

Strategic Environmental Assessment Determination Statement

**New local plan for Cheshire East
September 2026**

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1 Introduction

- 1.1 This Strategic Environment Assessment (SEA) Determination Statement is required by The Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations).

2 Context

- 2.1 In accordance with the Regulations, qualifying land use and spatial plans prepared by the council must be subject to a SEA, to assess the effects of the plan on the environment.
- 2.2 The first stage in the assessment process is for the council to formally determine whether the plan is likely to have a significant effect on the environment. This has been decided using the criteria set out in Schedule 1 of the Regulations, and in consultation with the consultation bodies listed in Regulation 4 – Historic England (formerly English Heritage), Environment Agency, English Nature, Countryside Agency (English Nature and the Countryside Agency have merged to form Natural England), and Natural Resources Wales (formerly the Natural Resources Body for Wales).

3 New local plan for Cheshire East

- 3.1 The new local plan for Cheshire East (local plan) will set out how development (such as homes, business growth, infrastructure, minerals, and waste development) should take place in the future. It will contain policies to help protect and enhance the environment and contribute to creating attractive places where people can live active and healthy lives. Its policies will be used to make decisions on planning applications.
- 3.2 The council considers that the preparation of the local plan will fall within the scope of the 2004 Regulations on the basis that:
- the local plan is a plan and programme as defined in Regulation 2
 - the local plan is prepared for town and country planning or land use, and will set the framework for the future development consent of projects listed in Annex I or II to Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment
 - the local plan will apply to a wider area than a small area at local level, and is not a minor modification to an existing plan or programme
- 3.3 A determination under Regulation 9 is therefore needed as to whether the local plan is likely to have significant environmental effects. The criteria for determining the likely significance of effects on the environment are contained in Schedule 1 of the Regulations.
- 3.4 The screening process set out in Regulation 9 and Schedule 1 of the Regulations includes 2 sets of criteria for determining the likely significance of effects on the environment. These relate to:

- the likely characteristics of the local plan
 - the characteristics of the effects, and of the area likely to be affected.
- 3.5 Regulation 14 also requires the council to determine whether the local plan is likely to have significant effects on the environment of a Member State.
- 3.6 The council's response to each of the criteria set out in Schedule 1 and Regulation 14 is detailed in Tables 3.1 and 3.2, below.
- 3.7 Using the criteria, detailed in Schedule 1 of the Regulations, for determining the likely significance of effects on the environment, the following assessments have been made.

Table 3.1: Criteria 1 - The characteristics of the proposed local plan

Criteria	Assessment
(a) The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The local plan will include policies, and potentially will identify sites for development. It will also provide the over-arching policy framework for other development plan documents concerned with the allocation and use of land. The local plan is therefore likely to have a significant effect on the environment.
(b) The degree to which the plan influences other plans and programmes including those in a hierarchy	The local plan will include policies, and it will provide the over-arching policy framework for all development plan documents.
(c) The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development	The local plan will be the key mechanism for integrating sustainable development principles into the borough's spatial planning policies. It will have significant scope to affect the environment.
(d) Environmental problems relevant to the plan	The local plan will provide a range of policies that are likely to cover any environmental issues identified, including sustainability, climate change, previously developed land, the historic environment, pollution, biodiversity and transport.
(e) The relevance of the plan for the implementation of assimilated law on the environment (for example, plans and programmes linked to waste management or water protection)	The local plan will be relevant to the implementation of assimilated law such as the Water Framework Directive and the Habitats Directive. The local plan will

Criteria	Assessment
	also cover minerals and waste – as such it is linked to waste management.

Table 3.2: Criteria 2 - Characteristics of the local plan effects and the area likely to be affected

Criteria	Assessment
(a) The probability, duration, frequency and reversibility of the effects	It is possible that the local plan could have an effect, either positive or negative on: biodiversity; population; human health; fauna; flora; soil; water; air; climatic factors; material assets; cultural heritage, including architectural and archaeological heritage; and landscape. At present it is not possible to determine the duration, frequency or reversibility of the effects.
(b) The cumulative nature of the effects	There is the potential for there to be cumulative effects related to the implementation of the policies of the local plan.
(c) The transboundary nature of the effects	There are no trans-boundary effects with a Member State.
(d) The risks to human health or the environment (for example, due to accidents)	Although it is not the intention of the local plan to create risks to human health or the environment, it is possible that the local plan may create risks. These will be considered as part of the Sustainability Appraisal.
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The local plan will cover the whole of Cheshire East (an area of 116,638 hectares and a population of 420,000 people (mid-2024) ¹), except for a small part in the Peak District National Park.
(f) The value and vulnerability of the area likely to be affected due to:	The local plan may have an effect, either positive or negative on areas of value and vulnerability as identified in points i to iii.

¹ [1] Mid-year population estimates for local authorities and small areas, ONS, NOMIS. [2] Mid-year population estimates for small areas, ONS, NOMIS. [3] The council's National Land Property Gazetteer data (for estimating populations for Output Area (OA) subdivisions in cases where the OA is partly within and partly outside the Peak District, as ONS' estimates don't go below OA level).

Criteria	Assessment
i. special natural characteristics or cultural heritage ii. exceeded environmental quality standards or limit values, or iii. intensive land-use	In particular Cheshire East includes internationally designated Ramsar sites, and a number of listed buildings and conservation areas.
(g) The effects on areas or landscapes, which have a recognised national, Community or international protection status.	As mentioned above, it is possible that the local plan could have an effect on a number of areas that have recognised protection status, such as the Ramsar sites, and a number of sites of special scientific interest.

4 Consultation

- 4.1 The council consulted with the statutory environmental consultation bodies (Historic England, Natural England, the Environment Agency, and Natural Resources Wales) between 21 July 2026 and 5pm 25 August 2026 to determine whether the local plan is likely to have any significant environmental effects and, accordingly, whether an environmental assessment will be carried out.

Table 4.1: Responses from statutory consultation bodies

Body	Response summary
Historic England	We would concur with your assessment that the Local Plan will require a Strategic Environmental Assessment.
Natural England	Natural England agrees with the conclusion of the SEA Screening Statement and that the emerging Cheshire East Local Plan requires an SEA as it will have the potential to significantly impact the environment due to its expected scope.
Environment Agency	No response
Natural Resources Wales	No response

5 Determination

- 5.1 In accordance with Part 2(9) of the Regulations, the council, as the responsible authority consider that the intended local plan is likely to have a significant environmental effect and accordingly will require an environmental assessment.
- 5.2 This determination has been subject to consultation with the statutory environmental consultation bodies. Those bodies that responded are in agreement with the determination of the council.

6 The next steps

- 6.1 A Sustainability Appraisal Scoping Report will be prepared, to set out the scope and level of detail of the information that will be included in the environmental report, which will form part of the Sustainability Appraisal. This will be made available for public consultation before the council begins to assess the options for development arising from initial consultation on the content of the local plan.

7 Further information

- 7.1 A copy of this SEA Determination Statement has been published on the council's website² and can be downloaded free of charge. Copies can also be sent out by email or post (no charge) by contacting the Strategic Planning Team:
- email: localplan@cheshireeast.gov.uk
 - telephone: 01270 685893
 - post: Strategic Planning, Cheshire East Council, c/o Delamere House, Delamere Street, Crewe CW1 2LL
- 7.2 The contact details can also be used for any enquiries in relation to this SEA Screening Determination.

² <https://localplan.cheshireeast.gov.uk/>