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Longridge Neighbourhood Plan SEA/HRA Screening

August 2016

Kirkwells

The Planning People

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Appendix 1 Consultation Responses

1.0 Introduction

- 1.1 Strategic Environmental Assessment (SEA) is a systematic and comprehensive process for evaluating the environmental effects of a plan or programme in order to ensure that the environmental implications of decisions are taken into account before any such decisions are made. The need for the environmental assessment of plans and programmes is set out in the EU Directive 2001/42/EC, known as the SEA Directive.
- 1.2 Under this Directive, Neighbourhood Plans may require SEA but this is very much dependent upon the content of the Plan. For plans which "determine the use of small areas at local level" or are "minor modifications" to existing plans, the Directive only requires SEA where they are likely to have significant environmental effects. The expressions "small area" and "local level" are not defined in the Directive and must be interpreted in relation to the nature and scope of a particular plan. Screening is needed to determine whether such plans are likely to have significant environmental effects.
- 1.3 Annex II of the Directive lists criteria for determining the likely significance of the environmental effects of plans and to be used in a screening exercise. The findings of the exercise must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.
- 1.4 This Screening Report is an assessment as to whether the contents of the Draft Longridge Neighbourhood Plan, April 2016 require a Strategic Environmental Assessment in accordance with the Directive. It also determines whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed likely that there will be significant adverse effects on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project.

2.0 Legislative Background

Strategic Environmental Assessment

- 2.1 The SEA Directive was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)¹. Detailed guidance on these regulations can be found in the Government publication, A Practical Guide to the Strategic Environmental Assessment Directive (ODPM 2005)².
- 2.2 The Planning and Compulsory Purchase Act 2004 requires local authorities to produce Sustainability Appraisals (SAs) for all Development Plan Documents in order to meet the requirement of the SEA Directive and it is considered best practice to incorporate the requirements of this Directive into a Sustainability Appraisal (National Planning Policy Framework, paragraph 165). As a neighbourhood plan is not a Development Plan Document, it does not legally require a Sustainability Appraisal. However, there are instances where a SEA would need to be undertaken in order to meet the requirements of the SEA Regulations.
- 2.3 Consequently, to establish whether the neighbourhood plan might give rise to significant environmental effects, it is necessary to screen the plan (see Section 5).

Habitats Regulations Assessment.

- 2.4 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 makes provision in relation to the Habitats Directive. The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. In relation to this, paragraph 1 sets out a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site. Paragraph 4 indicates that a qualifying body which submits a proposal for a neighbourhood plan must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an assessment is required.
- 2.5 The legislation requires that, where there is a risk of a significant effect on a European site, either individually or in combination with

¹ http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

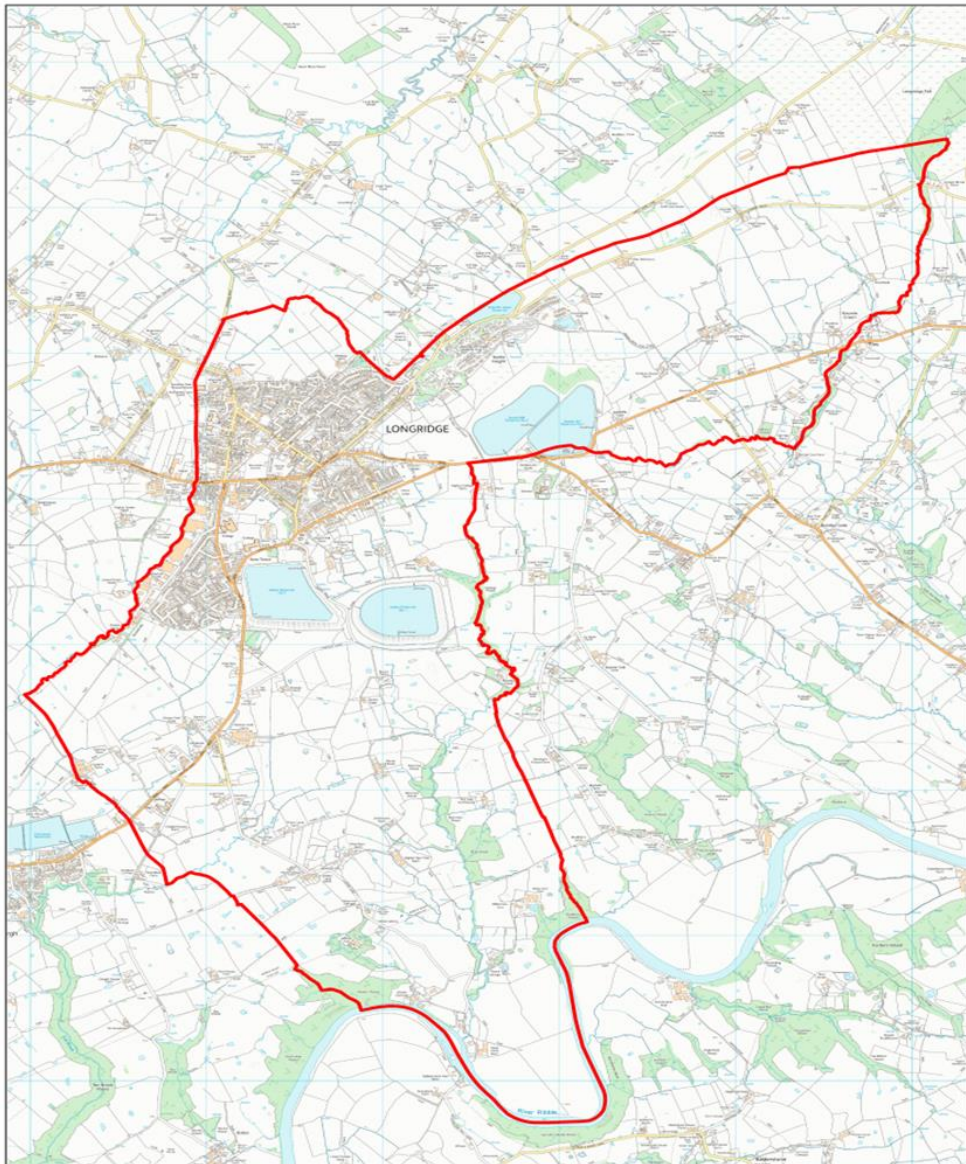
² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practic_alguidesea.pdf

other plans or projects then the plan should progress from HRA screening to an Appropriate Assessment.

3.0 Longridge Neighbourhood Plan

- 3.1 The purpose of the Longridge Neighbourhood Plan is to provide a set of statutory planning policies to guide development within the parish over the period to 2028 and has been prepared by a steering group on behalf of the qualifying body, Longridge Town Council.

Map showing the Longridge Neighbourhood Plan area which is subject to the SEA screening process



- 3.2 The objectives of the Longridge Neighbourhood Plan are:

1. To help manage future housing growth in Longridge

2. To ensure a suitable level of infrastructure is in place
3. To protect local character, heritage and landscape
4. To maintain and enhance local shops and services
5. To protect and enhance community facilities
6. To protect and enhance local employment opportunities

3.3 In order to deliver these objectives, the Plan set out a number of parish-wide policies. These indicate how new development proposals will be assessed in order to ensure that future housing growth is sustainable and does not have a detrimental impact upon the parish. Policies also provide protection to important environments and natural assets, including the distinctive townscape and landscape setting, local green spaces, heritage assets and Longridge's Conservation Areas, as well as supporting the provision of community infrastructure. There is also a proposal to create a safe route around the town for cyclists, walkers and the disabled (The Longridge Loop).

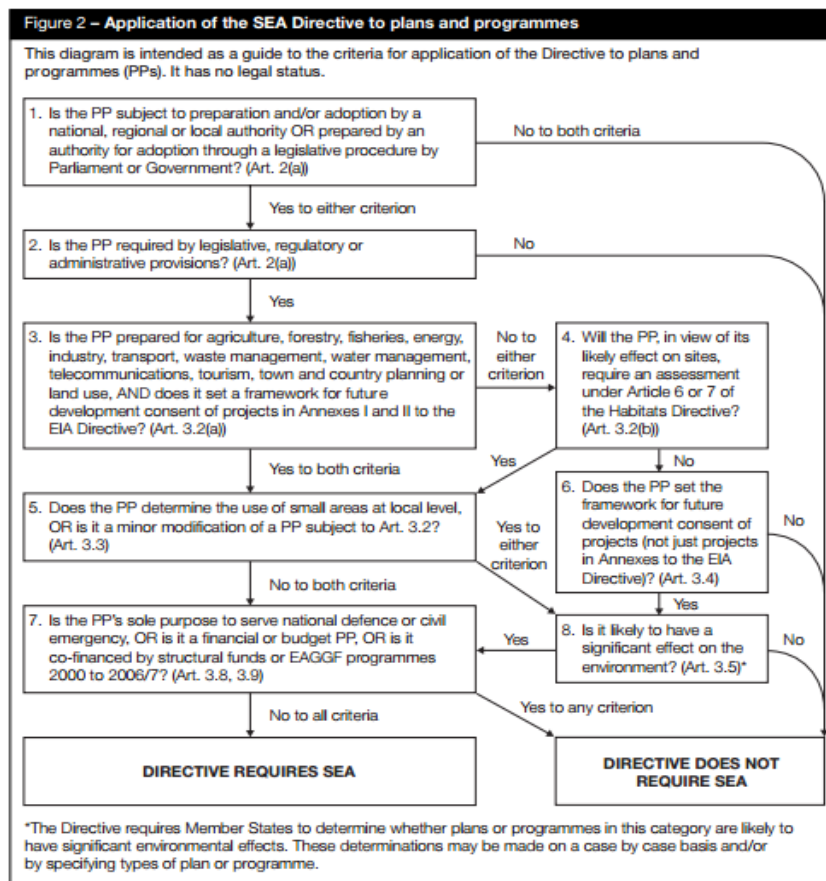
3.4 It is a requirement of the Localism Act 2011 that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Longridge lies within Ribble Valley district and the neighbourhood plan must therefore be in general conformity with the Ribble Valley Core Strategy 2008 - 2028. The Core Strategy was subject to a full Sustainability Appraisal which incorporated a SEA assessment and this previously completed SEA has been taken into account in undertaking the screening assessment of the Longridge Neighbourhood Plan.

4.0 Screening Process

4.1 It is the purpose of this report to assess whether the policies and proposals in the Longridge Neighbourhood Plan are likely to have ‘significant environmental effects’. This screening assessment has been undertaken in two parts:

- The first part assesses whether the neighbourhood plan requires SEA in accordance with the flow chart set out below
- The second part considers whether the neighbourhood plan is likely to have a significant effect on the environment, using criteria set out in Schedule 1 of the EU SEA Directive and the Environmental Assessment of Plans and Programme Regulations 2004 (see section 2)

4.2 Government guidance, as set out in ‘A Practical Guide to the Strategic Environmental Assessment Directive’, identifies the following approach to be taken in determining whether SEA is required:



4.3 This process has been followed and the findings are set out in the table below:

Table 1: Establishing the Need for Strategic Environmental Assessment

Stage	Y/N	Reason
1. Is the plan or programme subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	Neighbourhood plans may be prepared under the provisions of the Town and Country Planning Act 1990, as amended by the Localism Act 2011. They are drawn up by a qualifying body, which, in the case of Longridge, is the Town Council. It is subject to examination and referendum. If the Plan receives 50% or more 'yes' votes at referendum, it will be 'made' by the local planning authority (Ribble Valley Borough Council)
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The preparation of a Neighbourhood Development Plan is optional. However, once 'made', it will form part of the statutory Development Plan for the area and will be used in the determination of planning applications. It is therefore considered necessary to answer the following questions to determine further if a SEA is required.
3. Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))	Y	The Neighbourhood Plan has been prepared for town and country planning and land use and sets out a framework for future development in Longridge. Once 'made', it would form part of the statutory development plan, and will be used when making decisions on planning applications which could

Stage	Y/N	Reason
		include development which may fall under Annex I and II of the EIA directive.
4. Will the Plan, in view of its likely effects on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	?	The Neighbourhood Plan could potentially have impacts on sites covered by the Habitats Directive. However, this requires individual assessment of a Plan (see section 6)
5. Does the Plan determine the use of small areas at local OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3)	Y	The Neighbourhood Plan determines the use of small sites at the local (neighbourhood) level
6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? Article 3.4)	Y	A neighbourhood plan forms part of the Development Plan and will be used in the assessment of planning applications. It, therefore, sets the framework for future developments at a local level.
7. Is the Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	N	Not applicable
8. Is it likely to have a significant effect on the environment? (Article 3.5)	?	A neighbourhood plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals in the Plan. An individual screening assessment of the Neighbourhood Plan is required (see section 5)

5.0 Screening Assessment

- 5.1 The results of the preceding assessment indicate that, depending upon the content of a neighbourhood plan, a Strategic Environmental Assessment may be required. For this reason, neighbourhood plans should be assessed individually in order to determine their likely significant effects on the environment.

- 5.2 The criteria for determining the likely significant effects referred to in Article 3 (5) of Directive 2001/42/EC are set out in Annex II of the SEA Directive and Schedule 1 of the Regulations. The proposals within individual Neighbourhood Plans will need to be assessed against these criteria:
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)
 2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the trans-boundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special national characteristics or cultural heritage,

- exceeded environmental quality standards or limit values,
- intensive land-use,
- the effects on areas or landscapes which have a recognised national, Community or international protection status.

5.3 The policies set out in the draft Longridge Neighbourhood Plan (April 2016) have been used to undertake this screening assessment. If the conclusion of the screening exercise is that a SEA is not required, any major changes to the existing policies or introduction of new ones should be subject to a further screening assessment to ensure that significant effects are not likely.

5.4 The table below sets out the assessment of policies in the Longridge Neighbourhood Plan in relation to the criteria outlined earlier:

Table 2: Assessment of the Likelihood of Significant Effects on the Environment

Criteria for determining the likely significance of effects	Is the Longridge NP likely to have a significant environmental effect?	Justification for Screening Assessment
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	The Longridge Neighbourhood Plan sets a local policy framework for development proposals. It supports the implementation of policies in the adopted Ribble Valley Core Strategy which have already been subject to SEA as part of the Sustainability Appraisal.
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The Longridge Neighbourhood Plan must be in conformity with the Ribble Valley Core Strategy. It therefore supports the implementation of higher tier policies at the neighbourhood level and, as such, is not considered to have a significant influence on other plans and programmes.
The relevance of the plan or programme for the integration of environmental	No	The Longridge Neighbourhood Plan contributes to the achievement of sustainable development at the

Criteria for determining the likely significance of effects	Is the Longridge NP likely to have a significant environmental effect?	Justification for Screening Assessment
<p>considerations in particular with a view to promoting sustainable development.</p>		<p>neighbourhood level. Policies set out in the Plan protect assets of local environmental value, including designated and non-designated heritage assets, Conservation Areas and local green spaces, and provide locally distinct planning policies to protect them. The likelihood of significant effects on the environment is, therefore, minimised.</p> <p>It does not allocate land for housing or employment and any proposals for new housing or employment development will be considered in relation to the relevant policies in the Core Strategy which has been subject to Sustainability Appraisal. It is in intention of Ribble Valley Borough Council to bring forward new allocations through the preparation of a separate Allocations DPD.</p>
<p>Environmental problems relevant to the plan or programme.</p>	<p>No</p>	<p>Because of the scale of development proposed in the neighbourhood plan itself, environmental impacts are likely to be small. Existing environmental problems may be addressed through the implementation of the Plan's policies.</p> <p>The Ribble Valley Core Strategy identifies Longridge as a focus for new housing development with new retail and leisure development being directed towards its centre. These proposals have been subject to Sustainability Appraisal.</p>
<p>The relevance of the plan or programme for the implementation of</p>	<p>No</p>	<p>Strategies relating to waste disposal or water protection are generally dealt with by Lancashire</p>

Criteria for determining the likely significance of effects	Is the Longridge NP likely to have a significant environmental effect?	Justification for Screening Assessment
Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).		County Council and these have had regard to European Community legislation on the environment. The Neighbourhood Plan cannot deal with County matters and, consequently, the policies of the neighbourhood plan are not considered to be relevant to the implementation of EC legislation.
The probability, duration, frequency and reversibility of the effects.	No	Some development is likely over the Plan period meaning that some environmental change will take place. However, the Plan policies are designed to ensure that any new development will be sustainable and any environmental impacts minimised.
The cumulative nature of the effects.	No	The neighbourhood plan's policies are unlikely to have significant cumulative impacts on the local environment
The trans-boundary nature of the effects	No	The policies in the Longridge Neighbourhood Plan are unlikely to have significant environmental impacts on neighbouring areas
The risks to human health or the environment (e.g. due to accidents).	No	No significant risks to human health or the environment as a result of the Plan's policies have been identified. In fact, the Plan is likely to improve human health by improving access to green spaces.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Longridge Neighbourhood Plan is concerned with development within the neighbourhood area. The geographical area covered by the Plan is 1315 hectares and it has a population of 7724. The potential for environmental impacts is likely to be limited and minimal
The value and vulnerability of the area	No	The neighbourhood plan area has a relatively urban focus but is set

Criteria for determining the likely significance of effects	Is the Longridge NP likely to have a significant environmental effect?	Justification for Screening Assessment
<p>likely to be affected due to:</p> <ul style="list-style-type: none"> - special natural characteristics or cultural heritage; - exceeded environmental quality standards or limit values; - intensive land-use. - the effects on areas or landscapes which have a recognised national, Community or International protection status. 		<p>within an area that is rural in character. There are 8 Lancashire County Biological Heritage sites in the neighbourhood plan area, including Longridge Fell, Alston Fell and Spade Mill Reservoirs. There are no sites designated as nationally or internationally important within the Plan area, but it is located within 15km of the Bowland Fells Special Protection Area (SPA). There are 14 Listed Buildings in the Parish including the Grade II* Listed Alston Old Hall and Longridge has 3 designated Conservation Areas. The Longridge Neighbourhood Plan is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. In fact, its policies provide greater support to enhance the natural and cultural assets of the area.</p>

5.5 On the basis of the SEA Screening Assessment set out in Table 2 above, the conclusion is that the Longridge Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to SEA.

5.6 The main reasons for this conclusion are:

- The Longridge Neighbourhood Plan supports the implementation of policies in the adopted Ribble Valley Core Strategy which have already been subject to SEA through the Sustainability Appraisal.

- The Longridge Neighbourhood Plan is a lower tier plan in the hierarchy of planning documents for the area, and therefore has limited influence on other plans or programmes
- The Plan is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic
- Through its policies, the Longridge Neighbourhood Plan seeks to avoid or minimise negative environmental effects

6.0 HRA Screening

- 6.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. This assessment must determine whether a plan would adversely affect, or is likely to affect, the integrity of a site(s) in terms of its nature conservation objectives.
- 6.2 Under Criterion 4 of Table 1: Assessing the Need for SEA, it was concluded that the Neighbourhood Plan may have an impact upon internationally designated sites and as such a 'case by case' assessment is required.
- 6.3 The HRA process is generally divided into three stages. The initial stage of the process is the screening stage and determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan (see earlier) and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.
- 6.4 Longridge itself does not contain a Natura 2000 site. However, there are a number of such sites that could potentially be affected by the Ribble Valley Core Strategy and this has been subject to Habitat Regulations Assessment screening. This screening considered the potential effects of the policies and proposals in the Publication Core Strategy, on the integrity of fifteen European Sites, including the Bowland Fells Special Protection Area which is less than 15km from the Longridge Neighbourhood Plan Area. It was concluded that no significant effects would be likely on the Bowland Fells SPA as a result of the implementation of the policies and proposals in the Core Strategy.
- 6.5 The Longridge Neighbourhood Plan policies and proposals are in conformity with those in the Ribble Valley Core Strategy which has been subject to Habitat Regulations Assessment screening. This confirms that the Core Strategy is unlikely to have any significant effects on the European Sites identified, either alone or in-combination with other plans or projects. It is therefore concluded that no further work will be required in order to comply with the Habitat Regulations.

7.0 Conclusions and Recommendations of the Screening Assessments

- 7.1 This report sets out the assessment of the need for the Longridge Neighbourhood Plan to be subject to Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.
- 7.2 The assessment of both of these requirements has been undertaken on the Draft Neighbourhood Plan which was published in April 2016. As such if the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan.

Strategic Environmental Assessment (SEA)

- 7.3 In relation to the requirement for the Longridge Neighbourhood Plan to be subject to Strategic Environmental Assessment, it is concluded in the assessment undertaken in Section 5 of this report that the Plan in its current form is unlikely to have significant environmental effects and therefore SEA will not be required.

Habitat Regulations Assessment (HRA)

- 7.4 In terms of the requirement for the Longridge Neighbourhood Plan to be subject to Habitat Regulations Assessment, the appraisal set out in Section 6 of this report concludes that no further work will be required in order to comply with the Habitat Regulations.
- 7.5 Following consultation with the three statutory bodies (Appendix 1) on this report it has been concluded that there is no need for further screening of the Longridge NDP for the purposes of SEA/HRA.

APPENDIX 1

Responses from:

Environment Agency

Historic England

Natural England

Mr Michael Wellock
Kirkwells
Lancashire Digital Technology Centre
(Unit 2) Bancroft Road
Burnley
Lancashire
BB10 2TP

Our ref: NO/2012/103766/SE-
02/DS1-L01
Your ref: Longridge SEA
Date: 22 August 2016

Dear Mr Wellock

**LONGRIDGE NEIGHBOURHOOD PLAN STRATEGIC ENVIRONMENTAL
ASSESSMENT – SCREENING OPINION**

Thank you for consulting us on the above request for a screening opinion pursuant to Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We have reviewed the information submitted, in regards to the Environment Agency remit, and we agree with the conclusion set out in the draft screening opinion (dated 08 June 2016) that the plan proposals will not have a significant environmental effect and that SEA is not therefore required (including that Habitats Regulations Assessment is not required).

Yours sincerely

Miss Jodie Brumhead
Planning Officer, Sustainable Places Team
Cumbria and Lancashire Area

E-mail CLplanning@environment-agency.gov.uk

Environment Agency
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
End



Michael Wellock
Kirkwells
Lancashire Digital Technology Centre
Bancroft Road
Burnley
Lancashire
BB10 2TP

Our ref: PL00034805 & 30023
Your ref: E-mail 17th Aug
Telephone: 07500 121974

16th Sept 2016,

Dear Michael,

Re: Designation of Longridge Neighbourhood Plan Pre-submission Consultation and Screening Opinion.

Thank you for consulting Historic England about this Neighbourhood Plan. The Plan falls within the boundary of 3 Conservation Areas and includes a number of designated heritage assets including Alston Old Hall (Grade II*) and several other designated heritage assets. It will be important that the strategy you put together for this area safeguards those elements which contribute to the importance of those historic assets. In this respect I was pleased to see that your draft plan does include a number of built heritage policies to ensure they can be enjoyed by future generations of the area and to make sure the plan is in line with national planning policy.

The conservation officer at Ribble Valley Council is the best placed person to assist you during the development of your Neighbourhood Plan. They can help you to consider how the strategy might address the area's heritage assets. At this point we don't consider there is a need for Historic England to be involved further in the development of the strategy for your area.

We are pleased to see your draft policy LNDP7 relating to non-designated Heritage assets, have the NP forum considered the potential to designate any of these as Assets of Community value? See: <https://historicengland.org.uk/advice/hpg/HAR/CRB/>



Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5FW
Telephone 0161 242 1416 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or Information which you send us may therefore become publicly available.



Date: 12 July 2016
Our ref: 187878
Your ref: Longridge Neighbourhood Plan Strategic Environmental Assessment

NATURAL
ENGLAND

michael.kirkwells@gmail.com

BY EMAIL ONLY

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

T 0300 080 3900

Dear Mr Wellock

Screening Request: Strategic Environmental Assessment Longridge Neighbourhood Plan

Thank you for your consultation on the above dated 8 June 2016.

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

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance¹. The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

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

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

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

For any queries relating to the specific advice in this letter only please contact **Becky Pitt** on 020 822 56694. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer.

We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Becky Pitt
Cheshire, Merseyside, Greater Manchester and Lancashire Area Team

Kirkwells

The Planning People

For more information on the contents of this document contact:

Michael Wellock
Managing Director
Kirkwells
Lancashire Digital Technology Centre
Bancroft Road
Burnley
Lancashire
BB10 2TP

01282 872570