

MATTER 1
LEGAL REQUIREMENTS

Other legal requirements

Question 1.7

Has the Plan's formulation been based on a sound process of sustainability appraisal and testing of reasonable alternatives, and is the Sustainability Appraisal (SA) [CD009, CD010 & CD011] adequate?

1 Introduction

- 1.1 On the whole, Historic England would endorse the approach taken in the SA and, for the most part (although with a few notable exceptions), concur the evaluation of the likely effects which the policies and proposals of the Plan might have upon York's historic environment. We particularly support the approach which the Council used to evaluate the impact which the potential allocations might have upon the historic environment. Having said this, however, we have two concerns:-
- (a) There is no evidence which demonstrates what account the Council took of the responses that were received to the 2017 consultation on the '*Heritage Impact Appraisal*' [Doc. SD101 and SD102]. This was the key document that was used to assess the potential impact which the prospective development sites might have upon the historic environment; and
 - (b) It is unclear precisely how the SA reached its overall conclusions about the likely impacts which each of those sites might have upon the historic environment

2 The Heritage Impact Appraisal

- 2.1 As part of the background work on the Local Plan, the Council did a considerable amount of work to try and identify the various elements which contribute to the special character and setting of the historic City. This work, which was set out in the '*Heritage Topic Paper*' [Doc. SD103], was used as the basis for the production of the '*Heritage Impact Appraisal*' [Doc. SD101 and SD102]. The latter was used by the Authority to evaluate the potential impact which the policies and proposals of the emerging plan might have upon the six principal characteristics of the

historic City which were identified in the *Heritage Topic Paper*. Historic England was actively involved in the development of both of these documents.

- 2.2 As part of the consultation on the SA of the Pre-Publication Draft in 2017, the Authority sought views of consultees on the content of the *Heritage Impact Appraisal*. Although Historic England endorsed their overall approach and methodology and concurred with much of its content, there were, however, a number of aspects about which we raised concerns. These we relayed to the Authority as part of our responses to the Pre-Publication Draft. However, in the SA which accompanied the Reg. 19 consultation on the Publication Draft of the Plan, there is no evidence which sets out what response the Council made to any of Historic England's comments nor was the Appraisal amended/updated.

3 The SA evaluation of the impact of the Plan upon the Historic Environment

- 3.1 The *Heritage Impact Appraisal* evaluated the potential effect which all of the prospective allocations might have against each of the six Principal Characteristics of the City which are set out in the *Heritage Topic Paper*. However, *Heritage Impact Appraisal* did not make an overall conclusion about the likely impact which each of those sites might have upon the historic environment of the City as a whole. Consequently, it is not clear how Table 6.2 of the SA [page 117, Doc. CD008] or the tables in Appendix I [Doc. CD009B] have arrived at their assessment of the likely impact which each sites might have upon SA014.

4 Conclusions

- 4.1 Whilst the overall process might be sound and, indeed, some aspects are excellent, in terms of the historic environment, there are some gaps in terms of the 'paper-trail' relating to the approach taken and conclusions reached.