant effects over and above those already assessed through the Local Plan SA/SEA.	No
c) The trans-boundary nature of the effects	<p>The application of the Development Framework will be limited to providing additional detail required by policies in the adopted Warrington Local Plan 2021/22 - 2038/39 and does not, in itself, influence the location of development.</p> <p>Therefore, the effects of the Development Framework will not result in any significant environmental effects of a trans-boundary nature over and above those already assessed through the Local Plan SA/SEA. Further, although the site is adjacent to the borough boundary with Halton, the Council has engaged extensively with Halton through the Duty to Cooperate as part of the preparation of the Local Plan, and Halton have been engaged extensively in the preparation of the Development Framework.</p>	No
d) The risks to human health or the environment (e.g. due to accident)	It is not envisaged that there will be any risks to human health or the environment arising from the Development Framework,	No

	<p>as it is only adding detail to existing policies in the adopted Warrington Local Plan 2021/22 – 2028/39.</p> <p>Further detailed consideration will be given at the planning application stage, including potential need for EIA. It is at this more detailed stage that any risks to human health or the environment can be thoroughly assessed and mitigated in line with the Environment Agency’s planning advice, in response to the Draft Development Framework.</p>	
<p>e) The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected)</p>	<p>The Development Framework is site specific, does not allocate land, or identify a site for development that has not already been considered through the adopted Warrington Local Plan 2021/22 - 2038/39 and the associated iterative SA/SEA and HRA process.</p> <p>Therefore, the Development Framework is considered unlikely to give rise to significant effects over and above those already assessed through the Local Plan SA/SEA.</p>	No
<p>f) The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> i) Special natural characteristics or cultural heritage ii) Exceeded environmental quality standards or limit values iii) Intensive land use 	<p>There are policies in the adopted Warrington Local Plan 2021/22 – 2038/39 that seek to protect these areas and any impacts have been assessed through the Local Plan SA/SEA. The Development Framework in itself, does not influence the location of development and hence will not lead to significant effects on the value or vulnerability of the area over and above those already assessed through the Local Plan SA/SEA.</p>	No
<p>g) The effects on areas or landscapes which have recognised national, Community or international protected status</p>	<p>The Development Framework does not influence the location of development, this has already been established in the Local Plan, so will not cause effects on protected landscape sites.</p> <p>The effects on areas or landscapes which have recognised national, community or international protected status have</p>	No

	<p>already been assessed and addressed as part of the Local Plan process.</p> <p>Any planning applications for development will be required to satisfy the relevant policies for protection of the character of the area, as set out in the adopted Warrington Local Plan 2021/22 – 2038/39, before permission is granted.</p>	
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Appendix 2: Initial Screening Determination responses from the Environment Agency and Natural England

From: [Blythin, India](#)
To: [Acton, David](#)
Subject: RE: WBC/EA-SEA/SA Initial Screening Determination Statement-Fiddlers Ferry Development Framework
Date: 20 June 2024 09:16:16

You don't often get email from india.blythin@environment-agency.gov.uk. [Learn why this is important](#)

Good morning David,

Thank you for consulting us on the Council's Initial SEA/SA Screening Determination Statement.

We note and acknowledge the Council's screening decision and have no further comments to make.

Yours sincerely,

India Blythin

Pronouns: she/her

Planning Advisor | Sustainable Places | Greater Manchester, Merseyside, Cheshire

Environment Agency | Richard Fairclough House, Knutsford Road, Latchford, Warrington WA4 1HT

Email: india.blythin@environment-agency.gov.uk

From: Acton, David <dacton@warrington.gov.uk>
Sent: Friday, June 7, 2024 12:27 PM
To: Hewitt, Dawn <dawn.hewitt@environment-agency.gov.uk>; SPPlanning.RFH <SPPlanning.RFH@environment-agency.gov.uk>; Malone, Jamie <Jamie.Malone@environment-agency.gov.uk>; Blythin, India <India.Blythin@environment-agency.gov.uk>
Cc: Local Plan <localplan@warrington.gov.uk>
Subject: WBC/EA-SEA/SA Initial Screening Determination Statement-Fiddlers Ferry Development Framework

Dear Sir/Madam

Please find attached a copy of the Council's Initial SEA/SA Screening Determination Statement in relation to the Draft Fiddlers Ferry Development Framework, with the We Transfer link below (**accessible for 7 days**) providing access to a downloadable copy of the Draft Fiddlers Ferry Development Framework (May 2024).

<https://we.tl/t-8kfKyc3tYj>

The site at Fiddlers Ferry is allocated in the Local Plan (MD3) as a site that will deliver a minimum of 860 homes, approximately 101 ha of employment land and the required range of supporting infrastructure within the Plan period, with Part 5 of policy MD3 requiring a Development Framework to be agreed with the Council.

Having undertaken the screening of the Development Framework based on Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council has concluded that it is not likely that the Development Framework will have any significant environmental impacts, and

therefore a SEA/SA is not required in this instance.

I would be grateful if you could confirm by **12th July 2024** that your organisation agree with the Council's conclusion at this stage.

If you require any further information, please do not hesitate to contact me.

Best Wishes,

David Acton
Senior Planning Policy Officer

Warrington Borough Council
Planning Policy & Programmes
Growth Directorate
East Annexe
Town Hall
Sankey Street
Warrington WA1 1UH

Direct Dial: 01925 442841
E-mail: dacton@warrington.gov.uk

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Date: 08 July 2024
Our ref: 478468
Your ref: N/A



David Acton
Warrington Borough Council

BY EMAIL ONLY

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

T 0300 060 3900

Dear David Acton,

Initial Strategic Environmental Assessment (SEA) Screening Determination Statement of the Fiddlers Ferry Development Framework

Thank you for your consultation on the above, which was received by Natural England on 07 June 2024.

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.

We welcome the opportunity to comment on the Initial Strategic Environmental Assessment (SEA) Screening Determination Statement for the Fiddlers Ferry Development Framework.

Screening Request: Strategic Environmental Assessment (SEA)

It is Natural England's advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the Development Framework.

We therefore **concur with the conclusion** of the Initial Screening Determination Statement (May 2024) of the draft Fiddlers Ferry Development Framework (May 2024).

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

Yours sincerely,

Jacob Desmond
Sustainable Development Lead Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team