



**Earswick Parish
Neighbourhood Plan
Submission Version (2)
2017-2037**

**Strategic Environmental Assessment
and
Habitat Regulation Assessment
Screening Report**



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1. 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 that "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 Earswick Parish Neighbourhood Plan (Submission Version) published in September 2017 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.

1.5 There is one Site of Importance for Nature Conservation (SINC), Earswick Meadow (Earswick Strensall Road Pasture), and one Site of Local Interest (SLI), River Foss Corridor, located within the Parish (Appendix 1 refers). The Parish also lies around 8km from Strensall Common Special Area of Conservation (SAC) (Appendix 2 refers), located in the Strensall Parish.

1.6 The Earswick Parish Neighbourhood Plan (Submission Version 2) recommends that there should be no building development on any part of the existing draft Green Belt within the parish boundaries. Whilst the latest consultation draft of the emerging Local Plan Publication draft (Spring 2018) does not propose to allocate any sites within Earswick Parish, the Local Plan will only protect the draft Green Belt from inappropriate development in line with the National Planning Policy Framework.

The Neighbourhood Plan also sets out clear policies to protect the countryside, local green spaces, ecology and biodiversity and the trees and hedgerows within the existing parish.

1.7 Pre-submission consultation on an earlier version of this report (Version 1) was previously undertaken during November/December 2016. For completeness and easy reference copies of the Consultation Analysis and Responses from the various Statutory Bodies have been included in Appendices 3 and 4.

1.8 Following an update to both the Local Plan and Neighbourhood Plan a further pre-submission consultation of this report was carried out between December 2017 and February 2018. Copies of the Consultation Analysis and Responses from the responding Statutory Bodies have been included in Appendices 5 and 6.

2. 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). 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 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 that 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.

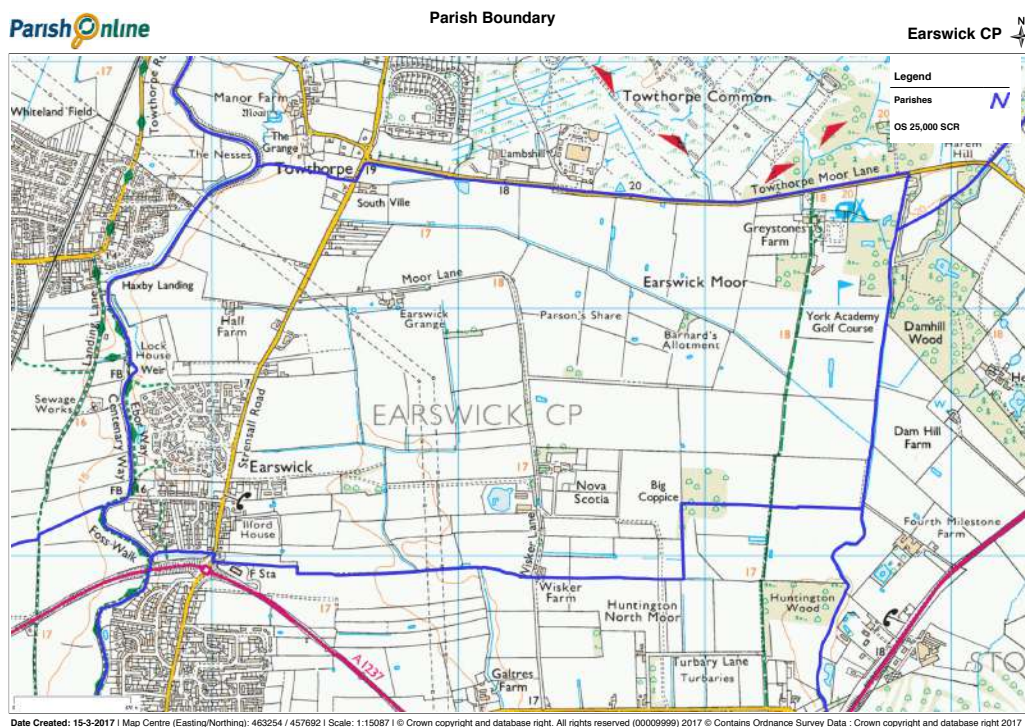
2.5 The legislation requires that, where there is a risk of a significant effect on a European site, either individually or in combination with other plans or projects then the plan should progress from HRA screening to an Appropriate Assessment.

3. Earswick Parish Neighbourhood Plan

3.1 Earswick Parish Neighbourhood Plan was designated on 9 December 2015. A Map showing the Earswick Neighbourhood Plan area that is subject to the SEA screening process is shown below. It comprises the village of Earswick, in which the majority of the population and services of the Parish is concentrated, while within and surrounding it are large areas of open spaces and countryside.

3.2 The purpose of the Earswick Parish Neighbourhood Plan is to provide a set of statutory planning policies to guide development within the parish over the period 2017 to 2037 and has been prepared by a working party on behalf of the qualifying body, Earswick Parish Council.

Map 1: Earswick Parish Neighbourhood Plan Area



3.3 The objectives of the Neighbourhood Plan will be to:

- Ensure that the village continues to be a safe and secure place in which to live;
- Protect our open space and the landscape;
- Seek on-going improvements to public transport facilities, road and pathway conditions;
- Deliver modest housing development (on brownfield sites) that is sensitive to the environment, infrastructure constraints and improves the quality of life for all current and future residents; and
- Maintain and improve local facilities for all residents.

3.4 In order to deliver these objectives, the Plan sets out a number of parish-wide policies. These indicate how new development proposals will be assessed in order to ensure that any future housing is sustainable and does not have a detrimental impact upon the parish. Policies also provide protection to important environments and natural assets, including local green spaces, as well as supporting the provision of community infrastructure.

3.5 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. Earswick lies within the city of York and must therefore be in general conformity with the emerging City of York Council Local Plan.

4. Screening Process

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

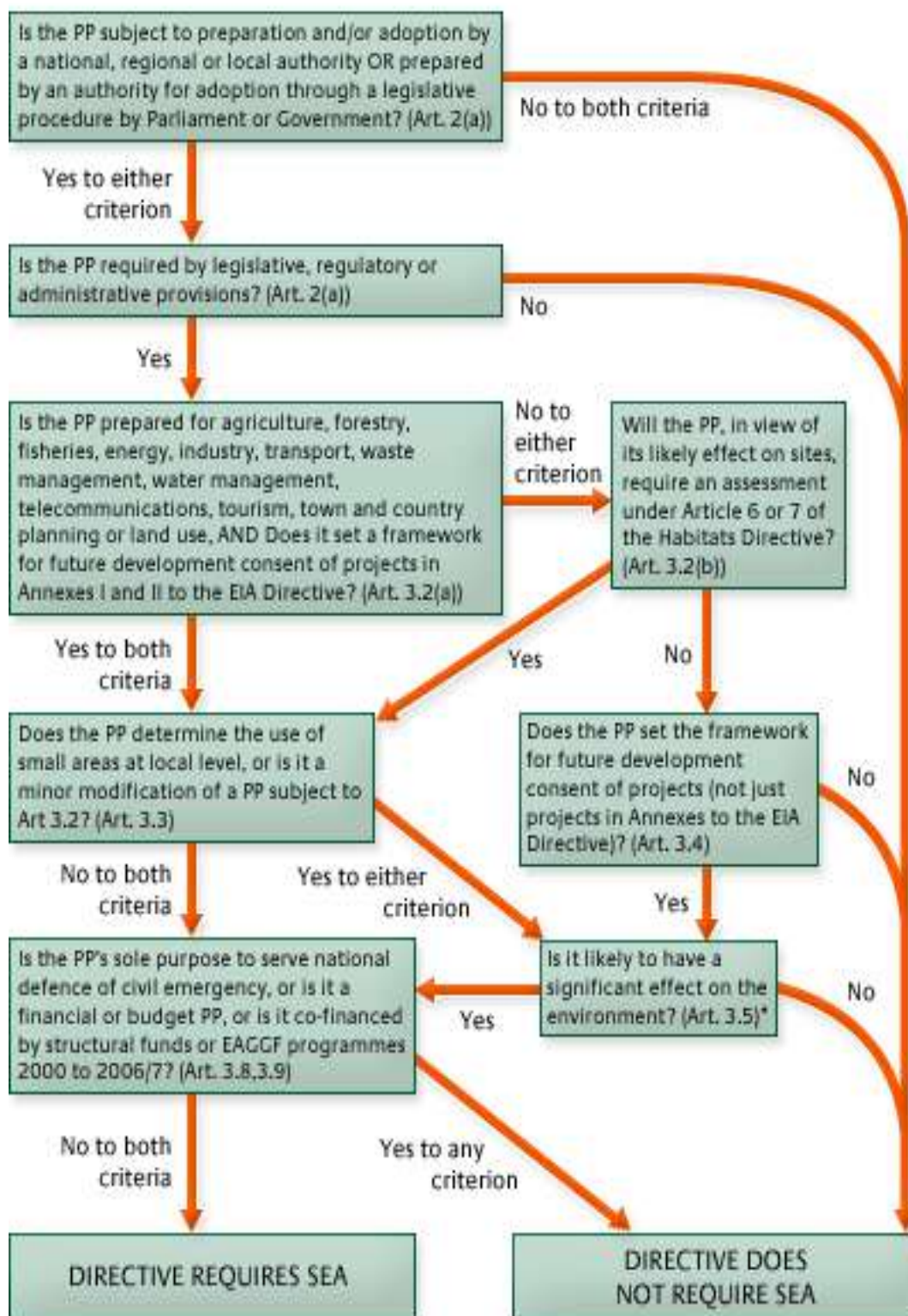
- The first part assesses whether the neighbourhood plan requires SEA in accordance with the flow chart set out below
- The second part considers whether the neighbourhood plan is likely to have a significant effect on the environment, using criteria set out in Schedule 1 of the EU SEA Directive and 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 a SEA is required:

The Strategic Environment Assessment Directive

Criteria for Application to Plans and Programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.



*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

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 Earswick, is the Parish 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 (City of York Council)
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	<p>The preparation of a Neighbourhood Plan is optional. However, once 'made', it will form part of the statutory Local Plan for the area and will be used in the determination of planning applications.</p> <p>It is therefore considered necessary to answer the following questions to determine further if a SEA is required.</p>
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 Annex 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 Earswick. Once 'made', it would form part of the statutory development plan and will be used when making decisions on planning applications that could include development that may fall under Annex I and II of the EIA directive.

<p>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))</p>	<p>N</p>	<p>There is one SINC site located within the Parish (Earswick Meadow) and one SLI (River Foss Corridor). The Parish is also within 8km of the Strensall Common SAC. However, given that the Plan does not allocate sites for housing, other forms of development or amend existing or introduce Limits to Development, it is unlikely that it will have a significant adverse effect upon any European (Natura 2000), SINC or SLI sites. Furthermore, the Plan actively seeks to protect and enhance the natural environment and supports the designation of the area outside of the built-up part of Earswick Village as draft Green Belt.</p> <p>The Neighbourhood Plan will therefore not have any adverse impact on sites covered by the Habitats Directive. However, this requires individual assessment of a Plan (see section 6).</p>
<p>5. Does the Plan determine the use of small areas at local level OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3)</p>	<p>Y</p>	<p>The Neighbourhood Plan determines the use of small sites at the local (neighbourhood) level. For example, it designates a few small areas of land as Local Green Spaces. However, the Neighbourhood Plan reflects the broader spatial framework laid out in the emerging City of York Local Plan in terms of where new development can be located</p>
<p>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)</p>	<p>Y</p>	<p>A neighbourhood plan forms part of the Local Plan and will be used in the assessment of planning applications. It, therefore, sets the framework for future developments at a local level. It seeks to provide applicants/decision makers with a clear indication of how to react to a development proposal to ensure, for example, that local character is</p>

		protected. A good example is Policy ENP1 that provides a framework to consider planning applications for ‘windfall’ housing related development.
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	The Neighbourhood Plan does not have a sole purpose that falls within any of these categories.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	N	<p>A neighbourhood plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals in the Plan, which it is not considered will have a significant adverse of the environment.</p> <p>There are no Ancient Monuments or other sites of national archaeological and geological interest within the Neighbourhood Area. There is one Listed Building, which is recognised in the Plan and measures have been included to protect this structure and its setting and where possible, enhance this. A small number of other important buildings and structures are identified as being locally important have also been identified for preservation and enhancement.</p> <p>The Plan also seeks to protect and enhance biodiversity and identifies Local Green Spaces for protection. . The Plan area includes one small site (Earswick Meadow – 0.9 hectares) that has been identified as a local Site of Importance of Nature Conservation (see appendix 2). The Plan includes policies that seek to conserve the site.</p>

	<p>Given that the Plan; does not allocate housing; does not amend or introduce Limits to Development and has proposed a suite of policies to protect and where possible enhance the built and natural environment, it is unlikely to have an adverse impact on the environment.</p> <p>While it supports windfall housing development the Plan seeks to carefully control the type and scope of this type of development – for example only where it meets a local need and, amongst other things, protects local character. It is not considered that the individual or cumulative effect of this policy will be significant, nor will result in a significant change in pace of this type of development over the plan period than in previous years.</p> <p>A significant proportion of the Parish is washed over by the draft Green Belt (the final boundaries of the Green Belt will be set through the emerging local Plan) that severely constrains development. This designation (which the Plan supports) is intended to protect the open character of land and development that is not appropriate to a rural area is only allowed in exceptional circumstances.</p> <p>An individual screening assessment of the Neighbourhood Plan is required (see section 5).</p>
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5. 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
- the magnitude and spatial extent of the effects
- 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 Earswick Parish Neighbourhood Plan (Pre-Submission Version 2) 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 the 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 Earswick Parish 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 Earswick 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 Earswick Parish Neighbourhood Plan sets a local policy framework for development proposals which the community and stakeholders consider are important to the sustainable development of the Parish and on which the Plan can have the greatest impact. There will be positive influence for the local green infrastructure, the promoting of connecting with other areas of York through enhancing sustainable transport corridors, and support for windfall housing development providing it in accordance with the provisions contained in the Plan. It supports, and is in general conformity with, the implementation of the policies proposed in the emerging City of York Local Plan.

Criteria for determining the likely significance of effects	Is the Earswick NP likely to have a significant environmental effect?	Justification for Screening Assessment
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The Earswick Parish Neighbourhood Plan must be in conformity with the emerging City of York Local Plan. 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 considerations in particular with a view to promoting sustainable development.	No	The Earswick Parish Neighbourhood Plan contributes to the achievement of sustainable development at the neighbourhood level. The policies set out in the Plan protect assets of local environmental value and provide locally distinct planning policies to protect them. The likelihood of significant effects on the environment is, therefore, minimised.
Environmental problems relevant to the plan or programme.	No	<p>There are some environmental problems which the Plan contains measures to address and enhance. These are notably in relation to protecting important local green spaces as well as conserving nature conservation sites and heritage assets (designated and non-designated).</p> <p>The River Foss runs along the boundary of the plan area, which has this and the surrounding area in FZ3 (Flood Zone 3). Policy ENP5 Local Green Spaces seeks to protect this area as greenspace.</p> <p>Given that the Plan does not allocate land for housing or other forms of development; does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect and where</p>

		possible enhance the built and natural environment, it is unlikely to have a significant adverse impact on the environment as confirmed by the Environment Agency response(Appendix 4)
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).	No	The Earswick Parish Neighbourhood Plan must be in conformity with higher-level plans that comprise the City of York Local Plan. This will be developed with regard to European Community legislation on the environment. Consequently, the policies of the neighbourhood plan are not considered to be relevant to the implementation of EC legislation.

Criteria for determining the likely significance of effects	Is the Earswick NP likely to have a significant environmental effect?	Justification for Screening Assessment
The probability, duration, frequency and reversibility of the effects.	No	It is considered that the policies in relation to the natural environment and heritage assets (designated and non-designated) will, in conjunction with the emerging Local Plan, have a positive environmental effect for at least the duration of the Plan. The impact of the windfall housing development is less certain, but it is considered that any impact it may have will not be significant since the vast majority of the parish is “washed over” with the draft green belt thus limiting the amount of land available for windfall development. This would be restricted to small-scale infill development (normally for a single dwelling) and the re-use of a very limited amount of previously developed (brownfield) land or existing buildings.

		<p>It is important to bear in mind that the Plan does not allocate land for housing or other forms of development; does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect and where possible enhance the built and natural environment.</p>
<p>The cumulative nature of the effects.</p>	<p>No</p>	<p>The cumulative effects of the Plan's policies, as well as those of the emerging Local Plan, are likely to be positive, but not significant. The Plan does not allocate land for housing or other forms of development; does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect and where possible enhance the built and natural environment, it is unlikely to have a significant adverse impact on the environment as confirmed by the Environment Agency response</p>
<p>The trans-boundary nature of the effects</p>	<p>No</p>	<p>The policies in the Earswick Parish Neighbourhood Plan are unlikely to have significant adverse environmental impacts on neighbouring areas. As mentioned previously the Plan does not allocate land for housing or other forms of development; does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect and where possible enhance the built and natural environment. It is located a minimum of 8km from the nearest Natura 2000 site, Strensall Common.</p>
<p>The risks to human health or the environment (e.g. due to accidents).</p>	<p>No</p>	<p>No significant risks to human health or the environment as a result of the Plan's policies have been identified.</p> <p>In fact, the Plan is likely to improve human health by improving access to green spaces and the countryside as well as supporting development proposals that address crime and anti-social behaviour</p>

		and promote highway and pedestrian safety, as outlined in policies ENP11, ENP12 and ENP13.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Earswick Parish Neighbourhood Plan is concerned with development within the neighbourhood area. The geographical area covered by the Plan is small with a population of 876. The potential for environmental impacts is likely to be minimal and limited to the Plan area. The exception to this is the policy (ENP7) seeking to conserve distinctive views, which is likely to have a wider positive impact on the historic character and history of York.

Criteria for determining the likely significance of effects	Is the Earswick NP likely to have a significant environmental effect?	Justification for Screening Assessment
<p>The value and vulnerability of the area 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. 	No	<p>The neighbourhood plan area is semi-rural in character and there are no sites designated as nationally or internationally Important within the Plan area. There is one Listed Building in the area and has no designated Conservation Area. The Earswick Neighbourhood Plan is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. In fact, it actually provides greater support to enhance the natural and cultural assets of the area through the support it provides for the natural and built environment.</p> <p>Furthermore, given the Plan does not allocate sites for development this minimises vulnerability of the area to change although incremental windfall development does cause some uncertainty. The impacts of windfall development are likely to be minimised through application of the policy criteria together with associated policies in the emerging Local Plan. It is not considered that the scale and type of</p>

		<p>housing windfall development that will come forward will be significant.</p> <p>In addition, the emerging Local Plan conserves area of historic character and setting as part of the spatial strategy for locating development. Part of these areas fall within the Earswick Neighbourhood Plan Area. This is used as part of the Local Plan criteria for determining in suitable allocations as it sets out areas critically important for the historic character and setting of York. It not considered that the Plan will have a significant effect (in fact it is considered that it will have a marginal positive impact) on these areas identified by the City of York and which form a key part of the evidence base underpinning the emerging Local Plan.</p>
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5.5 On the basis of the SEA Screening Assessment set out in Table 2 above, the conclusion is that the Earswick Parish 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 Earswick Parish Neighbourhood Plan supports the implementation of policies in the emerging City of York Local Plan. The Earswick Parish 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

The Plan does not allocate land for housing or other forms of development; does not amend or introduce defined Limits to Development

- Through its policies, the Earswick Parish Neighbourhood Plan seeks to avoid or minimise negative environmental effects and has proposed a suite of policies to protect and where possible enhance the built and natural environment.

6. 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 does not have an impact upon any internationally designated sites.

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 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 There is one Site of Importance for Nature Conservation (SINC), Earswick Meadow (Earswick Strensall Road Pasture), and one Site of Local Interest (SLI), River Foss Corridor, located within the Parish (Appendix 1 refers). The Parish also lies around 8km from Strensall Common Special Area of Conservation (SAC). (Appendix 2 refers), located in Strensall Parish.

6.5 it is not considered that the implementation of the Plan, by virtue of its scope will result in any likely significant effects upon any of the above sites.

6.6 The Earswick Parish Neighbourhood Plan policies and proposals are in conformity with those in the emerging City of York Local Plan. Neither Plan has identified any need for allocations development within the parish boundary of Earswick.

6.7 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create 'in combination' effect. Given that the Plan i) does not allocate sites ii) does not amend or introduce defined Limits to Development iii) is in general conformity with the saved and emerging policies of the City of York Local Plan, it is concluded that no significant in-combination effects are likely to occur as a result of its implementation.

6.8 A more comprehensive assessment of any likely significant effects at this screening stage can be further ascertained with regard to the specific features and vulnerabilities of the protected site. As previously outlined in this Report, the scope of the Plan does not include the allocation of housing sites or the introduction of a formal Limits to Development. While it supports windfall housing development this is carefully controlled and only acceptable where it meets policy criteria set out in the Plan in combination with the emerging local Plan. The intent of the Plan is to

reinforce the existing and emerging Local Plan for the City by ensuring that development takes place in the most sustainable locations and that the natural environment and heritage assets are protected. The Plan is therefore unlikely to exacerbate vulnerabilities of the European sites through pollution, visitor disturbance and recreation. Should development proposals come forward over the lifetime of the Plan of a scale that may impact on Strensall Common, they will be subject to further work to understand any effects/mitigation required.

6.9 The table below provides an assessment of any likely significant effect of each Neighbourhood Plan policy on the SINC, SLI and the European Designated sites. For the purposes of this assessment the policies appraised are those that were issued in the Earswick Parish Neighbourhood Plan Submission Version and apply equally to all three sites.

Key



No likely significant effect (NLSE) on the site’s qualifying features.

Neighbourhood Plan Policy	Comments	Likely effect on identified sites
ENP1: Windfall Housing Development	<p>This Policy seeks to retain existing and wherever possible enhance natural boundaries which either contribute to visual amenity or are important for their ecological value.</p> <p>It is considered that any impact of windfall housing development will not be significant since the vast majority of the parish is “washed over” with the draft green belt thus limiting the amount of land available for windfall development. This would be restricted to small scale infill development (normally for a single dwelling) and the re-use of a very limited amount of previously developed (brownfield) land or existing buildings.</p> <p>All applications for new</p>	NLSE

	<p>(windfall) housing will need to be designed to avoid likely significant direct or indirect impacts to the designated sites</p> <p>Where significant effects are likely or unknown an Appropriate Assessment will be required to be assessed, alone and in combination with other plans or projects, and the development can only be permitted if significant effects are avoided or adequately mitigated for.</p>	
ENP2: Housing Mix	<p>This Policy seeks to ensure a varied and specific approach to housing types are provided. All applications for new housing will need to be designed to avoid likely significant direct or indirect impacts to the designated sites. All developments will need to demonstrate they can avoid or mitigate any likely significant direct or indirect effects. Where significant effects are likely or unknown an Appropriate Assessment will be required to be assessed, alone and in combination with other plans or projects, and the development can only be permitted if significant effects are avoided or adequately mitigated for.</p>	NLSE
ENP3: Flood Risk and Climate Change	<p>This Policy seeks to limit the impact of flooding.</p>	NLSE

	<p>Development proposals in high flood risk areas should be avoided, wherever possible, and will not be supported other than in exceptional circumstances in accordance with City Council and National planning policies and Environment Agency strategic flood risk assessments. Developers should consider the need for a Flood Risk Assessment (FRA) and the provision of sustainable drainage systems in line with PPG25.</p> <p>Consideration of flooding, abstraction, discharges and run- off to watercourses that could affect the water quality of the designated sites must be considered as individual projects come forward. If impacts are likely an Appropriate Assessment would be required and any adverse effect to the qualifying features avoided or mitigated. This policy also offers the opportunity for new developments to create habitats to complement the existing sites and habitat connectivity at a landscape scale.</p> <p>A section of the River Foss Corridor SLI runs along the western boundary of the Earswick Parish</p>	
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	<p>application area and together with the surrounding area lies within Flood Zone 3 (FZ3). The area affected by the flood zone consists entirely of green open public space. The Neighbourhood Plan, Policy ENP 5, recommends that this area be retained and protected as a Local Green Space (G2) and as such any development proposals for this area should be subject to ENP Policies ENP 3 and ENP 5 thus offering enhanced protection to the SLI.</p> <p>This Policy supports high quality, energy efficient and sustainable development. Developers will be encouraged to mitigate against this risk and help the environment by reducing emissions and improving air quality by:</p> <ul style="list-style-type: none"> a) Installation of efficient water and waste management systems in new buildings. b) Use of locally sourced wood fuel for heating. c) Promotion of the use of sustainable materials in construction. d) Encouraging energy efficient 	
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	measures for new builds.	
ENP4: Green Belt	The Policy supports the continued designation of the majority of Earswick as draft Green Belt. Within the draft Green Belt, there will be a strong presumption against development that would conflict with the purposes of the draft Green Belt or adversely affect its open character or impact on the designated sites.	NLSE
ENP5: Local Green Spaces	This Policy seeks to protect Open and Local Green Space. In considering new developments Development Control will need to assess their impacts to the designated sites. Consideration of likely significant effects would need to be assessed as proposals come forward and any projects designed to avoid or mitigate effects on the designated site.	NLSE
ENP6: Ecology and Diversity	This Policy seeks to encourage development proposals that conserve and enhance the biodiversity of the Parish.	NLSE

	Development proposals will be expected to maintain and where possible enhance sites, habitats and features (such as waterways, hedgerows and trees) of bio-diversity importance.	
ENP7: Distinctive Views	This Policy seeks to protect the important views and vistas.	NLSE
ENP8: Trees and Hedgerows	This policy seeks to retain hedges and trees or create new sympathetic native boundary features. This contributes to the conservation of, or creation of new, Habitats of Principal Importance such as native hedgerows and increasing landscape connectivity – objectives of Government policy such as Biodiversity 2020.	NLSE
ENP9: Buildings and Structures of Local Interest	This Policy seeks to maintain the heritage assets within the Parish.	NLSE
ENP10: Protecting Important Community Facilities	Development proposals that result in the loss of, or have a significant adverse effect on, a community facility will not be permitted, unless it can be clearly demonstrated to the satisfaction of City of York Council in consultation with the Parish Council that its continued use is no longer viable or it is no longer required by the community, or equivalent or better alternative provision in terms of	NLSE

	quantity and quality and in an equally suitable location in the Parish can be provided.	
ENP 11: Enhancements to Transport and Highways	This policy aims to ensure residential and community development has good access by foot and bike as well as to public transport.	NLSE
ENP 12: Protecting Footpaths/Bridleways	<p>This Policy seeks to support facilities for walking and horse riding. As projects come forward that enact this policy it will be necessary to assess if it is likely to lead to significant indirect impacts of increased accessibility to the designated sites.</p> <p>If impacts are likely an Appropriate Assessment would be required and any adverse effect to the qualifying features avoided or mitigated.</p> <p>(Note: there are currently no designated cycleways in the Parish).</p>	NLSE
ENP 13: Safe and Secure Parish	The Policy requires that safety and security should be a high priority in the design of developments proposals in order to create attractive and safe public and private places.	NLSE
ENP 14: Developer Contributions	This Policy seeks to prioritise the use of financial contributions,	NLSE

	<p>whether from Community Infrastructure Levy or negotiated obligations such as Section 106 agreements, for improvements to and enhancement of community facilities; local green spaces; improvements to traffic management; and enhancement of footpaths and cycle ways.</p>	
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7. Conclusions and Recommendations of the Screening Assessments

7.1 This report sets out the assessment of the need for the Earswick Parish 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 (Version 2), which was published in September 2017. 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 Earswick Neighbourhood Plan to be subject to Strategic Environmental Assessment, it is concluded in the assessment undertaken in 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)

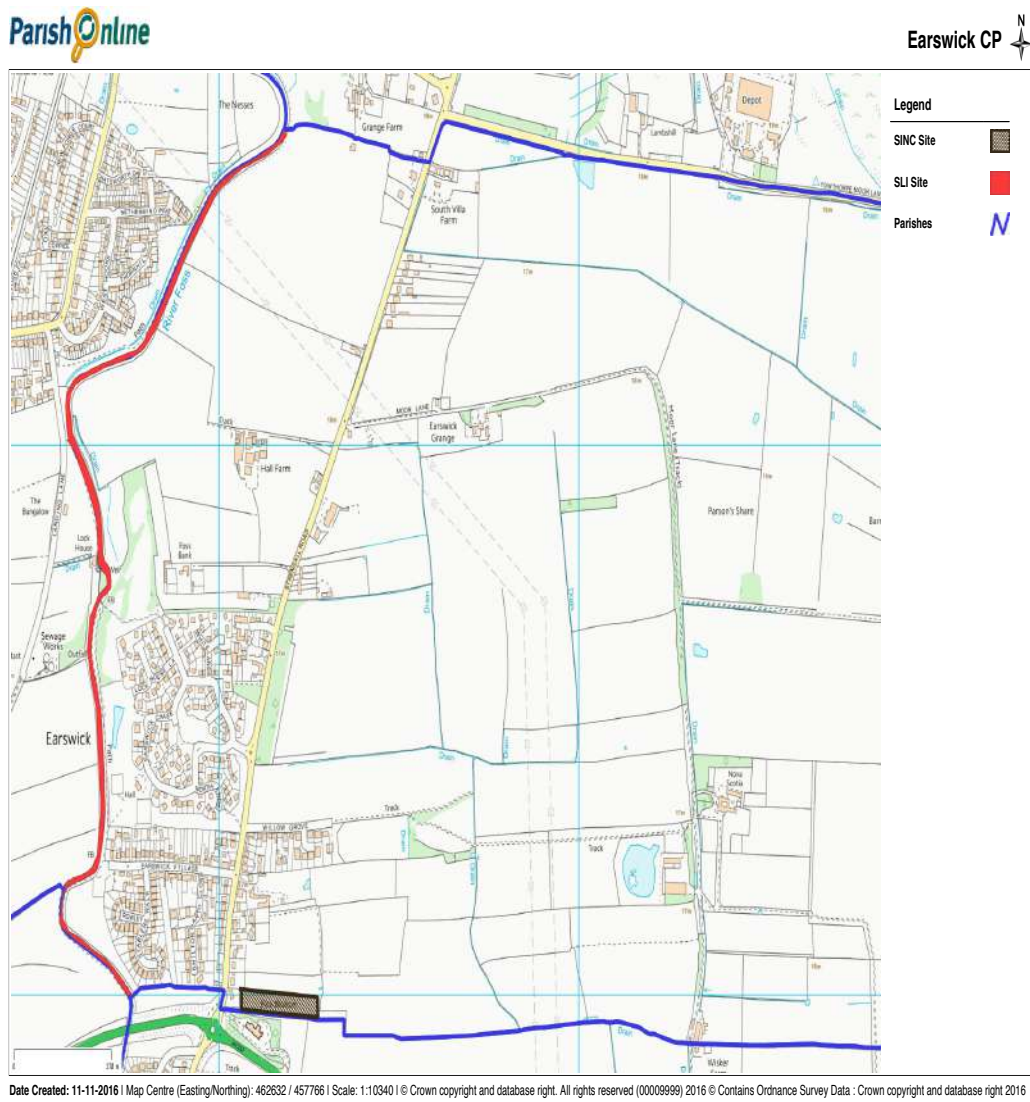
7.4 In terms of the requirement for the Earswick Neighbourhood Plan to be subject to the Habitat Regulations Assessment, the appraisal set out in Section 6 of this report concludes that no further work will be required in order to comply with the Habitat Regulations. There are no European sites within the boundaries of the

Parish; however, the Screening Report did examine its impact on Strensall Common SAC approximately 8 kms away from the Parish. The assessment finds that no significant adverse effects are likely as the result of the implementation of the Neighbourhood Plan. There is no requirement to prepare an appropriate assessment.

7.5 Based on the initial Pre-submission consultation that was carried out on Version 1 of this document, November/December 2016, City of York Council, Historic England, Natural England and the Environment Agency all concurred with the conclusion that the Neighbourhood Plan is unlikely to have significant environmental effects and therefore does not require Strategic Environmental Assessment. Furthermore, all agree that there will not be any significant effects on the Statutory Nature Conservation Sites and therefore Habitat Regulation Assessment is not required (Appendix 4 refers).

7.6 The Pre-submission consultation that was repeated on Version 2 of this document re-confirmed the conclusion that the Earswick Neighbourhood Plan does not require Strategic Environmental Assessment and that there will not be any significant effects on the Statutory Nature Conservation Sites and therefore Habitat Regulation Assessment is not required (Appendix 6 refers).

Appendix 1 Details of the SINC and SLI sites in Earswick



SINC Citation 2010

Site Code: 50

Name : Earswick Strensall Rd Pasture

GR : SE 621 569

Last Surveyed : 4th June 2009

Principal NVC community: MG5 grassland (sps poor variant)

Approx. Area : 0.9ha.

This horse-grazed pasture is one of a number of related narrow, ridge-and-furrow fields in the Earswick and Huntington area and supports heavily grazed but apparently unimproved neutral grassland. Meadow (*Ranunculus acris*), and creeping (*R. repens*) buttercup and common knapweed (*Centaurea nigra*) are abundant whilst clovers and ribwort (*Plantago lanceolata*) are frequent, with common sorrel (*Rumex acetosa*) and common birdsfoot trefoil (*Lotus corniculatus*) occurring locally. Pignut (*Conopodium majus*), field woodrush (*Luzula campestris*) and oval sedge (*Carex ovalis*) are occasional. Betony (*Stachys officinalis*) has also been recorded, though not in 2009. Grasses include red fescue (*Festuca rubra*), sweet vernal grass (*Anthoxanthum odoratum*), Yorkshire fog (*Holcus lanatus*), meadow-grasses (*Poa* spp.), plus small amounts of meadow foxtail (*Alopecurus pratensis*) and cocksfoot (*Dactylis glomerata*).

The boundary hedgerows are also of interest and contain common oak (*Quercus robur*) (including some large old trees), ash (*Fraxinus excelsior*), field maple (*Acer campestre*), apple (*Malus* sp.), hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), hazel (*Corylus avellana*) and elder (*Sambucus nigra*) with wild hop (*Humulus lupulus*) occurring locally.

Threats

Currently this site is very heavily grazed, and, whilst not necessarily detrimental, does reduce flowering and therefore the ability for flowers to regenerate from seed. Occasional relaxation of grazing at least in spring and early summer would benefit this site.

Assessment:

The field supports an over-grazed form of NVC MG5 (crested dogstail – common knapweed grassland). Whilst it is not a very good example of MG5, the structure and composition of the sward points to a lack of significant agricultural improvement.

Under guideline Gr4 (neutral grassland), the field scores 7/8 for all indicator species, 5 of which occur at least occasionally. However, it is likely that at least a few additional indicator species are suppressed by current levels of grazing but persist in a vegetative state. For instance Betony was recorded by the Council's ecologist Bob Missin in 2008 though it was not seen in 2009. Regular monitoring is suggested to take advantage of periodic changes in grazing to fully evaluate the value of the site.

Designation


The site is designated as a Site of Importance for Nature Conservation under Guideline Gr1, the presence of MG5 grassland and Gr4.

Extract from City of York Biodiversity Action Plan for Life (2013) – Sites of Local Interest.

229	River Foss Corridor	Strensall/Earswick/Huntington	Wooded riparian corridor, mammal interest
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Appendix 2 Extract from City of York Local Plan Preferred Options Habitat Regulation Assessment (2013) – Strensall Common

Figure 2: European sites considered within this Habitat Regulation Assessment

Site	Characteristics												
Strensall Common SAC, SSSI	<p>Strensall Common is one of two remaining sites of heathland in the Vale of York and covers 654 hectares. The common is primarily designated as an SAC due to the habitats and vegetation comprising of Northern Atlantic wet heaths and European dry heaths. The site is also designated as a Site of Special Scientific Interest (SSSI).</p> <p>The site is jointly managed between the MOD, Natural England, The Forestry Commission and Yorkshire Wildlife Trust. Currently the MOD undertake military training on the heath and it can be used for recreational purposes when live firing is not taking place.</p>												
Located in: City of York Authority	<p>Conservation Objectives (as per JNCC submission): To maintain (and restore if feature is not currently in favourable condition)</p> <ul style="list-style-type: none"> • North Atlantic Wet Heaths with <i>Erica tetralix</i> • European Dry Heaths <p>Vulnerabilities include:</p> <ul style="list-style-type: none"> • Lack of Muirburn Management • Lack of scrub management • Overgrazing by sheep • Recreational Pressure • Golf Course management • Deteriorating water quality and changes in drainage 												
<p>Component SSSIs and their condition status:</p> <table border="1"> <thead> <tr> <th>SSSI name: Strensall Common</th> <th>% Area Favourable</th> <th>% Area unfavourable recovering</th> <th>% Area unfavourable no change</th> <th>% Area unfavourable declining</th> <th>% Area destroyed / part destroyed</th> </tr> </thead> <tbody> <tr> <td>SSSI meeting PSA target</td> <td>32.34%</td> <td>67.66%</td> <td>0.00%</td> <td>0.00%</td> <td>0.00%</td> </tr> </tbody> </table>  <p>Legend:</p> <ul style="list-style-type: none"> ■ % Area favourable ■ % Area unfavourable recovering ■ % Area unfavourable no change ■ % Area unfavourable declining ■ % Area destroyed / part destroyed 		SSSI name: Strensall Common	% Area Favourable	% Area unfavourable recovering	% Area unfavourable no change	% Area unfavourable declining	% Area destroyed / part destroyed	SSSI meeting PSA target	32.34%	67.66%	0.00%	0.00%	0.00%
SSSI name: Strensall Common	% Area Favourable	% Area unfavourable recovering	% Area unfavourable no change	% Area unfavourable declining	% Area destroyed / part destroyed								
SSSI meeting PSA target	32.34%	67.66%	0.00%	0.00%	0.00%								

Appendix 3 Consultation Analysis (Version 1)

**Earswick Parish Neighbourhood Plan
Draft Plan Consultation Analysis
Strategic Environmental Assessment & Hazard Regulations Assessment
Screening Report**

No.	Reference	Respondent	Comment	Response	Amendment to Report
1	General	Environment Agency	We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest. Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan. We have no further comments to make in this instance.	Your comment that the Plan is unlikely to have negative impacts on environmental characteristics is noted.	No change
2	General	Historic England	Having considered the SEA & HA Screening Report, we confirm that we concur with the conclusion that an SEA Screening Report will not be required.	Your comment that an SEA Screening Report is not required is noted.	No change.
3	General	Natural England	It is our advice, on the basis of the material supplied with		No change.

		<p>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 proposed plan.</p> <p>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.</p> <p>Natural England is satisfied that this neighbourhood plan does not require a Habitat Regulation Assessment.</p>		
4	Para 1.5	CYC	<p>This statement is incorrect. This paragraph should be clarified to distinguish the Neighbourhood Plan and emerging Local Plan approaches. To be clear the emerging Local Plan follows a criteria based methodology based upon the spatial strategy which helps to determine the most sustainable and preferred site allocations; it does not state that „there should be no building development on any part of the existing Green Belt within the parish boundaries’.</p>	<p>The paragraph will be amended in line with the comments.</p> <p>Document has been amended.</p>

				Whilst the latest consultation draft of the emerging Local Plan (summer 2016) does not propose to allocate any sites within Earswick Parish, the Local Plan will only protect the Green Belt from inappropriate development in line with the National Planning Policy Framework. It should also be noted that references should also be to the "draft Green Belt" as the inner boundaries will be set through the emerging Local Plan.		
5	Map, Page 5	CYC	The Earswick Parish Map seems to be skewed and should be rectified for accurate representation. Also, whilst we appreciate the copy right statement is shown, please could this be amended to reference "City of York Council licence No. 1000 20818".	Map will be corrected.	Document has been amended.	
6	Table 1, item 4	CYC	For your information, the Habitat Regulation Assessment prepared for the Publication Draft Local Plan (2014) identified that recreational disturbance was the key vulnerability at Strensall Common and was looked at in more detail concluding that no significant effects were likely based upon the sites included in that edition of the Plan. We concur that the Earswick Neighbourhood Plan, given that it does not allocate sites for development and promotes conserving and enhancing the local nature conservation sites, is not likely to have a significant effect on the Natura 2000 network of sites, including Strensall	Comments noted.	No change.	

			Common.		
7	Table 1, item 5	CYC	There is merit in expanding this answer to set out the types of proposed uses at the local area level to ensure clarity of what the plan will do.	This item will be expanded	This item has been expanded to improve clarity
8	Table 1, item 6	CYC	We would advise expanding this answer to describe the type of future projects the plan will influence. Particular reference should be given to the Windfall policy and in what circumstances planning permission would be granted.	Agree with comments.	This item has been expanded with reference to the windfall policy.
9	Table 1, item 8	CYC	Reference to the Green Belt should be „Draft Greenbelt“. Reference should be made to the boundaries of the draft Green Belt being set through the emerging Local Plan. Furthermore, there is some uncertainty in relation to windfall development. Reference should be made as to the impacts of this policy and the magnitude of the effects.	Agreed.	This item has amended in line with the comments put forward.
10	Table 2, item 1	CYC	For clarity the answer to this question should expand on what projects and activities and allocating of resources will be. From our reading of the plan, there will be a positive influence for the local green infrastructure network, promoting of connectivity with other areas of York through enhanced sustainable transport corridors and support for	Agree to expand this section	This section has been amended accordingly.

11	Table 2, item 4	CYC	windfall housing development provided it meets conditions set out in policy. These provide a neighbourhood level framework whilst supporting the emerging Local Plan. In this case it is likely to have a positive impact but not significantly positive.	This section has been expanded to reflect the comments made
12	Table 2, item 6	CYC	We consider that the answer to this question should be expanded to consider environmental problems in the neighbourhood plan area. For example, consideration for flood risk alongside the River Foss, heritage assets (designated and non-designated), landscape and nature conservation sites at a minimum to help identify whether the policies set out are likely to have a positive or negative effect on existing environmental problems. The answer should then be revised to reflect consideration of these points.	Agree to expand this question.
			The question of probability, duration, frequency and reversibility of effects is not adequately answered in relation to the policies set out in the plan. We consider that policy in relation to heritage assets and nature conservation for example, may have a positive effect for at least the duration of the plan in conjunction with the emerging Local Plan. For clarity, further information with reference to probability, duration and frequency of effects should also be given in relation to the windfall policy and	Further information has been provided on the impact of windfall development.
				Agree with comments.

			what the likely (uncertain) effects are from this type of development.			
13	Table 2, item 7	CYC	Cumulative impacts should also refer to the emerging Local Plan. Cumulative effects are likely to be positive, but not significant as a result of the policies on the Plan.	Agree with comments.	This section has been amended to refer to the emerging Local Plan.	
14	Table 2, item 9	CYC	Reference could be made to policy ENP13 in the plan as an example of minimising risk to human health. Safety of residents is also referred to in safe crossing of the ring-road into Huntington as part of the transport policy.	Agree.	This section has been expanded and now refers to Policy ENP13 in more detail.	
15	Table 2, item 10	CYC	For clarity, the potential for effects is likely to be limited to the neighbourhood plan area. The exception to this is the consideration for landscape, including support for openness, which is likely to have a wider positive impact on the historic character and setting of York.	Agree.	Reference now made to the wider positive impact on the historic character and setting of York.	
16	Table 2, item 11	CYC	We recommend that further information is included in this answer. Consideration for the River Foss designation is required in relation to the policies. Also, referencing	Agree to amend and expand this section.	Table 2, item 11 amended accordingly	

			<p>support for the landscape in the neighbourhood plan area.</p> <p>Consideration for landscape, including support for openness is likely to have a wider positive impact on the historic character and setting of York. Furthermore, given the plan does not allocate sites for development minimises vulnerability of the area to change although incremental windfall development does cause some uncertainty. Impacts of windfall development is likely to be minimised through application of the policy criteria together with policy in the emerging Local Plan but should be considered in the context of this question.</p> <p>In addition, the emerging Local Plan conserves area of Historic character and setting as part of the spatial strategy for locating development. Part of these areas fall within the Earswick Neighbourhood Plan Area. This is used as part of the Local Plan criteria for determining in suitable allocations as it sets out areas critically important for the historic character and setting of York. This section should refer to the impacts of the plan on these areas as they form a key evidence base underpinning the emerging Local Plan. An extract of these is attached.</p>		
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17	Para 6.8	CYC	Reference should be made to the windfall policy given that this is acceptable subject to the policy criteria in combination with the emerging local Plan. For clarity, this paragraph should be clear that proposals which come forward of a scale that may impact on Strensall Common, will be subject to further work to understand any effects/mitigation required..	Agree to amend in line with comments.	This paragraph has been expanded in response to the comments made.
18	Para 7.3	CYC	Subject to the amendments listed above, we concur with the conclusion that the Earswick Neighbourhood Plan, as proposed through the Pre-Submission Consultation, is unlikely to have significant environmental impacts. As such, SEA is not required.	Agreement that a full SEA is not required is noted.	No change.
19	Para 7.4	CYC	Subject to the amendments above, we concur that the Earswick Neighbourhood Plan is unlikely to have an impact on Strensall Common or other sites in the Natura 2000 network and that an HRA is not required.	Agreement that an HRA is not required is noted.	No change.

Appendix 4 Responses from relevant Statutory Bodies (Version 1)



Historic England
YORKSHIRE

Mr. Andrew Towleron,
YourLocale,
5 Stonton Road,
Church Langton,
Leicestershire,
LE16 7SZ

Our ref: PL00052484
Your ref:
Telephone 01904 601 879
Mobile 0755 719 0988

16 January 2017

Dear Mr. Towleron,
**Earswick Neighbourhood Plan
Strategic Environmental Assessment**

We write in response to your e-mail of Monday 5 December 2016, and the enclosed Strategic Environmental Assessment (SEA) and Habitat Regulations (HA) Assessment Screening Report for the Earswick Neighbourhood Plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it likely to have a significant effect on the environment?" in respect to our area of concern, cultural heritage. Our comments are based on the information supplied with the Screening Opinion.

The Draft Neighbourhood Plan indicates that within the plan area there are a range of historic assets within the Neighbourhood Plan area. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

Having considered the SEA & HA Screening Report, we confirm that we concur with the conclusion that an SEA Screening Report will not be required.

We would be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the City of York Council are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.



Historic England, 37 Tanner Row, York YO1 6WP
Telephone 01904 60 1948 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.



We would appreciate it if you forwarded a copy of this letter to Earswick Parish Council and/or their consultants.

Thank you in anticipation.

Yours sincerely



Craig Broadwith
Historic Places Adviser
E-mail: Craig.Broadwith@HistoricEngland.org.uk



Historic England, 37 Tanner Row, York YO1 6WP
Telephone 01904 60 1948 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: 05 January 2017
Our ref: 203105



Andrew Towleron
Director of Planning
Your Locale
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Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Andrew

Earswick Draft Neighbourhood Plan SEA/HRA Screening

Thank you for your consultation on the above dated 2 December 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.

Strategic Environmental Assessment

It is our 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 proposed plan.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the [National Planning Practice Guidance](#). 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; or
- 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 an SA/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/SA 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.

Habitat Regulation Assessment

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012, a neighbourhood plan cannot be made if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out. Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites. This will be particularly important if a neighbourhood plan is to progress before a local plan has been adopted and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan.

Natural England is satisfied that this neighbourhood plan does not require a Habitat Regulation Assessment.

For any queries relating to the specific advice in this letter only please contact Elisa Neame on 02082-256-852. 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,

Elisa Neame
Yorkshire & Northern Lincolnshire Area Team



Andrew Towleron
YourLocale
5 Stonton Road
Church Langton
Leicestershire
LE16 7SZ

Date: 16/01/2017

Dear Mr Towleron,

Earswick Neighbourhood Plan SEA Screening

Thank you for consulting the Environment Agency regarding the above mentioned Neighbourhood Plan. We have reviewed the information submitted and wish to make the following comments.

Strategic Environmental Assessment

We would like to highlight that it is the role of the Council to advise the Parish Council if there is a need for formal Strategic Environmental Assessment of the draft Neighbourhood Plan. Our role, as a statutory consultee, is to provide guidance on the significance of any potential environmental effects.

We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest. Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan. We have no further comments to make in this instance.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely

Clare Dance

Planning Adviser - Sustainable Places

Phone: 020 847 48366
Email: clare.dance@environment-agency.gov.uk



Forward Planning
Planning & Environmental Management
City of York Council
West Offices
Station Rise, York
YO1 6GA

(01904) 552255
neighbourhoodplanning@york.gov.uk

Date: 6th January 2017

Dear Mr Jones,

Earswick Neighbourhood Plan Pre-Submission Consultation Draft

Thank you for the opportunity to comment on the pre-submission Earswick Neighbourhood Plan.

We appreciate the amount of hard work that the Parish Council has put into this process to produce a locally representative document, detailing the issues which affect Earswick.

We also recognise that the absence of an up-to-date adopted York Local Plan and the timing of the emerging Local Plan may have proved problematic for you and we appreciate work undertaken in this respect.

We would like to continue to work closely with you to move this Plan forward in tandem with the production of our Local Plan resulting in the creation of two sound plans that fit together and serve the best interests of the people, environment and economy of Earswick and York as a whole.

This letter highlights those issues that we feel are fundamental to the success of the Neighbourhood Plan. We would like to work in partnership with you to address these issues ahead of the Plan's submission. Two schedules identifying further comments/ recommended amendments for the main document and the SEA are enclosed with this letter.

Green Belt

We appreciate that this is a complicated issue in the context of the emerging York Local Plan and emerging Neighbourhood Plans.

We need to ensure that the terminology used when referring to the Green Belt in the context of the 2005 draft Local Plan, Regional Spatial Strategy, emerging Local Plan and emerging Neighbourhood Plan is clear and consistent across the Neighbourhood Plan and associated documents such as the SEA.

In addition, we believe that it is important to ensure that the terms/definitions of Green Infrastructure and Green Belt in the Plan are clear and consistent with terminology used elsewhere. For clarity we recommend that the following terminology is used as part of your Neighbourhood Plan:

Green Infrastructure: *Green infrastructure is the physical environment within and between cities, towns and villages. It is a network of multifunctional open spaces including formal parks, gardens, woodlands, green corridors, waterways, street trees, nature reserves and open countryside.*

Draft Green Belt: *It is the responsibility of the emerging Local Plan to set the detailed Green Belt boundaries for York. Until such time as these are adopted through the Local Plan, reference should be made in all documents to York's "draft Green Belt".*

Whilst the general extent of the draft Green Belt was identified in the former RSS and is retained as applicable policy for York, these RSS policies require that the detailed inner and outer boundaries are defined in the Local Plan. Therefore the Local Plan will set the detailed York Green Belt boundaries for the first time. It is the purpose of the Local Plan process therefore to ensure that the Green Belt endures by allocating sufficient suitable sites for development, which meet York's growth requirements over the next 20 years and establish the principles acceptable for any development.

Strategic Environmental Assessment

Please see the schedule attached to this letter for comments on the SEA. In particular, we recommend further careful consideration of your policies against the criteria to provide more detail in relation to potential impacts, specifically in relation to the windfall policy and possible uncertainties that may arise from this.

Subject to the amendments set out, we concur with the conclusion that the plan is unlikely to have significant environmental effects and therefore does not require Strategic Environmental Assessment. Furthermore, we do not consider that there will be significant effects on Statutory Nature Conservation Sites and therefore Habitat Regulation Assessment is not required.

We appreciate the significant amount of work and progress made by the Parish Council and we would welcome the opportunity to work with you to address the comments made in this response and any other responses received as part of the pre-submission consultation. We would like to invite you to a meeting to help us move forward together to produce a sound, deliverable Plan for Earswick. Please contact me to arrange a suitable date at your earliest convenience.

Kind Regards,

Rebecca Harrison
Development Officer

Appendix 5 Consultation Analysis (Version 2)

Appendix 2

**Earswick Parish Neighbourhood Plan
Draft Plan Consultation Analysis
Strategic Environmental Assessment & Hazard Regulations Assessment
Screening Report Version 2**

No.	Reference	Respondent	Comment	Response	Amendment to Report
1	General	City of York Council	We appreciate that you have also incorporated screening for Habitat Regulation Assessment following our previous advice. We note the conclusion from this is that no Habitat Regulation Assessment is required and that Natural England concur with this view through their previous consultation response. We concur with this conclusion.	That you concur with the conclusion that no Habitat Regulation Assessment is required is noted.	No change
2	General	Historic England	On the basis of the information supplied and in the context of the criteria set out in schedule 1 of the Environmental Assessment Regulations (Annexe II of "SEA Directive), Historic England concurs with the conclusion of the Earswick Neighbourhood Plan SEA and HRA Screening Report (Pre-submission Version 2), set out on pg. 27, para. 7.3, that the preparation of a Strategic Environmental	Your comment that an SEA Screening Report is not required is noted.	No change.

3	General	Natural England	Assessment is <u>not</u> required.	<p>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.</p> <p>Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the "Habitats Regulations"). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats directive, which is transposed into the Habitats Regulations.</p> <p>Natural England welcomes the screening report and concurs with the conclusions reached.</p>	<p>Your comment that there are unlikely to be significant environmental effects from the proposed plan is noted.</p> <p>Your agreement with the conclusion of the screening report that no Habitat Regulation Assessment is required is noted.</p>	No change.
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4	General	Environment Agency	<p>Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan. We have no further comments to make in this instance.</p>	<p>Your comment that there are unlikely to be significant environmental effects from the proposed plan is noted.</p>	No Change
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Appendix 6 Responses from relevant Statutory Bodies (version 2)



Strategic Planning
Economy and Place
City of York Council
West Offices
Station Rise, York
YO1 6GA

(01904) 551667
neighbourhoodplanning@york.gov.uk

Date: 5th February 2018

Dear Mr Jones,

Earswick Neighbourhood Plan Pre Submission Draft

Thank you for the opportunity to comment on Version 2 of the pre submission Earswick Neighbourhood Plan.

We appreciate the amount of hard work that the Parish Council has put into this process to produce a locally representative document, detailing the issues which affect Earswick.

We also recognise that the absence of an up-to-date adopted York Local Plan and the timing of the emerging Local Plan may have proved problematic for you and we appreciate work undertaken in this respect.

We would like to continue to work closely with you to move this Plan forward in tandem with the production of our Local Plan resulting in the creation of two sound plans that fit together and serve the best interests of the people, environment and economy of Earswick and York as a whole.

We appreciate that you have taken on board the comments that we submitted in May 2017 in response to your draft submission documents and we are satisfied that this repeated pre-submission consultation has been undertaken in line with the Neighbourhood Planning (General) Regulations 2012 (as amended).

As stated previously, we concur with the conclusion in your SEA Screening Report that the plan is unlikely to have significant environmental effects and therefore does not require Strategic Environmental Assessment.

We appreciate that you have also incorporated screening for Habitat Regulation Assessment following our previous advice. We note that the conclusion from this is that no Habitat Regulation Assessment is required and that Natural England concur with this view through their previous consultation response. Whilst we concur with this conclusion, we would welcome a discussion regarding the presentation of this screening assessment to ensure alignment with the Habitats Directive.

If you would like to discuss any of the comments made in this letter, please do not hesitate to contact me using the details in this letter.

Neighbourhood Planning Team	Our ref:	RA/2012/121344/OR-05/
City of York Council	IS1-L01	
Planning & Sustainable Development	Your ref:	Earswick NP
West Offices		
Station Rise	Date:	30 January 2018
YORK		
YO1 6GA		

Dear Neighbourhood Planning Team

Earswick Neighbourhood Plan

Thank you for consulting the Environment Agency regarding the above mentioned proposed Neighbourhood Plan. We have reviewed the information submitted and we wish to make the following comments

Strategic Environmental Assessment

We note that the City Council has a responsibility to advise the Parish Council if there is a need for formal Strategic Environmental Assessment of the draft Neighbourhood Plan. You are seeking our views in order to inform the Council's decision on this matter. We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest.

Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan. We have no further comments to make in this instance.

Neighbourhood Plan

We note that the Plan will influence design and layout of any new development in Earswick through policy requirements and guidance.

We are Environment impact tacked into account through flood risk in Policy ENP1: Windfall Housing and policy ENP3 Flood Risk and climate change which will prevent any new houses being flooded. Also developments preventing destruction of biodiversity and Ecology in Policy ENP 6 Ecology and Biodiversity.

Having considered the nature of the policies in the Plan as currently written, we consider that it is unlikely that significant negative impacts on environmental characteristics but prove to have more positive outcomes, that fall within our remit and interest will result through the implementation of the plan.

You could also help your community save money through sustainable construction. Neighbourhood planning is an opportunity for communities to encouraging efficient water and waste management systems in new buildings, and use locally sourced wood fuel for heating. You could also help to promote the use of sustainable materials in construction, and encourage energy efficiency measures for new builds. These measures will reduce the cost of construction for developers and help to reduce utility bills for those using the building. This will also help the environment by reducing emissions and improving air quality.

Should you require any additional information, or wish to discuss these matters

Date: 05 February 2018
Our ref: 232130



Derek Jones
Earswick Parish Council
derek-jones@hotmail.co.uk

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

T 0300 060 3900

BY EMAIL ONLY

Dear Derek Jones

Earswick Neighbourhood Plan Pre-submission draft and Strategic Environmental Assessment and Habitats Regulations Screening consultation

Thank you for your consultation on the above dated 22 November 2017

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 is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish Councils where they consider our interests would be affected by the proposals made..

Strategic Environmental Assessment

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 Plans

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance . 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 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 an 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.

Habitats Regulations Assessment

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

Natural England welcomes the screening report and concurs with the conclusions reached.

Draft Neighbourhood Plan

Natural England does not have any specific comments on this draft neighbourhood plan. However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For clarification of any points in this letter, please contact Merlin Ash at merlin.ash@naturalengland.org.uk. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Yorkshire and Northern Lincolnshire Team
Natural England



Historic England

YORKSHIRE

Mr. Andrew Towleron,
Andrew Towleron Associates,
5 Clifton Mount,
Rotherham,
S65 2AQ

Our ref: PL00251362
Your ref:
Telephone 01904 601 879
Mobile 0755 719 0988

5 February 2018

Dear Mr. Towleron,
Earswick Neighbourhood Plan
Strategic Environmental Assessment Screening Opinion Consultation

We write in response to your e-mail of Wednesday 01 December 2017, seeking a Screening Opinion for the Earswick Neighbourhood Plan Preferred Options draft. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it likely to have a significant effect on the environment?" in respect to our area of concern, cultural heritage. Our comments are based on the information supplied within the Earswick Neighbourhood Plan Preferred Options draft and associated documents.

The Draft Neighbourhood Plan indicates that within the plan area there is a single designated cultural heritage asset. There are likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the conclusion of the Earswick Neighbourhood Plan SEA and HRA Screening Report (Pre-submission Version 2), set out on pg. 27, para. 7.3, that the preparation of a Strategic Environmental Assessment is not required.

The views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. We should like to stress that this opinion is based on the information available in the Earswick Neighbourhood Plan Preferred Options draft attached to your e-mail.



Historic England, 37 Tanner Row, York YO1 6WP
Telephone 01904 60 1948 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.



To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

We would be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the York City Council are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

We look forward to receiving an invitation to comment upon the Earswick Neighbourhood Plan Submission in due course.

Thank you in anticipation.

Yours sincerely



Craig Broadwith
Historic Places Adviser
E-mail: Craig.Broadwith@HistoricEngland.org.uk



Historic England, 37 Tanner Row, York YO1 6WP
Telephone 01904 60 1948 HistoricEngland.org.uk

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

