

**STRATEGIC ENVIRONMENTAL ASSESSMENT AND  
HABITATS REGULATIONS ASSESSMENT  
SCREENING REPORT**

**REVISED FOLLOWING CONSULTATION WITH NATURAL  
ENGLAND, THE ENVIRONMENT AGENCY, HISTORIC  
ENGLAND AND CITY OF YORK COUNCIL**

**PREPARED ON BEHALF OF  
THE STRENSALL AND TOWTHORPE  
NEIGHBOURHOOD PLAN**



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## **CONTENTS**

Introduction	3
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## **SEA**

Legislative Background to SEA	7
Criteria for determining the likely significance of effects on the environment	10
Conclusion - SEA	27

## **HRA**

Legislative Background to HRA	27
HRA Screening for the Strensall with Towthorpe NP	28
Conclusion HRA	39
Glossary of Terms	39

## **APPENDICES**

Appendix 1 – Strensall Common Special Area of Conservation Citation

## **Report Annex**

Natural England – Response to informal consultation

Natural England – Response to informal consultation supplementary

Historic England – Response to informal consultation

City of York Council – Response to informal consultation, including track changes version of report



## 1.0 INTRODUCTION

1.1 There are two key purposes to this document:

- to help ascertain whether the Strensall with Towthorpe Neighbourhood Plan (NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004;
- in order to comply with European Directive 92/43/EEC (often referred to as the 'Habitats Directive'), to ascertain whether the plan is likely to have a significant effect on a European protected wildlife site (as defined in the Conservation of Habitats and Species Regulations 2017).

## 1.2 Strategic Environmental Assessment

1.2.1 The responsible bodies (in this case Strensall with Towthorpe Parish Council, together with City of York Council and Stockton on the Forest Parish Council – NB Strensall with Towthorpe is the lead parish council) are required to consult the statutory bodies, the Environment Agency, Natural England and English Heritage prior to reaching a screening determination and will use this report as a basis for this consultation.

1.2.2 A report was drafted in May 2019 and circulated to the statutory consultees. Comments were received from Natural England, Historic England and City of York Council. These accompany this report in a separate annex. This report has been amended in response to this feedback received.

## 1.3 The Habitats Directive

1.3.1 Under the 'Habitats Directive', an Appropriate Assessment must be undertaken if the plan is likely to have a significant effect on a European protected wildlife site.

1.3.2 The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, which came into force on 28 December 2018, amend the basic condition relating to NDPs prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended), substituting a new basic condition which states:

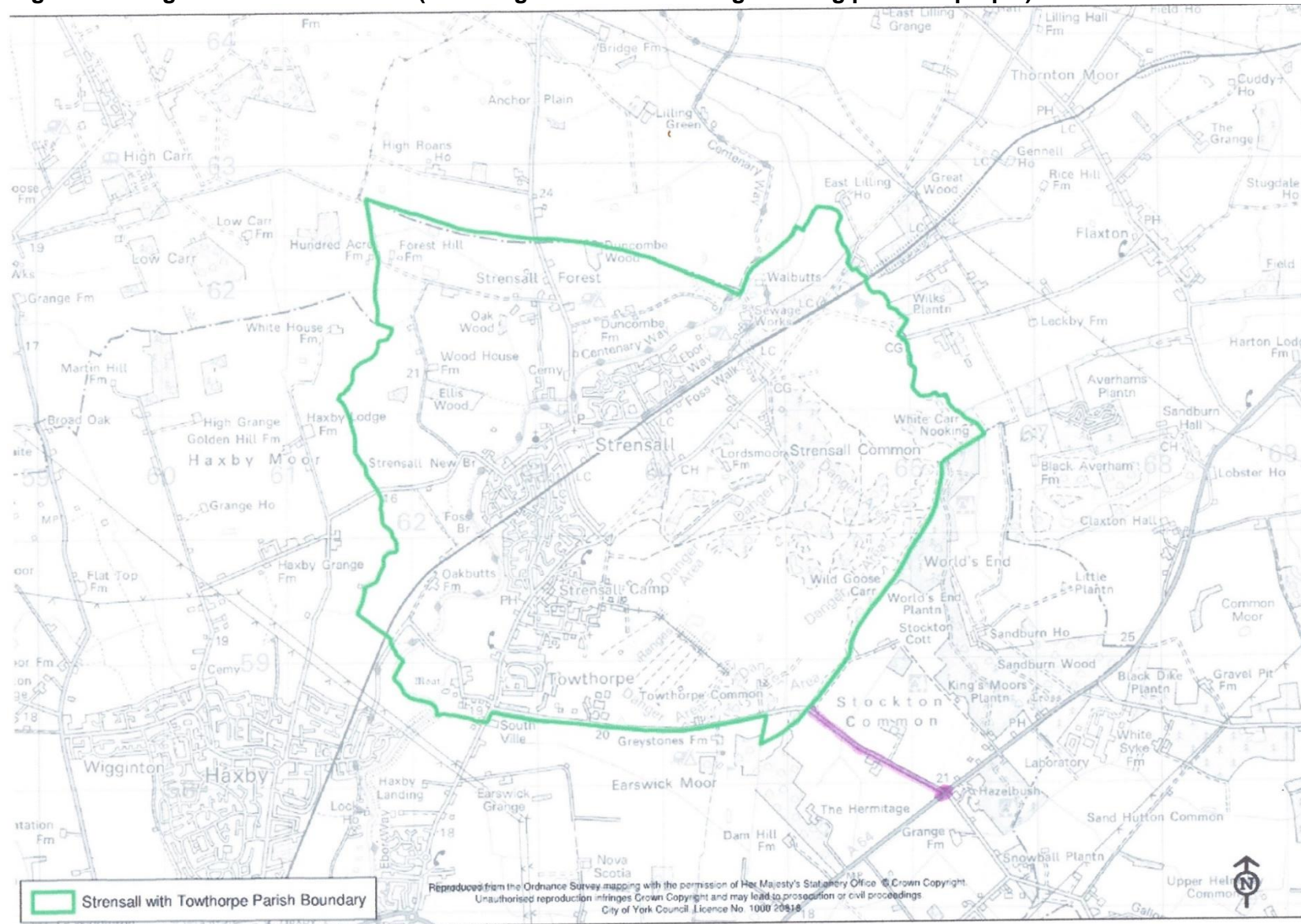
*"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017."*

## 2.0 INTRODUCTION TO STRENSALL WITH TOWTHORPE

2.1 The Strensall with Towthorpe NP will cover the plan area shown in Figure 1 below. This area falls entirely within the City of York Council area. It also includes a small area within the parish of Stockton on the Forest.



Figure 1 – Neighbourhood Plan Area (including extension into neighbouring parish in purple)





## 2.2 The NDP is underpinned by the following aims:

### **NP Aims**

To manage the change expected during the Plan period up to 2033 across the designated area of Strensall with Towthorpe Parish plus the addition of the whole of Towthorpe Moor Lane and the junction of this highway with the York to Scarborough section of the A64 at Hazelbush Crossroads.

If the MoD were to dispose of the Barracks for redevelopment, then the site at Towthorpe Moor Lane will have been developed for a range of local employment generating businesses. Should The Queen Elizabeth Barracks be developed it is expected that the development will have facilitated an extension to the local bus service and provide a range of local community facilities including New open space and sports facilities. Overall, the development will have become an extension of the existing community, rather than a standalone development and the military history must be integrated into the design of scheme.

Tensions concerning the impact of modern car use on the historic core of the village will be no worse, whilst opportunities to improve pedestrian and cycle safety will have been secured.

Any future development should respect the rural nature of the designated area and be sympathetic and unobtrusive in its design

The effects of any development must take account of the fragility of Strensall Common (SAC) (SSSI) and measures must be included in any scheme to achieve this.

## 2.3 These aims are supported by 4 objectives (i.e. what the community hope to achieve through the plan):

### **NP Objectives**

1. Maintain the historic identity and character of the village of Strensall and the hamlet of Towthorpe.
2. Manage the potential impact of new housing and employment developments within the designated area so as to help integration and limit potential impacts.
3. To ensure that the housing types and mix, best meet the needs of existing and future residents.
4. To protect local greenspace, and enhance open space, sports, social and community facilities



2.4 Table 1 below provides an overview of each of the draft NP policies.

<b>Table 1: An overview of the NP policies</b>	
<b>Policy</b>	<b>What does it do</b>
CP1: Safeguarding Existing Car Parking	The policy protects existing car parking capacity and provides for compensatory provision in the event of loss to development, subject to continuing need.
CP2: Increased Public Car Parking	The policy requires additional car parking to be provided as part of new development, in excess of local planning authority standards in some locations.
CF1: Protection of Community Facilities & Services	The policy protects 11 named facilities against loss through development, with specified exceptions.
CF2: Local Green Space	The policy designates 26 Local Green Spaces and welcomes opportunities for the enhancement of their amenity, recreational and biodiversity value.
DH1: Promotion of Local Distinctiveness	The policy resists development that would have an adverse impact on character/appearance and sets out 23 detailed provisions to promote local distinctiveness in new development, based on a previously prepared village design statement and the 21-character areas identified therein.
DH2: General Design Principles	The policy sets out design principles, covering scale and massing; layout; roof form; materials; chimneys; openings; fascias and rain water goods, spaces and the Strensall Common Special Area of Conservation (SAC)/Site of Special Scientific Interest (SSSI) to which all new development is expected to adhere.
DH3: General Shopfront Design	The policy seeks to conserve and re-establish traditional shopfronts in the villages' retail outlets.
DH4: Shopfront Signage	The policy seeks to control shopfront signage and lighting.
DG1: Strensall Park	The policy seeks to control new development in the defined area of Strensall Park, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment and spaces. It states additionally that any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC/SSSI.
DG2: Alexandra Road	The policy seeks to control new development in the defined area of Alexandra Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment and spaces. It states additionally that any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC/SSSI.
DG3: Howard Road	The policy seeks to control new development in the defined area of Howard Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment and spaces. It states additionally that any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC/SSSI.
DG4: Queen Elizabeth Barracks	The policy seeks to control new development in the defined area of Queen Elizabeth Barracks, in terms of scale, massing and layout; roof form; materials; chimneys; openings and spaces. It states additionally that any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC/SSSI. It also seeks to protect buildings of local historic interest and the site's heritage interest and to secure a photographic record of the existing site prior to any development.
DG5: Development Brief for the	The policy sets an outline brief for development covering SAC/SSSI protection; Green Belt protection; retention of Hurst Hall 'community centre'; retention of sports facilities for community use; meeting of school needs; foul water capacity;



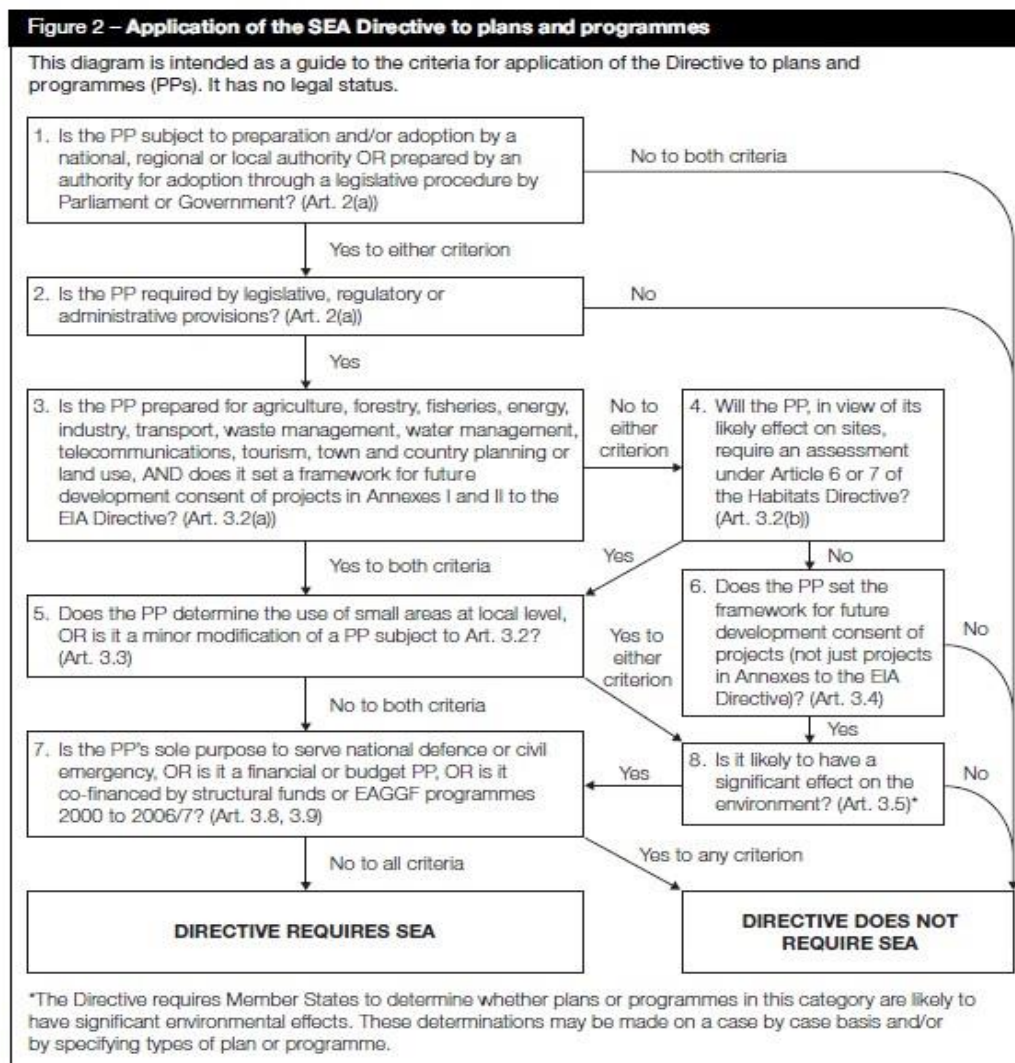
Table 1: An overview of the NP policies	
Policy	What does it do
Redevelopment of the Queen Elizabeth Barracks	public transport provision; travel plan provision; housing mix; and a central heating system.
DG6: Affordable Housing	The policy seeks to secure affordable housing to meet local need and with local connection provision.

### 3.0 LEGISLATIVE BACKGROUND TO SEA

3.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, often referred to as the “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) available to view at:-

<https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

3.2 The Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (ODPM 2005) includes a useful table intended as a guide to the circumstances where the SEA directive applies to plans and programmes. This is reproduced below:-





- 3.3 The table below uses the diagram above to help determine whether or not the SEA directive applies to the Strensall with Towthorpe NP:-

<b>Table 2: Application of the SEA Directive to Neighbourhood Plans</b>			
<b>Stage</b>	<b>Response</b>	<b>Outcome</b>	<b>Comment</b>
1. Is the NDP 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))	Yes ✓	Go to question 2	The preparation and adoption of the NDP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NDP is being prepared by Strensall with Towthorpe Parish Council (as the "relevant body") and will be "made" by City of York Council as the main local planning authority. The preparation of NDPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (referendums) Regulations 2012.
2. Is the NDP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes ✓	Go to question 3	Whilst the Neighbourhood Development Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011 it will, if "made", form part of the statutory Development Plan for the district.
	No	NO SEA required	
3. Is the NDP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or	Yes to both	Go to question 5	The Neighbourhood Development Plan has been prepared for town and country planning and land use purposes but does not set the framework for future development



<b>Table 2: Application of the SEA Directive to Neighbourhood Plans</b>			
<b>Stage</b>	<b>Response</b>	<b>Outcome</b>	<b>Comment</b>
land use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a))	No to either ✓	Go to question 4	consent of projects in Annexes I and II to the EIA Directive (see Appendix 2 of Directive for list).
4. Will the NDP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	Yes	Go to question 5	The conclusion set out in section 7 of this report states that the draft NDP is not likely to have a significant effect on a European site either alone or in combination with other plans or projects.
	No ✓	Go to question 6.	
5. Does the NDP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes to either	Go to question 8	Not applicable.
	No to both	Go to question 7.	
6. Does the NDP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes ✓	Go to question 8	The Neighbourhood Development Plan is to be used for determining future planning applications.
	No	Does not require SEA	
7. Is the NDP'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? (Art 3.8, 3.9)	Yes to any criteria	Does not require SEA	Not applicable
	No to all criteria	Requires SEA	
8. Is it likely to have a significant effect on the environment? (Art 3.5)	Yes	Requires SEA	Likely significant effects are explored in more detail in section 3 of this report.
	No ✓	Does not require SEA	



- 3.4 The table above tells us that an environmental assessment of the NDP is only required if it is likely to have a significant effect on the environment. This question is explored in section 3.

#### **4.0 CRITERIA FOR DETERMINING LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT**

- 4.1 When determining whether a Neighbourhood Development Plan is likely to have significant effects on the environment, the SEA Regulations require that the criteria set out in Schedule 1 of the SEA Regulations be considered. These are given the title “Criteria for determining the likely significance of effects on the environment”. These criteria are split into two categories: those relating to the characteristics of the plan; and those to the characteristics of the effects and area likely to be affected. These are set out in more detail below.

#### **4.2 Plan characteristics**

- 4.2.1 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 [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

#### **4.3 Characteristics of the effects and the plan area**

- the probability, duration, frequency and reversibility of the effects;
- the cumulative nature of the effects;
- the transboundary nature of the effects;
- the risks to human health or the environment (for example, due to accidents);
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- the value and vulnerability of the area likely to be affected due to:-
  - special 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.



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>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</li> </ul>	<p>There is no adopted Local Plan for the City of York. Planning applications are currently determined with reference to the NPPF and, in the case of Green Belt, in the light of Saved Policy SH9 of the Yorkshire and Humber Regional Spatial Strategy 2008. The City of York Council currently refers to the '4<sup>th</sup> Set of Proposed Changes Version of Draft Local Plan 2005' but this carries limited weight except where consistent with NPPF. A new draft City of York Local Plan was submitted to the Secretary of State in May 2018 for examination. Alongside the City of York Local Plan (once adopted), the Strensall with Towthorpe NP will provide the statutory development plan for the neighbourhood plan area – see Figure 1. This means planning applications will be determined against the policies in both plans. An overview of the plan policies is provided in Table 1 to this report.</p> <p>The key aim of the NP's 14 policies is to shape new development. The plan does not allocate any sites for development. The policies can be categorised into:</p> <p><b>Protection and enhancement policies</b> in respect of car parking, community facilities and Local Green Space (4 policies)</p> <p><b>Design and development requirement policies</b> in respect of housing mix, 4 defined geographical areas, shopfronts, shopfront signage and for the Neighbourhood Area generally (9 policies).</p> <p><b>An outline site development brief.</b></p>
<ul style="list-style-type: none"> <li>the degree to which the plan or programme influences other plans and programmes including those in a hierarchy</li> </ul>	<p>There is no statutory plan that will sit underneath the Strensall with Towthorpe NP. However, it is expected that future statutory development plans such as neighbourhood plans in neighbouring areas or the City of York Local Plan itself will have regard to the Strensall with Towthorpe NP.</p>
<ul style="list-style-type: none"> <li>the relevance of the plan or programme for the integration of</li> </ul>	<p>Before the NP can be made, the plan as a whole, together with its constituent policies, will need to be tested against the basic conditions. This includes a requirement to contribute towards the achievement of sustainable development, as defined in the National Planning Policy Framework.</p>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
environmental considerations in particular with a view to promoting sustainable development	
<ul style="list-style-type: none"> <li>environmental problems relevant to the plan or programme</li> </ul>	<p>There are key environmental constraints within and/or in close proximity to the NP area. These are:</p> <p><b>Biodiversity:</b></p> <p>1 site of international nature conservation importance, i.e. Strensall Common Special Area of Conservation (SAC), lies entirely within the Neighbourhood Area (NA). In addition, Strensall Common is nationally identified as important as a SSSI. The designations for the SAC and SSSI are both relevant. All parts of the NA which lie outside the SAC fall within SSSI Impact Risk Zones.</p> <p>A second site of international nature conservation importance, i.e. River Derwent SAC, lies some 6.75km east and east south east of the Neighbourhood Area. The River Derwent also has component SSSIs. According to mapping data available on <a href="http://www.magic.defra.gov.uk">www.magic.defra.gov.uk</a>, no parts of the NA fall within the SSSI Impact Zones for the SAC.</p> <p>A further 3 sites of international nature conservation importance, i.e. Lower Derwent Valley SAC, Special Protection Area and Ramsar site, lie near Wheldrake, some 10.25km south east of the NA. The Lower Derwent Valley also comprises a SSSI. According to mapping data available on <a href="http://www.magic.gov.uk">www.magic.gov.uk</a>, no parts of the NA fall within the SSSI Impact Zones for the SAC/SPA/Ramsar site.</p> <p><b>Biodiversity continued - Detailed information on Strensall Common SAC:</b></p> <p>The Strensall Common SAC covers an area of acidic lowland heath of over 569 hectares north-east of the city of York, entirely within the NA.</p> <p>SAC citation – Strensall Common is an example of acidic lowland heath represented predominantly by Erica tetralix – Sphagnum compactum wet heath, although its extent has been reduced by drainage. It is a noted locality for marsh gentian Gentiana pneumonanthe, narrow buckler-fern Dryopteris carthusiana and the dark-bordered</p>



Table 3.1: Plan Characteristics	
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	<p>beauty moth <i>Epione vespertaria</i> as it is associated with creeping willow <i>Salix repens</i> on the wet heath. There is also a complex mosaic of wet heaths with <i>Erica tetralix</i> and dry heath elements. The <i>Calluna vulgaris</i> – <i>Deschampsia flexuosa</i> dry heath is noted for petty whin <i>Genista anglica</i> and bird's-foot <i>Ornithopus perpusillus</i>.</p> <p>Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>-European dry heaths.</li> <li>-Northern Atlantic wet heaths with <i>Erica tetralix</i> (wet heathland with cross-leaved heath).</li> </ul> <p><b>Biodiversity continued - Other biodiversity habitat designations:</b> Lowland Heathland Priority Habitat covers the vast majority of the Strensall Common SAC.</p> <p>Vast majority of the NA identified as within Woodland Priority Habitat Network – two-thirds/one third split between lower and higher spatial priority.</p> <p>Strensall Common and immediately west of; Duncombe Wood; Oak Wood; Ellis Wood and occasional others identified as Deciduous Woodland Priority Habitat.</p> <p>Strensall Common (NB largely high spatial priority); Duncombe Wood; Oak Wood; Ellis Wood and occasional others identified for woodland improvement.</p> <p><b>Biodiversity continued - Data on Species:</b></p> <ul style="list-style-type: none"> <li>• North west corner of NA - targeting of corn bunting as Priority Species for Countryside Stewardship.</li> <li>• Northern two thirds of NA - targeting of curlew as Priority Species for Countryside Stewardship.</li> <li>• Western two-thirds of NA, plus north east and eastern tips - targeting of lapwing as Priority Species for Countryside Stewardship.</li> <li>• Most of Strensall Common plus Lordsmoor Farm area to west identified for woodland bird – willow tit.</li> <li>• Northern 80% of NA identified for farmland bird – grey partridge.</li> </ul>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<ul style="list-style-type: none"> <li>• All of NA identified for farmland bird – tree sparrow.</li> <li>• North west 75% of NA identified for farmland bird – yellow wagtail.</li> <li>• Strensall Common SAC identified for nesting seabird(s).</li> <li>• Vast majority of NA identified for both arable and grassland assemblage farmland birds.</li> <li>• Manor Farm, Towthorpe – identified in respect of bats as European Protected Species.</li> <li>• All of NA identified as Farm Wildlife Package Area.</li> </ul> <p><b>Biodiversity in summary:-</b>  <i>The value (and sensitivity) of the plan area as well as that of the surrounding area in terms of biodiversity is relevant to the Strensall with Towthorpe Neighbourhood Plan. As can be seen from Table 1, the planning policies in the Neighbourhood Plan do not allocate sites for development but are focused on shaping development when it comes forward or protecting certain land uses (including existing open space). There is one planning policy which seeks a higher standard of car parking provision than City of York standards to reflect the more rural location and higher dependency on cars. But it is a non-site specific policy and there may be a theoretical link between this policy and impact on biodiversity.</i></p> <p><b>Soils/Agri-Environment:</b>  The whole of the NA is within a Nitrate Vulnerable Zone as at 2017.</p> <p>Forest Hill Farm identified as Countryside Stewardship Management Area (Middle Tier).</p> <p>Strensall Common SAC plus western and Towthorpe fringes subject to Environmental Stewardship Agreement (Entry Level plus Higher Level Stewardship).</p> <p>Lordsmoor Farm and Walbutts/sewage works area subject to Felling Licence Agreement.</p> <p>Strensall Camp area subject to Woodland Grant Scheme.</p> <p>Land north west Flaxton Road (Lordsmoor Farm?) identified as largely Grade 3A agricultural land with some Grade</p>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>2.</p> <p><b>Soils/agri-environment in summary:-</b>  <i>The soils/agri-environment as described above has limited relevance to the Neighbourhood Plan. No site allocations and no loss of greenfield land through the plan.</i></p> <p><b>Water:</b>  The north-east to south-west flowing River Foss and its tributary entering at Strensall from the north, are the principal watercourses in the NA.</p> <p>All of the NA is identified as a Countryside Stewardship Water Quality Priority Area (High Priority).</p> <p>All of the NA is also in Priority Areas (High Priority) for Sediment Issues and Phosphate Issues.</p> <p>The north, west and south-west of the NA are identified for Woodland Water Quality (Lower Spatial Priority).</p> <p>The course of the River Foss, together with the Strensall Camp area and Strensall Common (north-east corner) are identified for Woodland Flood Risk (High Spatial Priority).</p> <p><b>Water in summary:-</b>  <i>The water environment as described above has relevance to the Neighbourhood Plan in so far as it is a land use plan. The NP policies themselves are unlikely to trigger additional development and are therefore not expected to impact on the watercourses. The impact of land use on flood risk is addressed at a higher level including the National Planning Policy Framework.</i></p> <p><b>Air:</b>  In relation to habitats, the City of York Local Plan HRA screening report, September 2018 (drawing on an April 2018 Air Quality Assessment appended) indicates nitrogen deposition and nitrogen dioxide concentrations of</p>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>concern in relation to the Strensall Common SAC, but Appropriate Assessment concludes no adverse effects on the integrity of the European site.</p> <p>In relation to human health, there are no AQMAs within Strensall and no known issues in relation to air quality. Plan policies will not themselves trigger additional development so no impact here.</p> <p><b>Climatic Factors:</b> No known issues.</p> <p><b>Population:</b> The 2011 Census recorded the parish population at 6,047. The 2011 Census identifies how there are a greater number of residents aged 15 and under (21%) in comparison to the York District average of 16%. There are also a greater number of residents aged 65 and over (21%) in comparison to the District average of 17%. This data shows how there are a greater proportion of younger people and older people in the Parish in comparison to the District average. The average mean age of residents in the Parish at the time of the 2011 Census was 39, broadly in-line with the York District average of 39.5.</p> <p><b>Population in summary:-</b> <i>The characteristics of the population is relevant to planning policies in neighbourhood plans since the purpose of the planning policies is to manage the development and use of land in a way which appropriately meets the needs of the population. The planning policies in this respect will largely register positive impacts (e.g. protecting existing open space, community uses, car parks, ensuring development meets high standards of design).</i></p> <p><b>Human Health:</b> No known health, wellbeing or social care issues in the NA. There is a doctor's surgery and dental practice. Health issues and health infrastructure are relevant to any land use plan. The NP seeks to protect existing social infrastructure which would be beneficial to human health including open spaces and community facilities; the NP</p>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>also seeks to secure affordable housing which would have indirect benefits. The plan therefore may register a range of positive effects.</p> <p><b>Material and Cultural Assets:</b></p> <ul style="list-style-type: none"> <li>-The Explore Library</li> <li>-St Wilfred's Church</li> <li>-Durlston Drive Community &amp; Sports Centre</li> <li>-Strensall &amp; Towthorpe Village Hall</li> <li>-Strensall Methodist Hall</li> <li>-Spearehead Hall</li> <li>-Robert Wilkinson Primary Academy</li> <li>-Hurst Hall</li> <li>-The Six Bells Public House</li> <li>-The Half Moon Public House</li> <li>-The Ship Inn</li> </ul> <p>Valued community assets in a plan area is relevant to any land use plan coming forward. The plan seeks to protect existing community facilities.</p> <p><b>Cultural Heritage, including architectural and archaeological heritage:</b></p> <p>3 conservation areas:-</p> <ul style="list-style-type: none"> <li>-Strensall Village Conservation Area</li> <li>-Strensall Railway Buildings Conservation Area</li> <li>-Towthorpe Conservation Area</li> </ul> <p>10 listed buildings – all Grade II (NB ref Historic England records – in reality the listed mile post is no longer in situ, feared stolen).</p> <p>Strensall Common is historically significant as it remains as one of the few remaining “wastes” in the region once</p>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>covered by the Royal Forest of Galtres.</p> <p>There are many additional archaeological/heritage records for the area, further information on which can be found at <a href="http://www.heritagegateway.org.uk">www.heritagegateway.org.uk</a>. These include enclosures, a ditch, Foss Navigation related e.g. locks, a former Quaker Burial Ground and multiple ridge and furrow sites.</p> <p><b>Cultural Heritage in Summary:-</b></p> <p><b><i>The cultural heritage of a plan area is relevant to any land use plan coming forward. The planning policies are focused on protecting or enhancing existing character and heritage assets.</i></b></p> <p><b>Landscape:</b></p> <p>The plan area is in National Landscape Character Area (NLCA) 28: Vale of York (see below):-</p> <p><i>“The Vale of York is an area of relatively flat, low-lying land surrounded by higher land to the north, east and west. High-quality soils across most of the National Character Area (NCA) mean that arable cultivation is the predominant land use, although some pig and dairy farming takes place in the western parts of the NCA. A key feature of the NCA is the rivers that drain surrounding higher land and run southwards through the Vale on towards the Humber basin. Natural flood plain habitats and associated species are still found within the Lower Derwent Valley (designated as a Special Protection Area, Special Area of Conservation and Ramsar site) although, like other flood plains, this area is threatened due to water quality issues.”</i></p> <p><b>Landscape in summary:-</b></p> <p><b><i>Landscape character and sensitivity is relevant to any emerging land use plan. The policies in the plan seek to protect landscape character and valued open spaces within the settlement.</i></b></p> <p><b>The interrelationship between the above:</b></p> <p>The text under this sub-heading considers how various environmental sensitivities in the plan area interrelate. Various Countryside Stewardship (CS) Agreement Management Areas, Environmental Stewardship Agreements and Woodland Grant Schemes in existence.</p>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>2 areas of land at Strensall Camp and Strensall Common mapped as access land under Countryside Rights of Way (CRoW).</p> <p>The NA is part of the White Rose Community Forest Area – a local authority based joint venture that covers the Leeds City Region – part of an initiative to create England’s Northern Forest.</p> <p>A significant swathe of the NA falls within a sub-regional corridor (Foss), as identified by Natural England in its “Yorkshire &amp; Humber Green Infrastructure Mapping Project” 2009. This intersects with the Northern Heath district corridor identified as part of the same project:-</p> <p><i>Foss:-</i>  <i>“The sub-regional Foss corridor runs from the Howardian Hills AONB to York where it joins the Ouse. Within the corridor, the river meanders through farmland and is, for the most part, lined with reasonably dense vegetation which provides a valuable habitat with presence of otter and water vole. The corridor passes no major settlements except York and therefore north of York, the corridor is relatively tranquil. Historically this river was important for navigation purposes and parts of the banks remain canalised today though only about one mile at the south of the river is navigable. Flooding is a major issue and the Foss barrier was constructed in York after the severe floods of 1982. Green infrastructure investment could include flood management measures and improvement of recreation within the corridor.”</i></p> <p><i>Northern Heath:-</i>  <i>“This district corridor connects Stamford Bridge and Strensall to the north east of York. Strensall Common is one of the most important areas of lowland heath in northern England. Access is limited due to being Ministry of Defence land, but it maintains an open character. Large areas of plantation woodland could be converted to heathland to buffer and extend the valuable Strensall Common habitats.”</i></p> <p>The Centenary Way (North Yorkshire) runs through the NA – a route devised to celebrate the 100th anniversary of North Yorkshire County Council. It runs across the Howardian Hills and Yorkshire Wolds via Castle Howard and Wharram Percy, linking York and the Foss Walk with the Yorkshire Wolds Way and Cleveland Way National Trails.</p>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>Meeting the Derwent and Foss, it combines riverside walks in deep valleys with forest tracks.</p> <p>The Foss Walk long distance path runs through the NA -the walk follows footpaths along or near the river Foss, from its confluence with the Ouse in the historic city of York to its source at Pond Head, four miles from Easingwold the finish. The walk passes through Strensall, Sheriff Hutton, Crayke and Oulston.</p> <p>NB Much of above information ref <a href="http://www.magic.gov.uk">www.magic.gov.uk</a></p>
<ul style="list-style-type: none"> <li>the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</li> </ul>	<p>There are no conflicts between the Strensall with Towthorpe NP and statutory plans linked to waste, water etc. The Neighbourhood Plan does not seek to implement programmes relating to community legislation.</p>

Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>the probability, duration, frequency and reversibility of the effects</li> </ul>	<p>In this section, any potential effects of the neighbourhood plan planning policies on the environment are explored, taking in turn each environmental topic. As part of this, the existence and probability of an effect is considered as well as duration, frequency and reversibility. In general, the plan as a whole will be used, alongside higher-level planning policies (Local Plan and NPPF), as a basis for determining planning applications which come forward in the plan area. The planning policies therefore will influence what types of development come forward and how.</p>



Table 3.2: Plan effects and area characteristics		
Effects and area characteristics	Strensall with Towthorpe NP	
	<p>The planning policies in a neighbourhood plan can also influence where development comes forward and where it does not come forward. The Strensall with Towthorpe NP includes site specific policies which protect open spaces from development (CF2) or which protect certain uses (CP1 and CF1) but as seen in Table 1, there are no policies which allocate specific sites for new development. This itself, limits the likelihood of any significant effects on the environment.</p> <p><b>Biodiversity – Impact on Strensall Common</b> The impact of the policies on Strensall Common (SAC) has been assessed as part of the HRA screening shown below (section 6). In this assessment, 13 policies were found not to trigger additional development and therefore ruled out as having any effect on the European site. The remaining policy was assessed in terms of impact on ‘aquatic environment’ and of ‘recreational pressure’ and ‘airborne pollution’. The assessment concluded no likely significant effect on Strensall Common arising directly from the NDP policies.</p> <p>Regarding the remaining policy that could trigger additional development or influence the location of development: Policy CP2: Increased Public Car Parking – The NP relates to additional car parking being provided as part of new development, in excess of local planning authority standards. At this stage the location of car parking is unknown but is likely to be contained within the village footprint as identified on the Proposals Map. Impacts on biodiversity would need to be assessed at planning application stage. Conclusion that no negative effect.</p> <p><b>Biodiversity – Other Assets of Value</b> On a similar basis to the HRA screening assessment of the plan policies in relation to the Strensall Common SAC, the planning policies have very limited impact on the location of development. In terms of triggering development that affects other biodiversity assets in the plan area, impacts from the NP are minor.</p> <p><b>Soil/Agri-Environment</b> No specific effects identified. The Neighbourhood Plan policies themselves are unlikely to trigger additional</p>	



Table 3.2: Plan effects and area characteristics		
Effects and area characteristics	Strensall with Towthorpe NP	
	<p>development. There will be no loss of greenfield land through the plan policies.</p> <p><b>Water</b> The Neighbourhood Plan policies themselves are unlikely to trigger additional development and are therefore not expected to impact on the watercourses. The impact of land use planning on flood risk is addressed at a higher level including the national level through the National Planning Policy Framework.</p> <p><b>Air</b> No specific effects identified. There are no known existing problems relating to air quality for humans and the Neighbourhood Plan policies will not themselves trigger additional development and are therefore not expected to impact on existing air quality.</p> <p>Air quality impact on Strensall Common from the Neighbourhood Plan has been assessed as part of HRA screening which concluded no likely significant effects under the HRA legislation.</p> <p><b>Impact on Climatic Factors</b> No specific effects identified.</p> <p><b>Population</b> The plan includes a number of policies which would materially benefit the population, with regard to additional car parking provision (CP2); protection of community facilities (CF1); protection/enhancement of Local Green Space (CF2); and affordable housing to meet local need (DG6). The NP would therefore probably register a range of positive impacts throughout the plan period on the population.</p> <p><b>Human Health</b> The Neighbourhood Plan seeks to protect existing social infrastructure which would be beneficial to human health including open spaces and community facilities; the plan also seeks to secure affordable housing which would</p>	



Table 3.2: Plan effects and area characteristics		
Effects and area characteristics	Strensall with Towthorpe NP	
	<p>also have indirect health benefit to human population. The NP would therefore probably register a range of positive impacts throughout the plan period, on the population. Whilst such effects are important, effects emanating from the plan itself cannot be considered significant considering the existing backdrop of a land use planning system being in place.</p> <p><b>Material and Cultural Assets</b></p> <p>Policy DG5 (Development Brief for the Redevelopment of the Queen Elizabeth Barracks) seeks to retain existing community centre and sports facilities for wider community use and secure provision of additional, and improve public transport. This could result in positive impacts for the users of the NA's assets and the wider community and for sustainable transport provision.</p> <p>Policy CP2 (Increased Public Car Parking) provides for additional car parking capacity in the villages. This could result in minor positive impacts for car using patrons of the NA's assets.</p> <p>Policy CF2 (Local Green Space) protects 26 sites, many of which are playing fields, sports grounds or offer similar sporting/ recreational opportunities.</p> <p>These effects are probable and will last throughout the plan period but are not significant.</p> <p><b>Cultural Heritage, including architectural and archaeological heritage</b></p> <p>Policy DH1 (Promotion of Local Distinctiveness) expects the provisions set out to be adhered to throughout the area – this in order to resist adverse impacts on character and appearance and to promote local distinctiveness.</p> <p>Policy DH2 (General Design Principles) expects the principles set out to be adhered to particularly within the NA's conservation areas and with regard to listed buildings, as well as generally throughout the area – this in order to respect existing architectural and historical character and appearance.</p> <p>Policies DH3 (Shopfront Design) and DH4 (Shopfront Signage) seek to protect shopfront character and appearance, notably within applicable conservation areas.</p>	



Table 3.2: Plan effects and area characteristics		
Effects and area characteristics	Strensall with Towthorpe NP	
	<p>Policy DG4 (Queen Elizabeth Barracks) expects the heritage interest of the site to be preserved as part of any redevelopment, and for a photographic record to be taken before any demolition/redevelopment.</p> <p>Positive effects on cultural heritage are probable throughout the plan period but they are minor considering the existing backdrop of a planning system being in place which protects heritage.</p> <p><b>Landscape</b> Policy CF2 (Local Green Space) protects 26 sites, many of which are locally significant as amenity green space.</p> <p>Policies DH1 (Promotion of Local Distinctiveness); DH2 (General Design Principles); DG1 (Strensall Park); DG2 (Alexandra Road) and DG3 (Howard Road) work to protect/add to the local landscape, notably generous gardens and mature trees.</p> <p><b>The interrelationship between the above:</b> Policy CF2 (Local Green Space) could have a minor positive impact by protecting land within the River Foss and Northern Heath Green Infrastructure corridors. Any effect linked to this policy would last during the plan period.</p> <p>Provisions in Policies DH2, &amp; DG1-4 concerning the Strensall Common SAC/SSSI will have positive effects in relation to maintaining the integrity and quality of the Northern Heath corridor.</p>	



Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>the cumulative nature of the effects</li> </ul>	<p>Cumulatively, the policies relating to additional car parking, community facilities/services, Local Green Space, local distinctiveness, design principles and affordable housing could have positive benefits in relation to population, material/cultural assets, human health, cultural heritage, landscape and interrelationships between the foregoing.</p> <p>No negative effects have been identified in relation to soil/agri-environment, water, air, climatic factors or biodiversity.</p>
<ul style="list-style-type: none"> <li>The trans-boundary nature of the effects</li> </ul>	<p>The neighbourhood plan relates to the designated Neighbourhood Area (ref Figure 1), comprising the parish of Strensall and Towthorpe, plus a small area of Stockton-on-the-Forest parish. The policies included with the plan predominantly help to shape any development proposed through future planning applications. The plan does not allocate any sites for development. It is anticipated that the effects of the policies will be contained within the geographical area and population within the designated plan area. None of the policies are likely to have or lead to cross-boundary effects.</p>
<ul style="list-style-type: none"> <li>the risks to human health or the environment (for example, due to accidents)</li> </ul>	<p>There are no significant risks to human health anticipated as a result of the Neighbourhood Plan. The Neighbourhood Plan should help to improve human health and the environment through its inclusion of policies which address affordable housing, the allocation of additional local green space and the protection of nature conservation designations from adverse effects.</p>
<ul style="list-style-type: none"> <li>the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</li> </ul>	<p>The neighbourhood plan relates to the designated Neighbourhood Area (ref Figure 1), comprising the parish of Strensall and Towthorpe, plus a small area of Stockton-on-the-Forest parish. The policies included with the plan predominantly help to shape any development proposed through future planning applications. The plan does not allocate any sites for development. It is anticipated that the effects of the policies will be contained within the geographical area and population within the designated plan area. None of the policies are likely to have or lead to cross-boundary effects.</p>



Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>the value and vulnerability of the area likely to be affected due to:- <ul style="list-style-type: none"> <li>special natural characteristics or cultural heritage</li> <li>exceeded environmental quality standards or limit values</li> <li>intensive land-use</li> </ul> </li> </ul>	<p>The Strensall Common SAC is highly valued and protected as a European site. All of NA is within SSSI Impact Risk Zone. The impact of the policies on the European sites have been assessed as part of the HRA screening shown below.</p> <p>As identified already in this assessment, they are not likely to be affected by the plan policies.</p> <p>Priority habitats and species are present within the NA, but largely in the NA's countryside areas (or the protected SAC), and outside the villages where the NP policies will impact. No specific effects identified. These priority habitats are not likely to be affected by the plan policies.</p> <p>As explained above there are a number of cultural assets in the plan area, including listed buildings and conservation areas.</p> <p>A number of the NP's policies provide for the protection of the NA's cultural heritage assets in relation to any new development. Some positive effects identified.</p>
<ul style="list-style-type: none"> <li>the effects on areas or landscapes which have a recognised national, Community or international protection status</li> </ul>	<p>The plan area is in National Landscape Character Area (NLCA) 28: Vale of York. Any effects on the landscape directly from the NP are minimal since the NP does not propose sites for development. There are likely to be minor positive impacts due to Policy CF2 (Local Green Space), which protects 42 sites, many of which are locally significant as amenity green space, and due to policies which seek to protect existing landscape quality. This includes Policies DH1 (Promotion of Local Distinctiveness); DH2 (General Design Principles); DG1 (Strensall Park); DG2 (Alexandra Road) and DG3 (Howard Road) which work to protect/add to the local landscape, notably generous gardens and mature trees.</p>



## 5.0 SEA CONCLUSIONS

- 5.1 The assessment in tables 3.1 and 3.2 indicate a range of possible minor positive environmental effects as a result of the draft plan policies. No likely significant environmental effects have been identified.
- 5.2 This was the preliminary view reached prior to informally consulting Natural England, the Environment Agency and Historic England. Having considered responses from the statutory consultees and City of York (see Appendices 2-4), this view still stands.

## 6.0 LEGISLATIVE BACKGROUND TO HRA

- 6.1 The application of Habitats Regulation Assessment to land use plans is a requirement of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations); the UK's transposition of European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (widely referred as to the Habitats Directive). Article 6(3) of the Habitats Directive requires that any plan (or project) which is not directly connected with or necessary to the management of a European site (also known as a Natura 2000 site), but would be likely to have a significant effect on such a site, either individually or in combination with other plans and projects, shall be subject to an 'appropriate assessment' of its implications for the European site, in view of the site's conservation objectives. The plan-making body shall agree to the plan only after having ascertained that it will not adversely affect the integrity of the site concerned.
- 6.2 European sites provide ecological infrastructure for the protection of rare, endangered or vulnerable natural habitats of exceptional importance within the European Union. These sites consist of Special Areas of Conservation (SACs), designated under the Habitats Directive, and Special Protection Areas (SPAs), designated under European Union Directive 2009/147/EC *on the conservation of wild birds* (the Birds Directive). The government also expects authorities to treat Ramsar sites, designated under the Convention of Wetlands of International Importance, UNESCO 1971, as if they are European sites.
- 6.3 In April 2018, a notable legal judgment<sup>1</sup> held that mitigation measures should be disregarded when carrying out HRA screening. Subsequently, the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, which came into force on 28 December 2018, amend the basic condition relating to Neighbourhood Plans prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended), substituting a new basic condition which states: *"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017."*
- 6.4 This means that NDPs need to be assessed in order to ensure that regulation requirements are not breached. The first stage is to screen an NDP to see whether it is likely to have a significant effect on any European site. If the plan is 'screened in' because significant effects cannot be ruled out, the next stage is for an appropriate assessment to be carried out considering the impact on the European site's conservation objectives. Consent for the plan can only be given if it is 'screened out' at the first stage or the appropriate assessment concludes the integrity of the European site will not be adversely affected.

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<sup>1</sup> CASE C 323/17 COURT OF JUSTICE OF THE EUROPEAN UNION



## **7.0 HRA SCREENING FOR THE STRENSALL WITH TOWTHORPE NP**

### **7.1 This section of the report:**

- identifies the European sites within 20 km of the plan area;
- looks at the impact risk zones defined by Natural England for these European sites to see if the plan area falls within these;
- summarises the reasons for designation and conservation objectives for each of the sites which have an impact risk zone stretching into the plan area;
- screens the NDP for its potential to impact upon European sites;
- assesses the potential for in-combination effects from other projects and plans in the area.

### **7.2 European Sites with 20km of the NDP area**

#### **7.2.1 There are 5 European sites applicable to the Strensall with Towthorpe plan area:**

a) The Strensall Common Special Area of Conservation (SAC), lies entirely within the Neighbourhood Area. It covers an area of acidic lowland heath of over 569 hectares.

b) The River Derwent SAC, lies some 6.75km east and east south east of the Neighbourhood Area. The Yorkshire Derwent is considered to represent one of the best British examples of the classic river profile. This lowland section, stretching from Ryemouth to the confluence with the Ouse, supports diverse communities of aquatic flora and fauna, and covers some 911 hectares.

c) The Lower Derwent Valley SAC, Special Protection Area (SPA) and Ramsar site, lie near Wheldrake, some 10.25km south east of the NA: -

-The Lower Derwent Valley SAC covers some 916 hectares and contains a greater area of high-quality examples of lowland hay meadows than any other UK site and encompasses the majority of this habitat type occurring in the Vale of York.

-The Lower Derwent Valley SPA covers some 1,089 hectares. It consists of extensive areas of traditionally managed, species-rich, alluvial flood-meadow, supporting internationally/nationally important populations of bird species.

- The Lower Derwent Valley Ramsar site represents one of the most important examples of traditionally managed species-rich alluvial flood meadow habitat remaining in the UK. These grasslands, which were formerly widespread, are now very restricted in distribution due to agricultural improvement. The river and these floodlands play a substantial role in the hydrological and ecological functioning of the internationally important Humber basin. Covers some 915 hectares.

### **7.3 Natural England Defined Impact Risk Zones**

#### **7.3.1 Natural England have defined Impact Risk Zones around the European sites to reflect the particular sensitivities of the features for which they are notified and indicate the types of development proposals which could potentially have adverse impacts. Having consulted [www.magic.gov.uk](http://www.magic.gov.uk) and Natural England directly, Natural England have confirmed that, considering the nature and scale of the plan, it is reasonable to only consider impacts on the Strensall Common SAC. In reaching this opinion, they have also considered the pathway implications on the River Ouse and River Humber SAC/SPA of the River Foss running through the Neighbourhood Area (ref Natural England supplementary consultation response in the annex to this report).**



7.3.2 The reasons for the designation and conservation objectives for each of the European sites whose zone of influence the plan area lies within.

#### **7.4 The Strensall Common Area of Conservation (SAC)**

7.4.1 The citation for the Strensall Common Special Area of Conservation (SAC) is included as Appendix 1 to this document. The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- European dry heaths.
- Northern Atlantic wet heaths with *Erica tetralix* (wet heathland with cross-leaved heath).

7.4.2 The Conservation Objectives for the Strensall Common Special Area of Conservation (SAC) are published by Natural England. They are:

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:*

- *The extent and distribution of the qualifying natural habitats*
- *The structure and function (including typical species) of the qualifying natural habitats, and,*
- *The supporting processes on which the qualifying natural habitats rely*

#### **7.5 What possible impacts on the European Sites should be considered as part of the HRA screening on the NDP?**

7.5.1 The Habitats Regulations Assessment of the City of York Local Plan provides useful context to the HRA screening for the Strensall and Towthorpe NDP. This report was initially published in April 2018 but was revised and updated in February 2019

7.5.2 The 2018 Habitat Regulations Assessment of the City of York Local Plan identified three potential impacts in relation to the Strensall Common SAC's relevant wet and dry heath features, that could result from the Local Plan policies and allocations: -

- Aquatic environment;
- Recreational pressure;
- Airborne pollution.

7.5.3 The relevant findings of the screening element of the assessment in relation to these potential impacts and features were that: -

- likely significant effects could be ruled out alone for 158 of 163 policies and allocations which could therefore be excluded from any further scrutiny. This included the following types of policies: -
  - those setting out general criteria for testing the acceptability of proposals;
  - those referring to proposals but not actually making proposals for any particular sites;
  - protection and safeguarding policies in relation to the environment, assets, facilities.
- likely significant effects could not be ruled out for 3 policies because of anticipated increases in recreational pressure, changes to the hydrological regime and the effect of air pollution on the adjacent Strensall Common SAC: -
  - Policies SS19 and H59 – housing development at Queen Elizabeth Barracks;
  - Policy E18 – provision of employment land adjacent to the Strensall Common SAC.



- 7.5.4 The 3 policies for which likely significant effects could not be ruled out were then subject to Appropriate Assessment. The following conclusions were made in the April 2018 report: -
- No adverse impact on the integrity of the Strensall Common European site in terms of impacts on the aquatic environment. No residual effects and no need for an in combination assessment.
  - With policy amendments covering the establishment of a permanent, suitably-staffed wardening service that could focus on the management of people to ensure good behaviours, no adverse impact on the integrity of the Strensall Common European site in terms of recreational pressure. No residual effects and no need for an in combination assessment.
  - No adverse impact on the integrity of the Strensall Common European site in terms of airborne pollution. No residual effects and no need for an in combination assessment.
- 7.5.5 The February 2019 HRA report was published following completion of visitor surveys. This time, adverse effects on the integrity of the European site from Policies SS19 and H59 was found not possible to be ruled out (given the doubts surrounding the effectiveness of mitigation measures and taking into account visitors surveys undertaken in summer 2018) and policies SS19 and H59 were therefore removed from the plan in order for the plan as a whole to meet HRA requirements.

## **7.6 Screening the NDP for its potential to impact upon the European sites**

- 7.6.1 Article 6(3) of the Habitats Directive requires that plans “likely to have a significant effect, thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment”. As part of this screening exercise, it therefore needs to be established whether there are likely significant effects from the Neighbourhood Plan.
- 7.6.2 To assist with the HRA screening work, guidance has been sought from The Habitats Regulations Assessment Handbook (referred to now as the HRA Handbook) from England and Wales published by DTA Publications and continually maintained to reflect ongoing legislative changes etc. This guidance is not publicly available and is provided on a subscription basis; it is however widely recognised as a good source of practical guidance on the implementation of the Habitats Directive.
- 7.6.3 Under the HRA legislation (does not apply to the SEA legislation) the term ‘likely’ has been interpreted in practice (demonstrated through case law) to be ‘possible’. A precautionary approach is therefore required when screening plans under the HRA legislation. A **significant** effect is an effect that would undermine the conservation objectives for a European site. There must be a causal connection or link between the plan being screened and the qualifying features of a European site. Paragraph 6.5 therefore identifies the qualifying features of the Strensall Common SAC.
- 7.6.4 A useful exercise is to undertake a pre-screening exercise of the Neighbourhood Plan policies so that those policies where it is clear there could be no likely significant effect on a European site (regardless of other information) can be screened out at the earliest possible stage and allow further work to be focused on the most applicable planning policies. The HRA Handbook produced by DTA Publications Ltd refer to this as a pre-screening check and identifies a range of possible pre-screen categories:



<b>Table 6.1: DTA Publications Pre-Screening Categories</b>	<b>Screen in/Screen out</b>
Category A: General statements of policy /general statements	Screen out.
Category B: Policies listing general criteria for accepting the acceptability/sustainability of proposals	Screen out
Category C: Proposal referred to but not proposed by the plan	Screen out
Category E: policies or proposals that steer change in a way as to protect European sites from adverse effects	Screen out
Category F: policies that cannot lead to development or other change	Screen out
Category G: policies that could not have any conceivable adverse effect on a site	Screen out
Category H: policies the actual effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of plans or projects)	Screen out
Category I: Policies or proposals which may have a significant effect on a site alone	Screen in
Category J: Policies or proposals unlikely to have a significant effect alone but need to check for likely significant effects in combination	Check
Category K: policy or proposal not likely to have a significant effect alone or in combination (could be screened out after the in-combination test)	Check
Category L: policy likely to have a significant effect in combination (screen in after the in-combination test)	Check
Category M: Bespoke area, site or case specific policies or proposals intended to avoid or reduce harmful effects on a European Site	Screen in

7.6.5 The table below (Table 6.2) lists every policy in the draft plan, provides a summary of what it does and, in the third column, identifies whether or not it is a policy that can be ruled out of the HRA screening assessment by reference to the pre-screening categories shown in Table 6.1. The table below this (Table 6.3) then focuses only on those policies of the plan which cannot be eliminated in this pre-screening check.

<b>Table 6.2: Pre-Screening Check</b>			
<b>Policy</b>	<b>What does it do</b>	<b>Implications for HRA purposes and screening category</b>	<b>Can policy be eliminated for likely significant effects at this stage?</b>
CP1: Safeguarding Existing Car Parks	Protects existing car parking capacity and provides for compensatory provision in the event of loss to development, subject to continuing need.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category G</b>	Yes <b>Screened out.</b>



<b>Table 6.2: Pre-Screening Check</b>			
<b>Policy</b>	<b>What does it do</b>	<b>Implications for HRA purposes and screening category</b>	<b>Can policy be eliminated for likely significant effects at this stage?</b>
CP2: Increased Public Car Parking	Requires additional car parking to be provided as part of new development, in excess of local planning authority standards in some locations.	This policy could lead to provision of additional car parking, particularly in the village area CP2-1. <b>Category J</b>	No
CF1: Protection of Community Facilities & Services	Protects 11 named facilities against loss through development, with specified exceptions.	The policy protects existing facilities. This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category F</b>	Yes <b>Screened out</b>
CF2: Local Green Space	Designates 42 Local Green Spaces and welcomes opportunities for the enhancement of their amenity, recreational and biodiversity value.	This policy protects open space within the village of Strensall. It does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.  The policy also supports enhancement opportunities. All designated Local Green Spaces (LGS) are within/ close to existing built-up areas, i.e. broadly to the north and west of the European site. Within LGS, development is encouraged which would enhance the local green space functions of	Yes <b>Screened out</b>



<b>Table 6.2: Pre-Screening Check</b>			
<b>Policy</b>	<b>What does it do</b>	<b>Implications for HRA purposes and screening category</b>	<b>Can policy be eliminated for likely significant effects at this stage?</b>
		designated sites – by the nature of LGS such development would need to be in conformity with national and local Green Belt policy. This policy is likely to support recreational behaviour away from the Common and therefore have a positive impact in relation to the European designated site. <b>Category E</b>	
DH1: Promotion of Local Distinctiveness	The policy resists development that would have an adverse impact on character/appearance and sets out 23 detailed provisions to promote local distinctiveness in new development, based on a previously prepared village design statement and the 21-character areas identified therein.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category B</b>	Yes <b>Screened out</b>
DH2: General Design Principles	Sets out design principles, covering scale and massing; layout; roof form; materials; chimneys; openings; fascias and rain water goods; spaces; and a requirement to ascertain that there will be no adverse effects on the integrity of the Strensall SAC/SSSI, to which all new development is expected to adhere.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category B</b>	Yes <b>Screened out</b>
DH3: General Shopfront Design	Seeks to conserve and re-establish traditional	This policy does not guide where	Yes <b>Screened out</b>



<b>Table 6.2: Pre-Screening Check</b>			
<b>Policy</b>	<b>What does it do</b>	<b>Implications for HRA purposes and screening category</b>	<b>Can policy be eliminated for likely significant effects at this stage?</b>
	shopfronts in the villages' retail outlets.	development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category B</b>	
DH4: Shopfront Signage	Seeks to control shopfront signage and lighting.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category B</b>	Yes <b>Screened out</b>
DG1: Strensall Park	Seeks to control new development in the defined area of Strensall Park, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and a requirement of no adverse effects on the integrity of the Strensall SAC/SSSI.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category E</b>	Yes <b>Screened out</b>
DG2: Alexandra Road	Seeks to control new development in the defined area of Alexandra Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and a requirement of no adverse effects on the integrity of the Strensall SAC/SSSI.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category E</b>	Yes <b>Screened out</b>
DG3: Howard Road	Seeks to control new development in the defined	This policy does not guide where	Yes <b>Screened out</b>



<b>Table 6.2: Pre-Screening Check</b>			
<b>Policy</b>	<b>What does it do</b>	<b>Implications for HRA purposes and screening category</b>	<b>Can policy be eliminated for likely significant effects at this stage?</b>
	area of Howard Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and a requirement of no adverse effects on the integrity of the Strensall SAC/SSSI.	development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category E</b>	
DG4: Queen Elizabeth Barracks	Seeks to control new development in the defined area of Queen Elizabeth Barracks, should it be subject to redevelopment, in terms of scale, massing and layout; roof form; materials; chimneys; openings; spaces and a requirement of no adverse effects on the integrity of the Strensall SAC/SSSI. It also seeks to protect buildings of local historic interest and the site's heritage interest and to secure a photographic record of the existing site prior to any development.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place. <b>Category E</b>	Yes <b>Screened out</b>
DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks	Sets an outline brief for the Barracks should it be subject to re-development. The policy does not allocate the site but seeks to shape the development should it be proposed. The policy seeks to specifically ensure proposals do not adversely affect the integrity of Strensall Common SAC/SSSI; protects the Green Belt; seeks retention of Hurst Hall 'community	This policy does not lead to additional development that would not otherwise come forward without the NP being in place. However, should the principle of development be accepted, either as part of the development management process or via the Land Allocations process then the additional detail in this	Yes <b>Screened out</b>



<b>Table 6.2: Pre-Screening Check</b>			
<b>Policy</b>	<b>What does it do</b>	<b>Implications for HRA purposes and screening category</b>	<b>Can policy be eliminated for likely significant effects at this stage?</b>
	centre'; seeks retention of sports facilities for community use; meets school needs; provides foul water capacity; considers public transport provision and travel planning; meets the needs of the population through an appropriate housing mix; and incorporates a central heating system.	policy will apply. Detailed proposals at this stage would need to consider the implications for development in this location.  <b>Category E</b>	
DG6: Affordable Housing	Seeks to secure affordable housing to meet local need and with local connection provision.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NDP being in place. <b>Category H</b>	Yes <b>Screened out</b>

7.6.6 Table 6.3 below focuses on NP Policy CP2: Increased Public Car Parking. The policy is therefore scrutinised further below in order to assess whether the policy has no likely significant effect or a likely significant effect.

7.6.7 Here, in order to establish whether there is a likely significant effect, it is necessary to consider whether the policy could possibly undermine the conservation objectives for the Strensall Common SAC. There must be a causal connection or link between the plan being screened and the qualifying features of the European site. As identified in Paragraph 6.5, the qualifying features of the Strensall Common SAC are:

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:*

- *The extent and distribution of the qualifying natural habitats*
- *The structure and function (including typical species) of the qualifying natural habitats, and,*
- *The supporting processes on which the qualifying natural habitats rely*

7.6.8 Here it is helpful to draw on the HRA work that has been undertaken for the City of York Local Plan, since this is a land use plan which whilst operating at a significantly more strategic level also deals with land use planning. The City of York Local Plan HRA identifies the following impact pathways that relate to the conservation objectives on the Strensall Common SAC.

- Aquatic Environment



- Recreational Pressure
- Airborne Pollution

7.6.9 Table 6.3 therefore scrutinises the relationship of Policy CP2: Increased Public Car Parking against these impact pathways.



Table 6.3: Possible impacts on the Strensall Common Special Area of Conservation (SAC)					
Strensall with Towthorpe NP Policy	1. Aquatic environment	2. Recreational pressure	3. Airborne pollution	No likely significant effect	Likely significant effect
CP2: Increased Public Car Parking	This policy encourages development in generally unknown locations, with the exception of one specific area in Strensall Village, at some distance from the SAC and separated by the York to Scarborough railway line, identified on the Proposals Map. The likely scale and nature of this type of development make it highly unlikely that direct hydration or water quality impacts on the European site would result.	This policy encourages development in generally unknown locations, with the exception of one specific area in Strensall Village, at some distance from the SAC and separated by the York to Scarborough railway line, identified on the Proposals Map. The likely scale and nature of this type of development make it highly unlikely that direct impacts, in terms of increased recreational pressure, on the European site would result.	<p>This policy encourages development in generally unknown locations, with the exception of one specific area in Strensall Village, at some distance from the SAC and separated by the York to Scarborough railway line, identified on the Proposals Map.</p> <p>This site is in the existing built up area of Strensall Village where there are existing fumes emanating from cars (being parked or moving).</p> <p>The likely scale and nature of this type of development make it highly unlikely that direct impacts, in terms of increased airborne pollution, on the European site would result.</p>	✓ <b>Category H</b>	



## **7.7 An assessment of the potential for in combination effects from other projects and plans in the area**

7.7.1 Article 6(3) of the Habitats Directive requires that plans “likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment”. It is therefore necessary to consider in combination effects from other projects or plans in the area.

7.7.2 In-combination effects cannot however exist if there is no adverse impact from the subject plan that could possibly contribute towards the creation of a significant effect (or contribute towards undermining the conservation objectives of the Strensall Common SAC).

7.7.3 The screening assessment above has identified that none of the draft planning policies are likely to have significant effect on the Strensall Common SAC alone. Policy CP2: Increased Public Car Parking is a policy where there could be a theoretical impact with regards to air pollution, but any link between this policy and the conservation objectives of Strensall Common SAC is considered to be a de minimus or trivial effect. As such, it is not plausible to regard this policy as one which contributes to a significant effect, in combination with other plans and programmes.

7.7.4 There is therefore no need to consider other plans and programmes in the consideration of the in-combination assessment for likely significant effects from the draft Neighbourhood Plan.

## **8.0 HRA CONCLUSIONS**

8.1 The assessment undertaken in section 6 of this report concludes the draft NDP is not likely to have a significant effect on a European site either alone or in combination with other plans or projects. This was the preliminary view reached prior to consulting Natural England. Feedback from the consultees received has resulted in changes and updates to the HRA screening work but the overall conclusions remain the same.

## **9.0 GLOSSARY OF TERMS**

Appropriate Assessment	Appropriate Assessment is the legal term used to indicate what must be done where a plan is screened in for further appraisal following the identification of likely significant effects
Basic Conditions	A set of requirements that a neighbourhood plan needs to meet in order to proceed to referendum and be made
The Habitats Directive	EC Directive 92/43/EEC ‘on the conservation of natural habitats and of wild fauna and flora’



## **APPENDIX 1 – STRENSALL COMMON SPECIAL AREA OF CONSERVATION CITATION**

Name: Strensall Common

Unitary Authority/County: York

SAC status: Designated on 1 April 2005

Grid reference: SE651598

SAC EU code: UK0030284

Area (ha): 569.63

Component SSSI: Strensall Common SSSI

Site description: Strensall Common is an example of acidic lowland heath represented predominantly by *Erica tetralix* – *Sphagnum compactum* wet heath, although its extent has been reduced by drainage. It is a noted locality for marsh gentian *Gentiana pneumonanthe*, narrow buckler-fern *Dryopteris carthusiana* and the dark-bordered beauty moth *Epione vespertaria* as it is associated with creeping willow *Salix repens* on the wet heath. There is also a complex mosaic of wet heaths with *Erica tetralix* and dry heath elements. The *Calluna vulgaris* – *Deschampsia flexuosa* dry heath is noted for petty whin *Genista anglica* and bird's-foot *Ornithopus perpusillus*.

Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- European dry heaths.
- Northern Atlantic wet heaths with *Erica tetralix* (wet heathland with cross-leaved heath).



## REPORT ANNEX

### NATURAL ENGLAND – RESPONSE TO INFORMAL CONSULTATION

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Date: 14 June 2019  
Our ref: 283548



Mike Dando  
On behalf of Strensall with Towthorpe Parish Council  
[mike.dando2@btopenworld.com](mailto:mike.dando2@btopenworld.com)

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

T 0300 060 3900

#### BY EMAIL ONLY

Dear Mike Dando

#### **Strensall with Towthorpe NDP - Informal Consultation on SEA & HRA Screening Opinion Report**

Thank you for your consultation on the above dated 23 May 2019.

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.

#### **Screening Request: 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.

We note that the plan makes reference to allocations from the draft York Local Plan but is only seeking to shape any development coming forward rather than promoting it.

Natural England also notes that the neighbourhood plan may come forward ahead of the York Local Plan. We advise that the neighbourhood plan should be reviewed once the York Local Plan is adopted to ensure conformity. For example we note that York are currently consulting on a modification to remove allocation ST35 from the plan.

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), 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 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 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 (2017), as amended (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 concurs with the conclusions of the assessment.

For any queries relating to the specific advice in this letter please contact Merlin Ash at [merlin.ash@naturalengland.org.uk](mailto:merlin.ash@naturalengland.org.uk) or on 02080 266382. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Merlin Ash  
Yorkshire and Northern Lincolnshire Team  
Natural England



## NATURAL ENGLAND – RESPONSE TO INFORMAL CONSULTATION SUPPLEMENTARY

Dear Mike,

Apologies for the delay in getting back to you and for missing your call.

No I think you're report is right. We are of the opinion that considering the nature and scale of the plan it is reasonable to only consider impacts on Strensall Common SAC. For completeness and association with the York Local Plan HRA, you may wish to refer to these sites in the identification of sites section. However this is not critical.

I hope this advice is helpful.

Kind regards

Merlin

Merlin Ash

Lead Adviser

Yorkshire and Northern Lincolnshire Team

Natural England

Foss House, 1-2 Peasholme Green, York, YO1 7PX

Tel: 02080 266382

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as



pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

**From:** Mike Dando [<mailto:mike.dando2@btinternet.com>]

**Sent:** 18 June 2019 16:16

**To:** Ash, Merlin <[Merlin.Ash@naturalengland.org.uk](mailto:Merlin.Ash@naturalengland.org.uk)>

**Subject:** RE: Strensall with Towthorpe NDP - Informal Consultation on SEA & HRA Screening Opinion Report

**Importance:** High

Dear Merlin

Many thanks for your response letter – I am pleased to hear that you concur with the conclusions of our screening assessments.

As a result of comments received by another consultee, I do have some queries regarding other European sites that we have either considered and then discounted or failed to consider at all in our HRA screening work. These are as follows:-

-River Derwent SAC – we considered this site and discounted it on the basis that the plan area is outside the applicable impact risk zone – this based on an assessment using [magic.gov.uk](http://magic.gov.uk) (Report P28).

-The Lower Derwent SAC/SPA/Ramsar Site – we considered this site and discounted it on the basis that the plan area is outside the applicable impact risk zone – this based on an assessment using [magic.gov.uk](http://magic.gov.uk) (Report P28).

-River Ouse & River Humber SAC/SPA – not considered. It has been suggested that because the River Foss runs through the plan area and is a 'pathway' to the SAC/SPA, it should have been considered.



The fact that you have agreed with our assessments' conclusions suggests that you are content that our report has covered all European sites relevant to the plan area. I would however very much appreciate your confirmation that we have indeed covered all relevant European sites in our report, and in particular the fact that the Strensall Common SAC is the only one which we needed to consider in detail.

I am happy to have a conversation about the above if you think this is necessary or would be useful.

Thank you and regards

Mike

Mike Dando

Directions Planning Consultancy Limited

07539 669201



## HISTORIC ENGLAND – RESPONSE TO INFORMAL CONSULTATION



Historic England

YORKSHIRE

Mike Dando,  
Directions Planning Consultancy Limited,  
23 Victoria Avenue,  
Harrogate,  
HG1 5RD

Our ref: PL00586047  
Your ref:  
Telephone 01904 601 879  
Mobile 0755 719 0988

14 June 2019

Dear Mr. Ratcliffe,

### Strensall-with Towthorpe Neighbourhood Development Plan Strategic Environmental Assessment Screening Opinion Consultation

We write in response to your consultation, seeking a Screening Opinion for the Strensall-with Towthorpe 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 within the Ulleskelf Neighbourhood Plan.

The Draft Neighbourhood Plan indicates that within the plan area there is a wide range and number of designated cultural heritage assets. There are also 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 your conclusion that the policies contained within the draft Neighbourhood Plan “will have no significant environmental effects”. Therefore the preparation of a Strategic Environmental Assessment is not required for the Strensall-with Towthorpe Neighbourhood Plan.

The views of the other two 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 Strensall-with Towthorpe Neighbourhood Plan.







**CITY OF YORK COUNCIL – RESPONSE TO INFORMAL CONSULTATION**

**PLEASE SEE ACCOMPANYING REPORT FROM CYC, INCLUDING TRACK CHANGES**

Hi Mike,

Many thanks for your informal consultation on the SEA/HRA screening report for the Strensall Neighbourhood Plan.

We attach for you our comments; please accept these comments as part of your informal consultation with us. I have sought early advice from the Council's Countryside and Ecology Officer and incorporated her comments too. Please be aware that these comments are informal and do not prejudice any comments we may make to the formal Pre-Publication stage or formal consultation on the SEA/HRA.

Overall, this report is structured well and is a really good start to the process. Given the complexity and relationship of the Plan with Strensall Common, we consider that there needs to be some further detail in the SEA section and that the HRA needs to more carefully consider the screening and language used as part of the assessment. We have provided some suggested tracked changes and notes for you to consider.

I am afraid I will be on annual leave from 30<sup>th</sup> May-24<sup>th</sup> June. During this time, please contact Anna with any further queries.

Kind regards,

Alison

**Alison Cooke | Local Plan Project Officer**

t: 01904 551467 | e: [alison.cooke2@york.gov.uk](mailto:alison.cooke2@york.gov.uk)



***PLEASE REFER TO ACCOMPANYING REPORT ISSUED BY CYC WITH TRACKED CHANGES***



Strategic Environmental Assessment and Habitats Regulations  
Assessment Screening Report for the Strensall with Towthorpe  
Neighbourhood Plan – DRAFT

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**May 2019**



## Contents

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1. Introduction	3
-----------------	---

### **SEA**

2. Legislative Background to SEA	7
3. Criteria for determining the likely significance of effects on the environment	11
4. Conclusion - SEA	24

### **HRA**

5. Legislative Background to HRA	25
6. HRA Screening for the Strensall with Towthorpe NP	26
7. Conclusion HRA	38
8. Glossary of Terms	38

### **Appendices**

Appendix 1 – Strensall Common Special Area of Conservation Citation	39
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## 1. Introduction

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1.1 There are two key purposes to this document:

- to help ascertain whether the Strensall with Towthorpe Neighbourhood Plan (NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004;
- in order to comply with European Directive 92/43/EEC (often referred to as the 'Habitats Directive'), to ascertain whether the plan is likely to have a significant effect on a European protected wildlife site (as defined in the Conservation of Habitats and Species Regulations 2017).

### *Strategic Environmental Assessment*

1.2 The responsible bodies (in this case Strensall with Towthorpe Parish Council, together with City of York Council and Stockton on the Forest Parish Council – NB Strensall with Towthorpe is the lead parish council) are required to consult the statutory bodies, the Environment Agency, Natural England and English Heritage prior to reaching a screening determination and will use this report as a basis for this consultation.

### *The Habitats Directive*

1.3 Under the 'Habitats Directive', an Appropriate Assessment must be undertaken if the plan is likely to have a significant effect on a European protected wildlife site.

1.4 The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, which came into force on 28 December 2018, amend the basic condition relating to NDPs prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended), substituting a new basic condition which states:

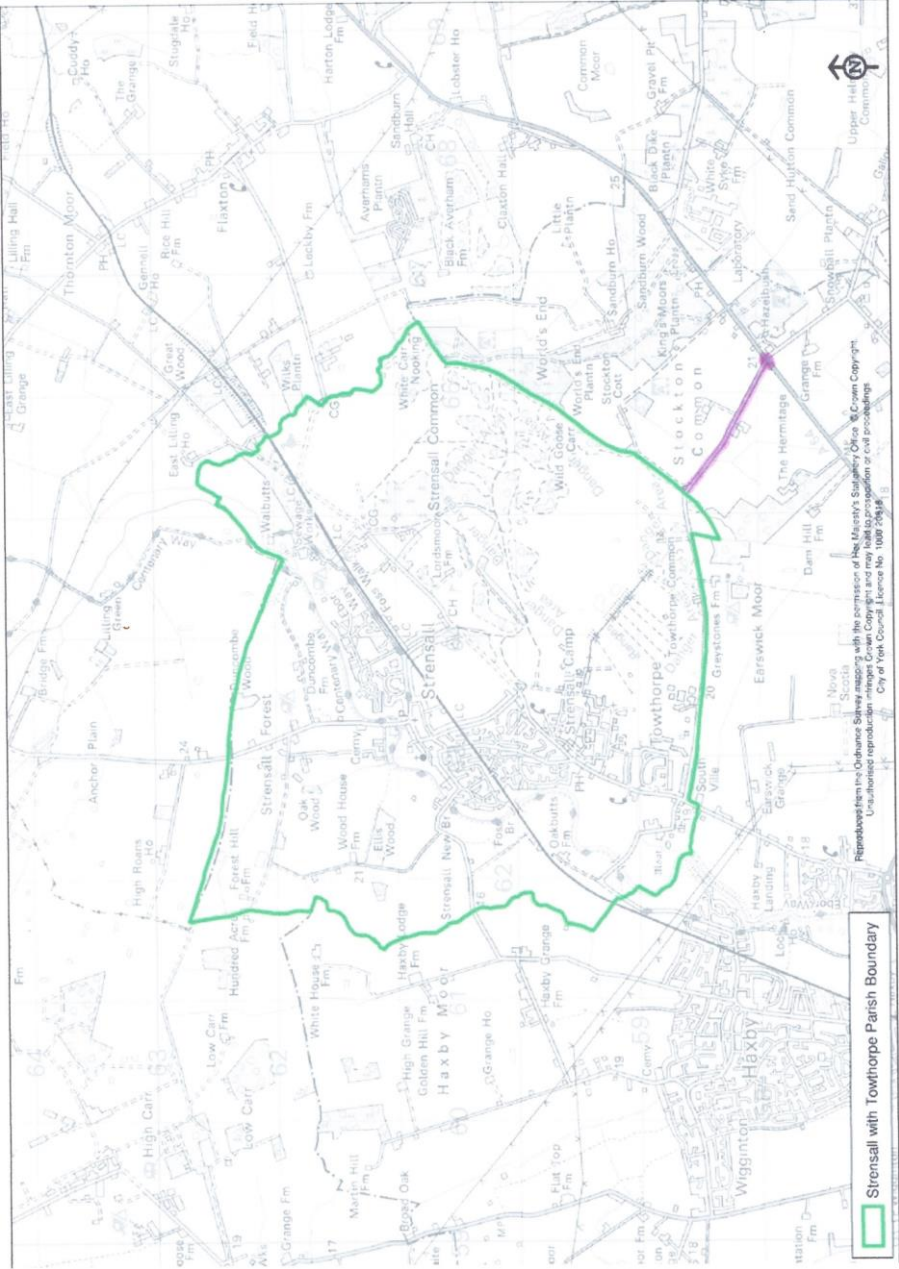
*"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017."*

### **Introduction to Strensall with Towthorpe**

1.5. The Strensall with Towthorpe NP will cover the plan area shown in Figure 1 below. This area falls entirely within the City of York Council area. It also includes a small area within the parish of Stockton on the Forest.



Figure 1 – Neighbourhood Plan Area (including extension into neighbouring parish in purple)





1.6 The NDP is underpinned by the following aims:

NP Aims
To manage the change expected during the Plan period up to 2033 across the designated area of Strensall with Towthorpe Parish plus the addition of the whole of Towthorpe Moor Lane and the junction of this highway with the York to Scarborough section of the A64 at Hazelbush Crossroads.
If the MoD were to dispose of the Barracks for redevelopment, then the site at Towthorpe Moor Lane will have been developed for a range of local employment generating businesses. Should The Queen Elizabeth Barracks be developed it is expected that the development will have facilitated an extension to the local bus service and provide a range of local community facilities including New open space and sports facilities. Overall, the development will have become an extension of the existing community, rather than a standalone development and the military history must be integrated into the design of scheme.
Tensions concerning the impact of modern car use on the historic core of the village will be no worse, whilst opportunities to improve pedestrian and cycle safety will have been secured.
Any future development should respect the rural nature of the designated area and be sympathetic and unobtrusive in its design
The effects of any development must take account of the fragility of Strensall Common (SAC) (SSSI) and measures must be included in any scheme to achieve this.

1.7 These aims are supported by 4 objectives (i.e. what the community hope to achieve through the plan):

NP Objectives
1. Maintain the historic identity and character of the village of Strensall and the hamlet of Towthorpe.
2. Manage the potential impact of new housing and employment developments within the designated area so as to help integration and limit potential impacts.
3. To ensure that the housing types and mix, best meet the needs of existing and future residents.
4. To protect local greenspace, and enhance open space, sports, social and community facilities

1.8 Table 1 below provides an overview of each of the draft NP policies.



**Table 1: An overview of the NP policies**

Policy	What does it do
CP1: Safeguarding Existing Car Parking	The policy protects existing car parking capacity and provides for compensatory provision in the event of loss to development, subject to continuing need.
CP2: Increased Public Car Parking	The policy requires additional car parking to be provided as part of new development, in excess of local planning authority standards in some locations.
CF1: Protection of Community Facilities & Services	The policy protects 11 named facilities against loss through development, with specified exceptions.
CF2: Local Green Space	The policy designates 26 Local Green Spaces and welcomes opportunities for the enhancement of their amenity, recreational and biodiversity value.
DH1: Promotion of Local Distinctiveness	The policy resists development that would have an adverse impact on character/appearance and sets out 23 detailed provisions to promote local distinctiveness in new development, based on a previously prepared village design statement and the 21 character areas identified therein.
DH2: General Design Principles	The policy sets out design principles, covering scale and massing; layout; roof form; materials; chimneys; openings; fascias and rain water goods, spaces and the Strensall Common Special Area of Conservation (SAC)/Site of Special Scientific Interest (SSSI) to which all new development is expected to adhere.
DH3: General Shopfront Design	The policy seeks to conserve and re-establish traditional shopfronts in the villages' retail outlets.
DH4: Shopfront Signage	The policy seeks to control shopfront signage and lighting.
DG1: Strensall Park	The policy seeks to control new development in the defined area of Strensall Park, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and the Strensall Common SAC/SSSI.
DG2: Alexandra Road	The policy seeks to control new development in the defined area of Alexandra Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and the Strensall Common SAC/SSSI.
DG3: Howard Road	The policy seeks to control new development in the defined area of Howard Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and the Strensall Common SAC/SSSI.
DG4: Queen Elizabeth Barracks	The policy seeks to control new development in the defined area of Queen Elizabeth Barracks, in terms of scale, massing and layout; roof form; materials; chimneys; openings; spaces and the Strensall Common SAC/SSSI. It also seeks to protect buildings of local historic interest and the site's heritage interest and to secure a photographic record of the existing site prior to any development.
DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks	The policy sets an outline brief for development covering SAC/SSSI protection; Green Belt protection; retention of Hurst Hall 'community centre'; retention of sports facilities for community use; meeting of school needs; foul water capacity; public transport provision; travel plan provision; housing mix; and a central heating system.
DG6: Affordable Housing	The policy seeks to secure affordable housing to meet local need and with local connection provision.

**Commented [d1]:** Need to clarify the nature of policy in relation to strensall common?

**Commented [d2]:**

**Commented [d3]:**

**Commented [d4]:**



## 2. Legislative Background to SEA

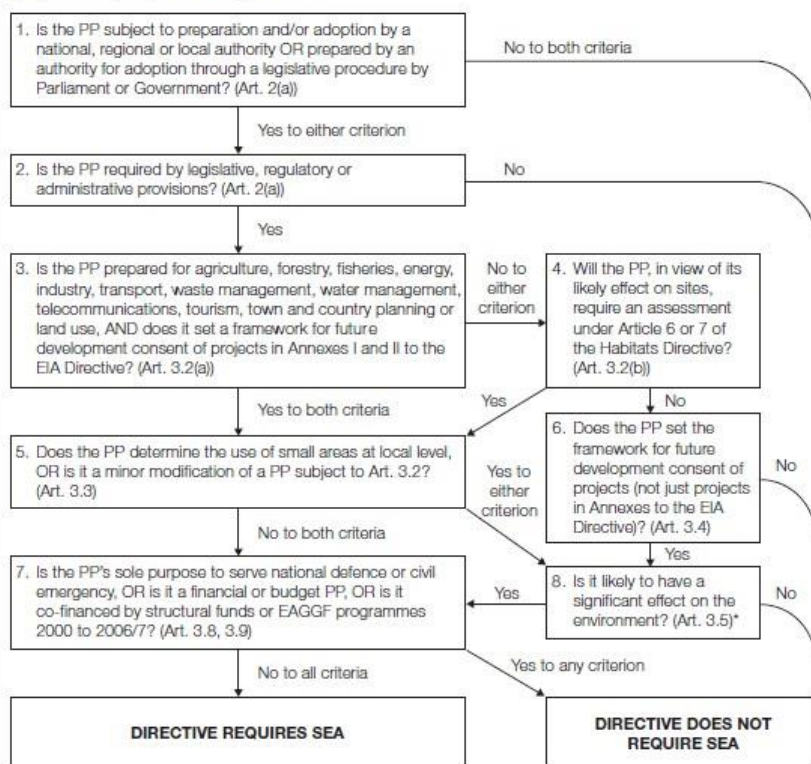
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- 2.1 The basis for Strategic Environmental Assessments legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, often referred to as the “*SEA Regulations*”. Detailed guidance on these regulations can be found in the Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (ODPM 2005) available to view at:-  
<https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>
- 2.2 The Government publication “A Practical Guide to the Strategic Environmental Assessment Directive” (ODPM 2005) includes a useful table intended as a guide to the circumstances where the SEA directive applies to plans and programmes. This is reproduced below:-



**Figure 2 – Application of the SEA Directive 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.



2.3 The table below uses the diagram above to help determine whether or not the SEA directive applies to the Strensall with Towthorpe NP:-

Table 2: Application of the SEA Directive to Neighbourhood Plans			
Stage	Response	Outcome	Comment
1. Is the NDP 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))	Yes	Go to question 2	The preparation and adoption of the NDP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NDP is being prepared by Strensall with Towthorpe Parish Council (as the "relevant body") and will be "made" by City of York Council as the main local planning authority. The preparation of NDPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (referendums) Regulations 2012.
2. Is the NDP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Go to question 3	Whilst the Neighbourhood Development Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if "made", form part of the statutory Development Plan for the district.
	No	NO SEA required	
3. Is the NDP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a))	Yes to both	Go to question 5	The Neighbourhood Development Plan does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive (see Appendix 2 for list).
	No to either	Go to question 4	
4. Will the NDP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	Yes	Go to question 5	See separate assessment.
	No	Go to question 6.	

**Commented [d5]:** To avoid ambiguity of your answer, I recommend using only Yes or no. Where there are multiple routes (which I understand from the diagram) it is not explicit which answer you have chosen.

**Commented [d6]:** It is being made for Town and country planning purposes and i would consider does set a framework for consent as any application, including any relating to those set out in Annex i and Annex ii will be judged against your plan.

**Commented [d7]:** You need to add your conclusion from the HRA screening into this box. We recommend that the SEA and HRA reports are submitted separately for this reason.



Table 2: Application of the SEA Directive to Neighbourhood Plans			
Stage	Response	Outcome	Comment
5. Does the NDP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes to either	Go to question 8	Not applicable.
	No to both	Go to question 7.	
6. Does the NDP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes	Go to question 8	The Neighbourhood Development Plan is to be used for determining future planning applications.
	No	Does not require SEA	
7. Is the NDP'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? (Art 3.8, 3.9)	Yes to any criteria	Does not require SEA	Not applicable
	No to all criteria	Requires SEA	
8. Is it likely to have a significant effect on the environment? (Art 3.5)	Yes	Requires SEA	Likely significant effects are explored in more detail in section 3 of this report.
	No	Does not require SEA	

**Commented [d5]:** To avoid ambiguity of your answer, I recommend using only Yes or no. Where there are multiple routes (which I understand from the diagram) it is not explicit which answer you have chosen.

**Commented [d8]:** I would summarise why or why not in this box. There is non conclusions made in Table 3 of this report but these need to be made and captured as a conclusion in this box.

2.4 The table above tells us that an environmental assessment of the NDP is only required if it is likely to have a significant effect on the environment. This question is explored in section 3.



### 3. Criteria for determining likely significance of effects on the environment

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3.1 When determining whether a Neighbourhood Development Plan is likely to have significant effects on the environment, the SEA Regulations require that the criteria set out in Schedule 1 of the SEA Regulations be considered. These are given the title “Criteria for determining the likely significance of effects on the environment”. These criteria are split into two categories: those relating to the characteristics of the plan; and those to the characteristics of the effects and area likely to be affected. These are set out in more detail below.

#### **Plan characteristics**

- 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 [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

#### **Characteristics of the effects and the plan area**

- the probability, duration, frequency and reversibility of the effects;
- the cumulative nature of the effects;
- the transboundary nature of the effects;
- the risks to human health or the environment (for example, due to accidents);
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- the value and vulnerability of the area likely to be affected due to:-
  - special 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.



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>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</li> </ul>	<p>There is no adopted Local Plan for the City of York. Planning applications are currently determine with reference to the NPPF and, in the case of Green Belt, in the light of Saved Policy SH9 of the Yorkshire and Humber Regional Spatial Strategy 2008. The City of York Council currently refers to the '4<sup>th</sup> Set of Proposed Changes Version of Draft Local Plan 2005' but this carries limited weight except where consistent with NPPF. A new draft City of York Local Plan was submitted to the Secretary of State in May 2018 for examination. Alongside the City of York Local Plan (once adopted), the Strensall with Towthorpe NP will provide the statutory development plan for the area. This means planning applications will be determined against the policies in both plans. An overview of the plan policies is provided in Table 1 to this report.</p> <p>The 14 policies can be categorised into:</p> <p><b>Protection and enhancement policies</b> in respect of car parking, community facilities and Local Green Space (4 policies)</p> <p><b>Design and development requirement policies</b> in respect of housing mix, 4 defined geographical areas, shopfronts, shopfront signage and for the Neighbourhood Area generally (9 policies).</p> <p><b>An outline site development brief.</b></p>
<ul style="list-style-type: none"> <li>the degree to which the plan or programme influences other plans and programmes including those in a hierarchy</li> </ul>	<p>There is no statutory plan that will sit underneath the Strensall with Towthorpe NP.</p>
<ul style="list-style-type: none"> <li>the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</li> <li></li> </ul>	<p>Before the NDP can be made it will need to be tested against the basic conditions. This includes a requirement to contribute towards the achievement of sustainable development.</p>

**Commented [d10]:** Please add what boundary the plan is using and therefore to what location the policies apply, the key aim of the policies (eg shaping development) and that the NP isn't allocating sites for development.

**Commented [d9]:** I would strongly suggest you add a column that asks the question:  
"Is the Strensall with Towthorpe NP likely to have a significant environmental effect?"

This question needs to be borne in mind in answering the questions and a conclusion made.

**Commented [d11]:** The plan will also be taken into account should neighbouring parishes/authorities develop a plan.

**Commented [d12]:** This need to relate to the policies in the plan as well and whether the plan as a whole contributes to sustainable development (social, environmental and economic objectives), how and why.



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>environmental problems relevant to the plan or programme</li> </ul>	<p>There are key environmental constraints within and/or in close proximity to the NP area. These are:</p> <p><b>Biodiversity:</b></p> <p>1 site of international nature conservation importance, i.e. Strensall Common Special Area of Conservation (SAC), lies entirely within the Neighbourhood Area (NA). <u>In addition, Strensall Common is nationally identified as important as a SSSI. The designations for the SAC and SSSI are both relevant.</u> All parts of the NA which lie outside the SAC fall within SSSI Impact Risk Zones.</p> <p>A second site of international nature conservation importance, i.e. River Derwent SAC, lies some 6.75km east and east south east of the Neighbourhood Area. <u>The River Derwent also has component SSSIs.</u> According to mapping data available on <a href="http://www.magic.defra.gov.uk">www.magic.defra.gov.uk</a>, no parts of the NA fall within the SSSI Impact Zones for the SAC.</p> <p>A further 3 sites of international nature conservation importance, i.e. Lower Derwent Valley SAC, Special Protection Area and Ramsar site, lie near Kexby, some 10.25km south east of the NA. <u>The Lower Derwent Valley also comprises a SSSI.</u> According to mapping data available on <a href="http://www.magic.gov.uk">www.magic.gov.uk</a>, no parts of the NA fall within the SSSI Impact Zones for the SAC/SPA/Ramsar site.</p> <p><b>Biodiversity continued - Detailed information on Strensall Common SAC:</b></p> <p>The Strensall Common SAC covers an area of acidic lowland heath of over 569 hectares north-east of the city of York, entirely within the NA.</p> <p>SAC citation – Strensall Common is an example of acidic lowland heath represented predominantly by Erica tetralix – Sphagnum compactum wet heath, although its extent has been reduced by drainage. It is a noted locality for marsh gentian Gentiana pneumonanthe, narrow buckler-fern Dryopteris carthusiana and the dark-bordered beauty moth Epione vespertaria as it is associated with creeping willow Salix repens on the wet heath. There is also a complex mosaic of wet heaths with Erica tetralix and dry heath elements. The Calluna vulgaris – Deschampsia flexuosa dry heath is noted for petty whin Genista anglica and bird's-foot Ornithopus perpusillus.</p> <p>Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>-European dry heaths.</li> <li>-Northern Atlantic wet heaths with Erica tetralix (wet heathland with cross-leaved heath).</li> </ul>

#### Commented [d13]:

All of the information is very detailed like the scoping stage of an SEA report. At this stage there needs to be a focused understanding of what specific problems are – not just general background information on the area. Relevant background can always be included at the front to provide context to the SEA screening.

If there is an identified problem, this needs to relate to what the problem is and why it is relevant to the plan area as well as how the Strensall NP in general is likely to affect the problems.

I would advise adding context in this answer. I think there needs to be some general text referencing the aim of the NP policies and whether they seek to address these points.



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p><b>Biodiversity continued - Other biodiversity habitat designations:</b></p> <p>Lowland Heathland Priority Habitat covers the vast majority of the Strensall Common SAC.</p> <p>Vast majority of the NA identified as within Woodland Priority Habitat Network – two-thirds/one third split between lower and higher spatial priority.</p> <p>Strensall Common and immediately west of; Duncombe Wood; Oak Wood; Ellis Wood and occasional others identified as Deciduous Woodland Priority Habitat.</p> <p>Strensall Common (NB largely high spatial priority); Duncombe Wood; Oak Wood; Ellis Wood and occasional others identified for woodland improvement.</p> <p><b>Biodiversity continued - Data on Species:</b></p> <ul style="list-style-type: none"> <li>• North west corner of NA - targeting of corn bunting as Priority Species for Countryside Stewardship.</li> <li>• Northern two thirds of NA - targeting of curlew as Priority Species for Countryside Stewardship.</li> <li>• Western two-thirds of NA, plus north east and eastern tips - targeting of lapwing as Priority Species for Countryside Stewardship.</li> <li>• Most of Strensall Common plus Lordsmoor Farm area to west identified for woodland bird – willow tit.</li> <li>• Northern 80% of NA identified for farmland bird – grey partridge.</li> <li>• All of NA identified for farmland bird – tree sparrow.</li> <li>• North west 75% of NA identified for farmland bird – yellow wagtail.</li> <li>• Strensall Common SAC identified for nesting seabird(s).</li> <li>• Vast majority of NA identified for both arable and grassland assemblage farmland birds.</li> <li>• Manor Farm, Towthorpe – identified in respect of bats as European Protected Species.</li> <li>• All of NA identified as Farm Wildlife Package Area.</li> </ul>



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p><b>Soils/Agri-Environment:</b></p> <p>The whole of the NA is within a Nitrate Vulnerable Zone as at 2017.</p> <p>Forest Hill Farm identified as Countryside Stewardship Management Area (Middle Tier).</p> <p>Strensall Common SAC plus western and Towthorpe fringes subject to Environmental Stewardship Agreement (Entry Level plus Higher Level Stewardship).</p> <p>Lordsmoor Farm and Walbutts/sewage works area subject to Felling Licence Agreement.</p> <p>Strensall Camp area subject to Woodland Grant Scheme.</p> <p>Land north west Flaxton Road (Lordsmoor Farm?) identified as largely Grade 3A agricultural land with some Grade 2.</p> <p><b>Water:</b></p> <p>The north-east to south-west flowing River Foss and its tributary entering at Strensall from the north, are the principal watercourses in the NA.</p> <p>All of the NA is identified as a Countryside Stewardship Water Quality Priority Area (High Priority).</p> <p>All of the NA is also in Priority Areas (High Priority) for Sediment Issues and Phosphate Issues.</p> <p>The north, west and south-west of the NA are identified for Woodland Water Quality (Lower Spatial Priority).</p> <p>The course of the River Foss, together with the Strensall Camp area and Strensall Common (north-east corner) are identified for Woodland Flood Risk (High Spatial Priority).</p> <p><b>Air:</b></p>

**Commented [d14]:** Are these problems? why?



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p><u>In relation to habitats,</u> The City of York Local Plan HRA screening report, September 2018 (drawing on an April 2018 Air Quality Assessment appended) indicates nitrogen deposition and nitrogen dioxide concentrations of concern in relation to the Strensall Common SAC, but Appropriate Assessment concludes no adverse effects on the integrity of the European site.</p> <p><u>In relation to human health, there are no AQMAs within Strensall and no known issues in relation to air quality.</u></p> <p><b>Climatic Factors:</b> No known issues.</p> <p><b>Population:</b> The 2011 Census recorded the parish population at 6,047.</p> <p>The 2011 Census identifies how there are a greater number of residents aged 15 and under (21%) in comparison to the York District average of 16%. There are also a greater number of residents aged 65 and over (21%) in comparison to the District average of 17%. This data shows how there are a greater proportion of younger people and older people in the Parish in comparison to the District average. The average mean age of residents in the Parish at the time of the 2011 Census was 39, broadly in-line with the York District average of 39.5.</p> <p><b>Human Health:</b> No known health, wellbeing or social care issues in the NA. There is a doctor's surgery and dental practice.</p> <p><b>Material and Cultural Assets:</b></p> <ul style="list-style-type: none"> <li>-The Explore Library</li> <li>-St Wilfred's Church</li> <li>-Durlston Drive Community &amp; Sports Centre</li> <li>-Strensall &amp; Towthorpe Village Hall</li> <li>-Strensall Methodist Hall</li> </ul>

**Commented [d15]:** Please clarify why this is a problem – aging population? School places? Why is this a problem in the context of the plan? If it is not a problem, delete.



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>-Spearehead Hall            -Robert Wilkinson Primary Academy            -Hurst Hall            -The Six Bells Public House            -The Half Moon Public House            -The Ship Inn</p> <p><b>Cultural Heritage, including architectural and archaeological heritage:</b></p> <p>3 conservation areas:-            -Strensall Village Conservation Area            -Strensall Railway Buildings Conservation Area            -Towthorpe Conservation Area</p> <p>10 listed buildings – all Grade II (NB ref Historic England records – in reality the listed mile post is no longer in situ, feared stolen).</p> <p>Strensall Common is historically significant as it remains as one of the few remaining “wastes” in the region once covered by the Royal Forest of Galtres.</p> <p>There are many additional archaeological/heritage records for the area, further information on which can be found at <a href="http://www.heritagegateway.org.uk">www.heritagegateway.org.uk</a> These include enclosures, a ditch, Foss Navigation related e.g. locks, a former Quaker Burial Ground and multiple ridge and furrow sites.</p> <p><b>Landscape:</b></p> <p>The plan area is in National Landscape Character Area (NLCA) 28: Vale of York (see below).</p> <p>The Vale of York is an area of relatively flat, low-lying land surrounded by higher land to the north, east and west. High-quality soils across most of the National Character Area (NCA) mean that arable cultivation is the predominant land use, although some pig and</p>

**Commented [d16]:** These are not a problem and so I don't think they need referencing.

**Commented [d17]:** I wouldn't say these are a problem but if including, then commentary as to why they might be a problem in relation to the plan area needs to be set out.



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>dairy farming takes place in the western parts of the NCA. A key feature of the NCA is the rivers that drain surrounding higher land and run southwards through the Vale on towards the Humber basin. Natural flood plain habitats and associated species are still found within the Lower Derwent Valley (designated as a Special Protection Area, Special Area of Conservation and Ramsar site) although, like other flood plains, this area is threatened due to water quality issues.</p> <p><b>The interrelationship between the above:</b></p> <p>Various Countryside Stewardship (CS) Agreement Management Areas, Environmental Stewardship Agreements and Woodland Grant Schemes in existence.</p> <p>2 areas of land at Strensall Camp and Strensall Common mapped as access land under Countryside Rights of Way (CROW).</p> <p>The NA is part of the White Rose Community Forest Area – a local authority based joint venture that covers the Leeds City Region – part of an initiative to create England’s Northern Forest.</p> <p>A significant swathe of the NA falls within a sub-regional corridor (Foss), as identified by Natural England in its “Yorkshire &amp; Humber Green Infrastructure Mapping Project” 2009. This intersects with the Northern Heath district corridor identified as part of the same project:-</p> <p><i>Foss:-</i></p> <p><i>The sub-regional Foss corridor runs from the Howardian Hills AONB to York where it joins the Ouse. Within the corridor, the river meanders through farmland and is, for the most part, lined with reasonably dense vegetation which provides a valuable habitat with presence of otter and water vole. The corridor passes no major settlements except York and therefore north of York, the corridor is relatively tranquil. Historically this river was important for navigation purposes and parts of the banks remain canalised today though only about one mile at the south of the river is navigable. Flooding is a major issue and the Foss barrier was constructed in York after the severe floods of 1982. Green infrastructure investment could include flood management measures and improvement of recreation within the corridor.</i></p> <p><i>Northern Heath:-</i></p> <p><i>This district corridor connects Stamford Bridge and Strensall to the north east of York. Strensall Common is one of the most important areas of lowland heath in northern England. Access is limited due to being Ministry of Defence land, but it maintains an open character. Large areas of plantation woodland could be converted to heathland to buffer and extend the valuable Strensall Common habitats.</i></p>

**Commented [d18]:** See above comment.

**Commented [d19]:** Consider whether these are actual problems for the plan area or is this background info?



Table 3.1: Plan Characteristics	
Plan Characteristics	Strensall with Towthorpe NP
	<p>The Centenary Way (North Yorkshire) runs through the NA – a route devised to celebrate the 100th anniversary of North Yorkshire County Council. It runs across the Howardian Hills and Yorkshire Wolds via Castle Howard and Wharrah Percy, linking York and the Foss Walk with the Yorkshire Wolds Way and Cleveland Way National Trails. Meeting the Derwent and Foss, it combines riverside walks in deep valleys with forest tracks.</p> <p>The Foss Walk long distance path runs through the NA -the walk follows footpaths along or near the river Foss, from its confluence with the Ouse in the historic city of York to its source at Pond Head, four miles from Easingwold the finish. The walk passes through Strensall, Sheriff Hutton, Crayke and Oulston.</p> <p>NB Much of above information ref <a href="http://www.magic.gov.uk">www.magic.gov.uk</a></p>
<ul style="list-style-type: none"> <li>the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</li> </ul>	<p>There are no conflicts between the Strensall with Towthorpe NP and statutory plans linked to waste, water etc. <a href="#">The Neighbourhood Plan does not seek to implement programmes relating to community legislation.</a></p>



Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>the probability, duration, frequency and reversibility of the effects</li> </ul>	<p><b>Biodiversity</b></p> <p>The impact of the policies on <u>Strensall Common (SAC)</u><del>the European site</del> has been assessed as part of the HRA screening shown below (section 6). In this assessment, eleven policies were found not to trigger additional development or influence the location of development and therefore ruled out as having any effect on the European site. The remaining three policies were assessed in terms of impact on ‘aquatic environment’ and of ‘recreational pressure’ and ‘airborne pollution’. The assessment concluded no likely significant effect arising directly from the NDP policies.</p> <p>Of the remaining three policies <u>that could trigger additional development or influence the location of development:</u></p> <p>Policy CP2: Increased Public Car Parking – <u>The NP</u> relates to additional car parking being provided as part of new development, in excess of local planning authority standards. <u>At this stage the location of car parking is unknown but is likely to be contained within the village footprint as generally in unknown locations but also specifically in an area of Strensall Village</u> as identified on the Proposals <del>MmapP</del>. <del>There could be some impacts on biodiversity but these are likely to be minor due to location but</del> would need to be assessed at planning application stage. Conclusion that no negative effect.</p> <p>Policy CF2: Local Green Space – <u>The NP</u> designates <u>42</u> Local Green Spaces and <u>welcomes-supports</u> opportunities for the enhancement of their amenity, recreational and biodiversity value. <del>There</del><u>The location of the additionally designated sites</u> are unlikely to <del>be have affect the integrity of the SAC or</del> adverse impacts on <u>local</u> biodiversity. There may be positive impacts depending on the individual site and the nature of the proposed enhancement. Conclusion that no negative effect.</p> <p>Policy DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks – <u>The NP</u> sets an outline brief for development <u>detailing the principles against which any masterplan of the site would need to consider. This includes, ensuring no adverse effects on the integrity of</u><del>covering Strensall, Common SAC</del>/SSSI protection; Green Belt protection; retention of Hurst Hall ‘community centre’; retention of sports facilities for community use; meeting of school needs; foul water capacity; public transport provision; travel plan provision; housing mix; and a central heating system. Concluded that impact on biodiversity is likely to be negligible. Conclusion that no negative effect.</p> <p><b>Soil/Agri-Environment</b></p>

**Commented [d20]:** The answer to this question focuses on probability and evaluation. But in my opinion, there needs to be a more general statement regarding the how the implementation of policy will affect the plan e.g “Policies in the NP will be used to determine planning applications. When policies are applied, and depending on the type and frequency of development proposed, effects are likely to be permanent.”

Consider how the policies in the plan influence the effects and help to ensure that the effects are likely to be positive.

**Commented [d21]:** Following the pre-cautionary principle does that mean you have taken the RA to Appropriate assessment? No mitigation can be included in the HRA screening following the Sweetman Judgement.

**Commented [d22]:** ? are some of these designated openspaces in the Local Plan evidence base? If so then need to talk about the additional sites included within the Local Green Spaces policy in the plan



Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
	<p>No specific effects identified.</p> <p><b>Water</b></p> <p>No specific effects identified.</p> <p><b>Air</b></p> <p>No specific effects identified.</p> <p><b>Impact on Climatic Factors</b></p> <p>No specific effects identified.</p> <p><b>Population</b></p> <p>The plan includes a number of policies which would materially benefit the population, with regard to additional car parking provision (CP2); protection of community facilities (CF1); protection/enhancement of Local Green Space (CF2); and affordable housing to meet local need (DG6).</p> <p><b>Human Health</b></p> <p>No specific effects identified.</p>

**Commented [d23]:** Consider in line with the criteria. How will the policies affect these topics in general?

**Commented [d24]:** Please conclude why relevant to duration, frequency and probability.



Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
	<p><b>Material and Cultural Assets</b></p> <p>Policy DG5 (Development Brief for the Redevelopment of the Queen Elizabeth Barracks) seeks to retain existing community centre and sports facilities for wider community use and secure provision of additional, and improve public transport. This could result in positive impacts for the users of the NA's assets and the wider community and for sustainable transport provision.</p> <p>Policy CP2 (Increased Public Car Parking) provides for additional car parking capacity in the villages. This could result in minor positive impacts for car using patrons of the NA's assets.</p> <p>Policy CF2 (Local Green Space) protects 26 sites, many of which are playing fields, sports grounds or offer similar sporting/recreational opportunities.</p> <p><b>Cultural Heritage, including architectural and archaeological heritage</b></p> <p>Policy DH1 (Promotion of Local Distinctiveness) expects the provisions set out to be adhered to throughout the area – this in order to resist adverse impacts on character and appearance and to promote local distinctiveness.</p> <p>Policy DH2 (General Design Principles) expects the principles set out to be adhered to particularly within the NA's conservation areas and with regard to listed buildings, as well as generally throughout the area – this in order to respect existing architectural and historical character and appearance.</p> <p>Policies DH3 (Shopfront Design) and DH4 (Shopfront Signage) seek to protect shopfront character and appearance, notably within applicable conservation areas.</p> <p>Policy DG4 (Queen Elizabeth Barracks) expects the heritage interest of the site to be preserved as part of any redevelopment, and for a photographic record to be taken before any demolition/redevelopment.</p> <p><b>Landscape</b></p>

**Commented [d25]:** Please conclude why relevant to duration, frequency and probability.

**Commented [d26]:** Please conclude why relevant to duration, frequency and probability.



Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
	<p>Policy CF2 (Local Green Space) protects 26 sites, many of which are locally significant as amenity green space.</p> <p>Policies DH1 (Promotion of Local Distinctiveness); DH2 (General Design Principles); DG1 (Strensall Park); DG2 (Alexandra Road) and DG3 (Howard Road) work to protect/add to the local landscape, notably generous gardens and mature trees.</p> <p><b>The interrelationship between the above:</b></p> <p>Policy CF2 (Local Green Space) could have a minor positive impact by protecting land within the River Foss and Northern Heath Green Infrastructure corridors.</p> <p>Provisions in Policies DH2, &amp; DG1-4 concerning the Strensall Common SAC/SSSI will have positive effects in relation to maintaining the integrity and quality of the Northern Heath corridor.</p>
<ul style="list-style-type: none"> <li>the cumulative nature of the effects</li> </ul>	<p>Cumulatively, the policies relating to additional car parking, community facilities/services, Local Green Space, local distinctiveness, design principles and affordable housing could have positive benefits in relation to population, material/cultural assets, cultural heritage, landscape and interrelationships between the foregoing.</p> <p>No negative effects have been identified in relation to Policy CP1 (Safeguarding Existing Car Parking) or in relation to soil/agri-environment, water, air, climatic factors, human health or biodiversity.</p>
<ul style="list-style-type: none"> <li><u>The trans-boundary nature of the effects</u></li> </ul>	<p><u>The neighbourhood plan relates to the Parishes of Strensall and Towthorpe. The policies included with the plan predominantly help to shape any development proposed through future planning applications; the plan does not allocate any sites for development. It is anticipated that the effects of the policies will be contained within the geographical area and population within the Parishes. None of the policies are likely to have or lead to cross-boundary effects.</u></p>

**Commented [d27]:** Identifying a minor positive effect is good but the answer needs considering in relation to duration, frequency, etc..

**Commented [d28]:** Not relevant.

This answer in general needs to reference cumulative impacts with the Local Plan and neighbouring Neighbourhood plans if applicable. E.g. that the policies have been developed to be in accordance with the emerging Local Plan. Their cumulative and in-combination application will therefore likely have a positive impact on the neighbourhood plan area.



Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Strensall with Towthorpe NP
<ul style="list-style-type: none"> <li>the risks to human health or the environment (for example, due to accidents)</li> </ul>	<p><del>Not applicable.</del> There are no significant risks to human health anticipated as a result of the Neighbourhood Plan. The Neighbourhood Plan should help to improve human health and the environment through its inclusion of policies which address <u>affordable housing, the allocation of additional local green space and the protection of nature conservation designations from adverse effects.</u></p>
<ul style="list-style-type: none"> <li>the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</li> </ul>	<p><u>The neighbourhood plan relates to the Parishes of Strensall and Towthorpe. The policies included with the plan predominantly help to shape any development proposed through future planning applications; the plan does not allocate any sites for development. It is anticipated that the effects of the policies will be contained within the geographical area and population within the Parishes. None of the policies are likely to have or lead to cross-boundary effects.</u></p> <p><del>None of the NP policies propose new development. Some are accepting/welcoming of new development (e.g. additional car parking, replacement community facilities, open space enhancements) while others seek to shape development should it be sanctioned by the Local Plan/other LPA decisions.</del></p> <p><del>As such the size of/extent of any development arising from NP policies is such that no likely significant effects are identified. Any development would directly impact only a small part of the village and its residents.</del></p>
<ul style="list-style-type: none"> <li>the value and vulnerability of the area likely to be affected due to:- <ul style="list-style-type: none"> <li>special natural characteristics or cultural heritage</li> <li>exceeded environmental quality standards or limit values</li> <li>intensive land-use</li> </ul> </li> </ul>	<p>The Strensall Common SAC is highly valued and protected as a European site. All of NA is within SSSI Impact Risk Zone. The impact of the policies on the European sites have been assessed as part of the HRA screening shown below.</p> <p>Priority habitats and species are present within the NA, but largely in the NA's countryside areas (or the protected SAC), and outside the villages where the NP policies will impact. No specific effects identified.</p> <p>A number of the NP's policies provide for the protection of the NA's cultural heritage assets in relation to any new development. Some positive effects identified.</p>
<ul style="list-style-type: none"> <li>the effects on areas or landscapes which have a</li> </ul>	<p>No specific effects identified.</p>

**Commented [d29]:** This needs some of the detail that you have put in the environmental problems box above. E.g

- what are the biodiversity and landscape assets?
- What are the cultural heritage assets?
- What are the heritage assets within the village
- Are there any landscapes of value (green belt is not strictly a topic in SEA but does help to preserve the setting and character of York. Plus, the historic character and setting areas – are these relevant)?
- How will they be affected by the plan?
- Are there any existing breaches of environmental standards – air quality/ pollution?
- How do the policies relate to these aspects? Need to draw upon whether they are likely to have positive effect and why. Come back to the question of whether the Strensall NP is likely to have a significant environmental effect.

**Commented [d30]:** Why?



**Table 3.2: Plan effects and area characteristics**

Effects and area characteristics	Strensall with Towthorpe NP
recognised national, Community or international protection status	



## 4. SEA Conclusions

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4.1 The assessment in tables 3.1 and 3.2 indicate a range of possible minor positive environmental effects as a result of the draft plan policies. No likely significant environmental effects have been identified.

4.2 This is a preliminary view reached prior to consulting Natural England, the Environment Agency and Historic England.



## 5. Legislative Background to HRA

5.1 The application of Habitats Regulation Assessment to land use plans is a requirement of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations); the UK's transposition of European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (widely referred to as the Habitats Directive). Article 6(3) of the Habitats Directive requires that any plan (or project) which is not directly connected with or necessary to the management of a European site (also known as a Natura 2000 site), but would be likely to have a significant effect on such a site, either individually or in combination with other plans and projects, shall be subject to an 'appropriate assessment' of its implications for the European site, in view of the site's conservation objectives. The plan-making body shall agree to the plan only after having ascertained that it will not adversely affect the integrity of the site concerned.

5.2 European sites provide ecological infrastructure for the protection of rare, endangered or vulnerable natural habitats of exceptional importance within the European Union. These sites consist of Special Areas of Conservation (SACs), designated under the Habitats Directive, and Special Protection Areas (SPAs), designated under European Union Directive 2009/147/EC *on the conservation of wild birds* (the Birds Directive). The government also expects authorities to treat Ramsar sites, designated under the Convention of Wetlands of International Importance, UNESCO 1971, as if they are European sites.

5.3 In April 2018, a notable legal judgment<sup>1</sup> held that mitigation measures should be disregarded when carrying out HRA screening. MeanwhileSubsequently, the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, which came into force on 28 December 2018, amend the basic condition relating to Neighbourhood Plans~~NDPs~~ prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended), substituting a new basic condition which states:

*"The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017."*

5.4 This means that NDPs need to be assessed in order to ensure that regulation requirements are not breached. The first stage is to screen an NDP to see whether it is likely to have a significant effect on any European site. If the plan is 'screened in' because significant effects cannot be ruled out, the next stage is for an appropriate assessment to be carried out considering the impact on the European site's conservation objectives. Consent for the plan can only be given if it is 'screened out' at the first stage or the appropriate assessment concludes the integrity of the European site will not be adversely affected.

Need to add the context of the Local Plan and relevance to the HRA process.

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<sup>1</sup> CASE C 323/17 COURT OF JUSTICE OF THE EUROPEAN UNION



## 6. HRA Screening for the Strensall with Towthorpe NP

6.1 This section of the report:

- identifies the European sites within 20 km of the plan area;
- looks at the impact risk zones defined by Natural England for these European sites to see if the plan area falls within these;
- summarises the reasons for designation and conservation objectives for each of the sites which have an impact risk zone stretching into the plan area;
- screens the NDP for its potential to impact upon European sites;
- assesses the potential for in-combination effects from other projects and plans in the area.

### European Sites within 20 km of the NDP area

6.2 There are 5 European sites applicable to the Strensall with Towthorpe plan area:

- a) The Strensall Common Special Area of Conservation (SAC), lies entirely within the Neighbourhood Area. It covers an area of acidic lowland heath of over 569 hectares.
- b) The River Derwent SAC, lies some 6.75km east and east south east of the Neighbourhood Area. The Yorkshire Derwent is considered to represent one of the best British examples of the classic river profile. This lowland section, stretching from Ryemouth to the confluence with the Ouse, supports diverse communities of aquatic flora and fauna, and covers some 911 hectares.
- c) The Lower Derwent Valley SAC, Special Protection Area (SPA) and Ramsar site, lie near ~~Kexby~~ **Wheldrake**, some 10.25km south east of the NA:-
  - The Lower Derwent Valley SAC covers some 916 hectares and contains a greater area of high-quality examples of lowland hay meadows than any other UK site and encompasses the majority of this habitat type occurring in the Vale of York.
  - The Lower Derwent Valley SPA covers some 1,089 hectares. It consist of extensive areas of traditionally managed, species-rich, alluvial flood-meadow, supporting internationally/nationally important populations of bird species.
  - The Lower Derwent Valley Ramsar site represents one of the most important examples of traditionally managed species-rich alluvial flood meadow habitat remaining in the UK. These grasslands, which were formerly widespread, are now very restricted in distribution due to agricultural improvement. The river and these floodlands play a substantial role in the hydrological and ecological functioning of the internationally important Humber basin. Covers some 915 hectares.

### Natural England Defined Impact Risk Zones

6.3 Natural England have defined Impact Risk Zones around the European sites to reflect the particular sensitivities of the features for which they are notified and indicate the types of development proposals which could potentially have adverse impacts. Using this tool which is



available on [www.magic.gov.uk](http://www.magic.gov.uk) it is possible to rule out effects from the following European sites simply because the plan area lies outside the applicable impact risk zones:

- The River Derwent SAC
- The Lower Derwent Valley SAC, Special Protection Area (SPA) and Ramsar site

The reasons for designation and conservation objectives for each of the European sites whose zone of influence the plan area lies within

### The Strensall Common Special Area of Conservation (SAC)

6.4 The citation for the Strensall Common Special Area of Conservation (SAC) is included as Appendix 1 to this document. The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- European dry heaths.
- Northern Atlantic wet heaths with *Erica tetralix* (wet heathland with cross-leaved heath).

6.5 The Conservation Objectives for the Strensall Common Special Area of Conservation (SAC) are published by Natural England. They are:

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:*

- The extent and distribution of the qualifying natural habitats
- The structure and function (including typical species) of the qualifying natural habitats, and,
- The supporting processes on which the qualifying natural habitats rely.

What possible impacts on the European Sites should be considered as part of the HRA screening on the NDP?

6.6 The Habitats Regulations Assessment of the City of York Local Plan (April 2018) provides useful context to the HRA screening for the Strensall with Towthorpe NDP.

### Habitats Regulations Assessment of the City of York Local Plan

6.7 The Habitat Regulations Assessment of the City of York Local Plan identified three potential impacts in relation to the Strensall Common SAC's relevant wet and dry heath features, that could result from the Local Plan policies and allocations:-

- Aquatic environment;
- Recreational pressure;
- Airborne pollution.

#### Commented [d31]:

HRA uses the precautionary principle and therefore also considers pathways and how plans can effect other designations through pathways. For example, technically, Strensall has the River Foss running through it which is a pathway to the River Ouse and River Humber (SAC/SPA)

**Commented [d32]:** The following assessment does not mention the River Derwent. If you are screening this, then this need to be explicit in the following assessment. Or you need to explain why you are not screening it as a European site given that it is within the impact risk zone.

**Commented [d33]:** It would be beneficial to include a map showing the relationship of the Parish to the sites.

#### Commented [d34]:

Need to refer to HRA (Feb 2019) published on the local plan examination webpage. This incorporates consideration and outcomes in relation to the visitor surveys commissioned in summer 2018 and published in 2019.

You need to draw out what the identified potential impacts are on the conservation objectives. E.g. recreational pressure, aquatic environment etc.

The Local Plan needs to be considered as part of the in-combination assessment.



6.8 The relevant findings of the screening element of the assessment in relation to these potential impacts and features were that:-

- likely significant effects could be ruled out alone for 158 of 163 policies and allocations which could therefore be excluded from any further scrutiny. This included the following types of policies:-
  - those setting out general criteria for testing the acceptability of proposals;
  - those referring to proposals but not actually making proposals for any particular sites;
  - protection and safeguarding policies in relation to the environment, assets, facilities.
- likely significant effects could not be ruled out for 3 policies because of anticipated increases in recreational pressure, changes to the hydrological regime and the effect of air pollution on the adjacent Strensall Common SAC:-
  - Policies SS19 and H59 – housing development at Queen Elizabeth Barracks;
  - Policy E18 – provision of employment land adjacent to the Strensall Common SAC.

6.9 The 3 policies for which likely significant effects could not be ruled out were then subject to Appropriate Assessment, the conclusions of which, in relation to the three potential impacts, were that:-

- No adverse impact on the integrity of the Strensall Common European site in terms of impacts on the aquatic environment. No residual effects and no need for an in combination assessment.
- With policy amendments covering the establishment of a permanent, suitably-staffed wardening service that could focus on the management of people to ensure good behaviours, no adverse impact on the integrity of the Strensall Common European site in terms of recreational pressure. No residual effects and no need for an in combination assessment.
- No adverse impact on the integrity of the Strensall Common European site in terms of airborne pollution. No residual effects and no need for an in combination assessment.

**Commented [d35]:** This is now incorrect and instead needs to refer to the updated HRA incorporating the visitor surveys for Strensall common published and provided to the Planning Inspectors in March 2019. See examination webpage. [www.york.gov.uk/localplanexamination](http://www.york.gov.uk/localplanexamination)

#### Screening the NDP for its potential to impact upon the European sites

6.10 Eleven of the policies/part of policies in the draft NDP are aimed at either shaping how development comes forward or protecting and enhancing existing provision of some sort, i.e. they do not themselves guide where development comes forward or lead to additional development coming forward (i.e. site allocations). Such policies need not be considered for their impact on the European sites and can be ruled out at an early stage of screening. Three other policies encourage/aspirer to new development in order to deliver increased public car parking, enhance Local Green Space, meet community needs generated by new housing development, e.g. in relation to school needs.

**Commented [d36]:** My advice is screen all policies and reserve judgment.

6.11 The table below (Table 6.1) lists every policy in the draft plan, provides a summary of what it does and, in the third column identifies whether or not it is a policy that can be ruled out of the HRA screening assessment. The table below this (Table 6.2) then focuses only on those policies of the plan which are not ruled out wherein adverse effects on the integrity of the site cannot be ruled out.



Table 6.1: Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	What does it do	Implications for HRA purposes	Can policy be ruled out for any impact on European site
CP1: Safeguarding Existing Car Parks	Protects existing car parking capacity and provides for compensatory provision in the event of loss to development, subject to continuing need.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
CP2: Increased Public Car Parking	Requires additional car parking to be provided as part of new development, in excess of local planning authority standards in some locations.	This policy could lead to provision of additional car parking, particularly in the village area CP25-1.	No
CF1: Protection of Community Facilities & Services	Protects 11 named facilities against loss through development, with specified exceptions.	The policy protects existing facilities. This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
CF2: Local Green Space	Designates 42 Local Green Spaces and welcomes opportunities for the enhancement of their amenity, recreational and biodiversity value.	<p><del>An element of the</del> This policy protects open space <u>within the village of Strensall</u>; <del>it – this element</del> does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.</p> <p><del>A second element welcomes</del> The policy also <u>supports</u> enhancement opportunities. All designated Local Green Spaces (LGS) are within/ close to existing built-up areas, i.e. broadly to the north and west of the European site. Within LGS, development is encouraged which would enhance the local green space functions of designated sites – by the nature of LGS such</p>	No/NLSE

**Commented [NR37]:** This title is confusing. Suggest rename 'Record of preliminary screening of proposed policies prior to mitigation'

**Commented [d38]:** Be explicit about which European site you are screening.

Also the language of this needs to be consistent with the regs. Consider renaming column 'Screening Outcome' and using the following key:

No likely Adverse effect (NLAE) on the site's qualifying features

Likely Adverse effect (LAE) on the site's qualifying features

**Commented [d39]:** This could be therefore NLAE

**Commented [d40]:** Why would this have negative impact on the common? Clarity required.



Table 6.1: Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	What does it do	Implications for HRA purposes	Can policy be ruled out for any impact on European site
		development would need to be in conformity with national and local Green Belt policy. <del>Encouragement of enabling development outside of LGS would be subject to all other relevant policies of the NDP and of the adopted development plan. This policy is likely to support recreational behaviour away from the Common and therefore have a positive impact in relation to the European designated site.</del>	
DH1: Promotion of Local Distinctiveness	The policy resists development that would have an adverse impact on character/appearance and sets out 23 detailed provisions to promote local distinctiveness in new development, based on a previously prepared village design statement and the 21 character areas identified therein.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
DH2: General Design Principles	Sets out design principles, covering scale and massing; layout; roof form; materials; chimneys; openings; fascias and rain water goods; spaces; and a requirement <u>to ascertain that there will be</u> no adverse effects on the integrity of the Strensall SAC/SSSI, to which all new development is expected to adhere.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
DH3: General Shopfront Design	Seeks to conserve and re-establish traditional shopfronts in the villages' retail outlets.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes

**Commented [NR37]:** This title is confusing. Suggest rename 'Record of preliminary screening of proposed policies prior to mitigation'

**Commented [d38]:** Be explicit about which European site you are screening.

Also the language of this needs to be consistent with the regs. Consider renaming column 'Screening Outcome' and using the following key:

No likely Adverse effect (NLAE) on the site's qualifying features

Likely Adverse effect (LAE) on the site's qualifying features



Table 6.1: Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	What does it do	Implications for HRA purposes	Can policy be ruled out for any impact on European site
DH4: Shopfront Signage	Seeks to control shopfront signage and lighting.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
DG1: Strensall Park	Seeks to control new development in the defined area of Strensall Park, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and a requirement of no adverse effects on the integrity of the Strensall SAC/SSSI.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
DG2: Alexandra Road	Seeks to control new development in the defined area of Alexandra Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and a requirement of no adverse effects on the integrity of the Strensall SAC/SSSI.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
DG3: Howard Road	Seeks to control new development in the defined area of Howard Road, in terms of scale, massing and layout; roof form; materials; chimneys; openings; boundary treatment; spaces and a requirement of no adverse effects on the integrity of the Strensall SAC/SSSI.	<u>Possible proposal referred to but not proposed by the Neighbourhood Plan.</u>  This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
DG4: Queen Elizabeth Barracks	Seeks to control new development in the defined area of Queen Elizabeth Barracks, <u>should it be subject to redevelopment</u> , in terms of scale, massing and layout; roof form; materials; chimneys; openings; spaces and a requirement of no adverse effects on the integrity of	<u>Possible proposal referred to but not proposed by the Neighbourhood Plan.</u>  This policy does not guide where development can come forward or lead to additional development that would not otherwise come	Yes

**Commented [NR37]:** This title is confusing. Suggest rename 'Record of preliminary screening of proposed policies prior to mitigation'

**Commented [d38]:** Be explicit about which European site you are screening.

Also the language of this needs to be consistent with the regs. Consider renaming column 'Screening Outcome' and using the following key:

No likely Adverse effect (NLAE) on the site's qualifying features

Likely Adverse effect (LAE) on the site's qualifying features



**Table 6.1: Identification of policies which do not either guide where development comes forward or lead to additional development coming forward**

Policy	What does it do	Implications for HRA purposes	Can policy be ruled out for any impact on European site
	the Strensall SAC/SSSI. It also seeks to protect buildings of local historic interest and the site's heritage interest and to secure a photographic record of the existing site prior to any development.	forward without the NP being in place.	
DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks	Sets an outline brief for <u>the Barracks should it be subject to re- development. The policy does not allocate the site but seeks to shape the development should it be proposed. The policy seeks to specifically ensure proposals do not adversely effect the integrity of Strensall Common-covering</u> SAC/SSSI <u>protection; protects the Green Belt-protection; seeks retention of Hurst Hall 'community centre'; seeks retention of sports facilities for community use; meeting-meets of school needs; provides foul water capacity; considers public transport provision; and travel planning-travel plan provision; meets the needs of the population through an appropriate housing mix; and incorporates a central heating system.</u>	<u>Possible proposal referred to but not proposed by the Neighbourhood Plan.</u>  This policy does not lead to additional development that would not otherwise come forward without the NP being in place. However, should the principle of development be accepted, either as part of the development management process or via the Land Allocations process then the additional detail in this policy will apply. <u>Detailed proposals at this stage would need to consider the implications for development in this location.</u>	<u>NoNLSE</u>
DG6: Affordable Housing	Seeks to secure affordable housing to meet local need and with local connection provision.	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NDP being in place.	Yes

**Commented [NR37]:** This title is confusing. Suggest rename 'Record of preliminary screening of proposed policies prior to mitigation'

**Commented [d38]:** Be explicit about which European site you are screening.

Also the language of this needs to be consistent with the regs. Consider renaming column 'Screening Outcome' and using the following key:

No likely Adverse effect (NLAE) on the site's qualifying features

Likely Adverse effect (LAE) on the site's qualifying features

6.12 Table 6.2 below focuses on the NDP policies which could influence where development takes place or actually trigger development themselves. These policies are therefore screened below in order to assess whether the policy has no likely significant effect or a likely significant effect.

**Commented [NR41]:** This is now incorrect if DG5 is screened out in table above.



### **The HRA of the Emerging York Local Plan**

6.13 — As part of the assessment of the NDP, it is important to reprise the findings of the HRA work into the emerging City of York Local Plan (as set out in paragraphs 6.7 to 6.9 above).

6.14 — The findings of the HRA work particularly relevant to the policy provisions of the NDP are as follows:-

- That likely significant effects could be ruled out for policies:-
  - setting out general criteria for testing the acceptability of proposals;
  - referring to proposals but not actually making proposals for any particular sites;
  - protecting and safeguarding in relation to the environment, assets, facilities.
- likely significant effects could not be ruled out for 3 policies proposing development because of anticipated increases in recreational pressure, changes to the hydrological regime and the effect of air pollution on the adjacent Strensall Common SAC:-
  - Policies SS19 and H59 — housing development at Queen Elizabeth Barracks;
  - Policy E18 — provision of employment land adjacent to the Strensall Common SAC.

6.15 — On this basis, it is considered that NDP policies regarding increased public car parking, Local Green Space enhancement and development to meet community needs arising from new housing development (e.g. school needs) still need to be considered for likely significant effects, although up to date HRA indications are that effects are probably unlikely. It is further considered that the following identified impact pathways should be considered for likely significant effects on the SAC as a result of the NDP.

1. — Aquatic environment.
2. — Recreational pressure.
3. — Airborne pollution

**Commented [d42]:** In screening you cannot use other documents or policies to mitigate effects following the Sweetman judgement.. These need to be considered in a comprehensive in-combination assessment.



Table 6.2: Possible impacts on the Strensall Common Special Area of Conservation (SAC)					
Strensall with Towthorpe NP Policy	1. Aquatic environment	2. Recreational pressure	3. Airborne pollution	No likely significant effect	Likely significant effect
CP2: Increased Public Car Parking	This policy encourages development in generally unknown locations, with the exception of one specific area in Strensall Village, at some distance from the SAC and separated by the York to Scarborough railway line, identified on the Proposals Map. The likely scale and nature of this type of development make it highly unlikely that direct hydration or water quality impacts on the European site would result.	This policy encourages development in generally unknown locations, with the exception of one specific area in Strensall Village, at some distance from the SAC and separated by the York to Scarborough railway line, identified on the Proposals Map. The likely scale and nature of this type of development make it highly unlikely that direct impacts, in terms of increased recreational pressure, on the European site would result.	This policy encourages development in generally unknown locations, with the exception of one specific area in Strensall Village, at some distance from the SAC and separated by the York to Scarborough railway line, identified on the Proposals Map. The likely scale and nature of this type of development make it highly unlikely that direct impacts, in terms of increased airborne pollution, on the European site would result.	✓	
CF2: Local Green Space	This policy encourages development in order to enhance designated Local Green Space in 42 specified locations, identified on the Proposals Map, 3 of which lie adjacent to the SAC. The likely scale and nature of this type of development make it highly unlikely that direct hydration or water	This policy encourages development in order to enhance designated Local Green Space in 42 specified locations, identified on the Proposals Map, 3 of which lie adjacent to the SAC. The likely scale and nature of this type of development make it highly unlikely that direct impacts in	This policy encourages development in order to enhance designated Local Green Space in 42 specified locations, identified on the Proposals Map, 3 of which lie adjacent to the SAC. The likely scale and nature of this type of development make it highly	✗	

**Commented [NR43]:** Rename to 'Detailed Screening Opinion'? See comment on paragraph 6.12 above.

**Commented [d46]:** The text does not demonstrate this as it negates to consider direct effect as a result of allocating more car parking adj to Strensall common

**Commented [d44]:** This policy encourage s more car parking at the barracks at the ancillary facilities should it be redeveloped. This needs to be explicit in your write-up.

Taking the pre-cautionary principle, this policy could encourage parking on the QEB site for recreational behavior and access on to the common. This policy is likely to have to go to Appropriate Assessment to establish mitigation required.

In addition, it advocates higher car travel adjacent to the SAC. This needs to be considered in conjunction with the air quality assessment as set out in the Local Plan HRA.

**Commented [NR45]:** This is incorrect as proposal maps shows CP2 covering QEB site *as well as* along 'The Village' road.



Table 6.2: Possible impacts on the Strensall Common Special Area of Conservation (SAC)					
Strensall with Towthorpe NP Policy	1. Aquatic environment	2. Recreational pressure	3. Airborne pollution	No likely significant effect	Likely significant effect
	quality impacts on the European site would result.	terms of increased recreational pressure on the European site would result. On the contrary, the enhancement of sites adjacent to the SAC is likely to make them more attractive to visitors and in so doing potentially relieving recreational pressure on the SAC.	unlikely that direct impacts in terms of increased airborne pollution on the European site would result.		
DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks	This policy refers to possible proposals adjacent to the SAC but does not itself propose any stand-alone development and so would not directly lead to development. It identifies matters to be taken account of in any development, including the securing of commensurate facilities for its proposed use, provision of sports changing facilities for community use and adequate provision for school needs. The likely scale and nature of this type of development would make it highly unlikely that direct hydration or water quality impacts on the European site would	This policy refers to possible proposals adjacent to the SAC but does not itself propose any stand-alone development and so would not directly lead to development. It identifies matters to be taken account of in any development, including the securing of commensurate facilities for its proposed use, provision of sports changing facilities for community use and adequate provision for school needs. The likely scale and nature of this type of development would make it highly unlikely that impacts on the European site in terms of recreational pressure would result, even if the policy did	This policy refers to possible proposals adjacent to the SAC but does not itself propose any stand-alone development and so would not directly lead to development. It identifies matters to be taken account of in any development, including the securing of commensurate facilities for its proposed use, provision of sports changing facilities for community use and adequate provision for school needs. The likely scale and nature of this type of development would make it highly unlikely that impacts on the European site in terms of	✓	

**Commented [NR43]:** Rename to 'Detailed Screening Opinion'? See comment on paragraph 6.12 above.

**Commented [NR47]:** Remove as LSE screened out in Table 6.1?



Table 6.2: Possible impacts on the Strensall Common Special Area of Conservation (SAC)					
Strensall with Towthorpe NP Policy	1. Aquatic environment	2. Recreational pressure	3. Airborne pollution	No likely significant effect	Likely significant effect
	result, even if the policy did lead directly to development.	lead directly to development. Rather the improved community sports provision may well serve to relieve recreational pressure on the SAC.	airborne pollution would result, even if the policy did lead directly to development.		

**Commented [NR43]:** Rename to 'Detailed Screening Opinion'? See comment on paragraph 6.12 above.

**Commented [d48]:** I don't think we can make this assumption as this is dependent upon the type of development

**Commented [NR49]:** Results of visitor survey do not support this assumption.



An assessment of the potential for in combination effects from other projects and plans in the area

6.16 Given the conclusions of the HRA of the City of York Local Plan policies and allocations, particularly those which directly affect the Strensall with Towthorpe Neighbourhood Area, together with the conclusions from Table 6.2 above, it is considered highly unlikely that there are any significant in-combination effects on the European site, and that as such the NDP's policies and proposals can be screened out.

**Commented [d50]:** More detail required – this does not adequately consider the in-combination effects of development plans.

- 1.1 It is necessary to understand whether the Neighbourhood Plan is likely to have significant effects in combination with other relevant plans or programmes.
- 1.2 It is most likely that in-combination effects will occur with strategic plans in place in York and adjacent authorities. The table below provides an assessment of any likely significant effect of each Neighbourhood Plan policy on the European Designated Sites in-combination with the emerging City of York (CYC) and Ryedale Local Plans.

Plan/ Programme	Comments	Impact
City of York Local Plan	<p>CYC is currently preparing a Local Plan for the city. This will set out the policies and site allocations to meet the city's needs over the next 20 years. A Local Plan Publication draft (2014) was halted from going to consultation following Members decision at Full Council (October 2014) to undertake further work in relation to housing demand. Subsequently, the Local Plan underwent a Preferred Sites Consultation (2016), Pre-Publication Consultation (Regulation 18) Consultation (2017) and its final Publication (Regulation 19) consultation from 21st February – 4th April 2018. The Local Plan was submitted to the Secretary of State for independent examination on 25th May 2018. City of York has been appointed 2 Planning Inspectors and awaits confirmation of their examination timetable. The plan includes policies on housing, employment, recreation, biodiversity and transport.</p> <p>A Local Plan HRA dated April 2018 was submitted alongside the York Draft Local Plan for examination. This version of the HRA takes forward several issues to Appropriate Assessment (AA). The issues included:</p> <ul style="list-style-type: none"> <li>recreational pressure, change to the hydrological regime and the effect of air pollution on Strensall Common SAC</li> <li>recreational pressure at the Lower Derwent Valley SPA and the impacts on the bird communities that also utilise land beyond the European site.</li> </ul>	NLSE



	<p><u>Appropriate Assessment concluded that CYC could ascertain that there would be no adverse effect on the integrity of Strensall Common in terms of air pollution and effects in the aquatic environment without the need for further mitigation, other than mitigation in relation to recreational pressure provided for by minor modification to clarify wording to Policies SS13, SS18, SS19 and EC1. There were no residual effects and no need for an in-combination assessment.</u></p> <p><u>However, following correspondence from Natural England in June 2018 in relation to evidencing the potential for recreational pressure at European designated sites as a result of growth proposed in the Plan, City of York Council commissioned two visitor surveys, one for Strensall Common (SAC) and a second for the Lower Derwent Valley (SPA) and Skipwith Common (SAC).</u></p> <p><u>Most relevant to the Strensall Neighbourhood Plan are the survey results in relation to the results of the Strensall Common visitor survey concluded a 24% uplift in recreational pressure as a result of proposed development within close proximity to the site. Consequently, the revised Habitat Regulation Assessment (2019), which takes account of the survey results, concluded that two sites should be removed from the plan in order to avoid adverse effects on the integrity of the Common; Sites ST35: Queen Elizabeth Barracks, Strensall and H59: Howard Road, Strensall.</u></p> <p><u>In addition, the Lower Derwent Valley and Skipwith Common report considers that the closest points of open access on to the LDV from York are well managed and likely to attract people specifically interested in wildlife. Although the report states that there is likely significant effects from development, there is mitigation presented in the report deemed sufficient to rule out adverse effects on the integrity with respect to recreation for any single development alone, unless within 1km. It should also be able to rule out adverse effects in the integrity in relation to recreational pressure for the quantum of development as a whole (in-combination) but considers that monitoring and review should be included within the plan. The outcomes of this report concur with the conclusions in the submitted HRA for the Local Plan.</u></p> <p><u>Proposed modifications to the Local Plan, including the removal of sites ST35 and H59 in Strensall, were considered by Executive on 7th March 2019 wherein Members approved their submission for consideration by the Planning Inspectors examining the York Local Plan.</u></p> <p><u>At the time of writing, the York Local Plan examination is ongoing. Following adoption of the Plan, the Strensall Neighbourhood Plan should be reviewed in the context of the adopted plan and re-assessed for any in-combination effects.</u></p> <p><u>The policies set out in the Neighbourhood Plan are consistent with the emerging Local Plan policy at the neighbourhood level. For example, policies in relation to Green Infrastructure accord with strategic policies set out in the York Draft Local Plan (2018) but add detail at the neighbourhood level. The policies in this NP aim to protect and enhance the green infrastructure for current and future generations.</u></p>	
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	<p><u>Conclusion</u></p> <p><i>It is therefore concluded that there are not likely to be any significant effects to the European Designated Sites as a result of in-combination effects between the emerging York Local Plan and HPNP at this stage.</i></p>	
<u>Ryedale Local Plan</u>	TO COMPLETE	
<u>Joint Minerals and Waste Local Plan</u>	<p>North Yorkshire County Council, the City of York Council and the North York Moors National Park Authority are working together to prepare a Joint Minerals and Waste Plan (JMWP) to provide for minerals and waste developments up to 2030. This plan covers the whole of the HPNP area. The joint councils have recently submitted the Joint Plan and produced a HRA to assess both policies and the preferred sites. The HRA has identified a proposed new extraction site for sand and gravel at Kirk Deighton and recommends an Appropriate Assessment is undertaken to assess the site's impact on the nearby Kirk Deighton SAC. The Appropriate Assessment will focus on the possible hydrological impact of the new extraction site and given the restricted groundwater availability of the area (Nidd Magnesian Limestone Groundwater Resource Area) it will also consider in-combination impacts with the draft Harrogate Local Plan. At the time of writing the Joint Minerals and Waste Plan examination is ongoing.</p> <p><u>Conclusion</u></p> <p><i>It is therefore concluded that there are not likely to be any significant effects to the European Designated Sites as a result of in-combination effects between the JMWP and HPNP at this stage.</i></p>	NLSE
<u>Haxby and Wigginton Neighbourhood Plan</u>	TO COMPLETE	
<u>Earswick Neighbourhood plan</u>	TO COMPLETE	

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**Commented [d52]:** Please complete see [https://www.york.gov.uk/info/20007/planning\\_and\\_building/1943/haxby\\_and\\_wigginton\\_neighbourhood\\_plan](https://www.york.gov.uk/info/20007/planning_and_building/1943/haxby_and_wigginton_neighbourhood_plan)

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## 7 HRA Conclusions

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7.1 The assessment undertaken in section 6 of this report concludes the draft NDP is not likely to have a significant effect on a European site either alone or in combination with other plans or projects. This is a preliminary view reached prior to consulting Natural England.

## 8 Glossary of Terms

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Appropriate Assessment	Appropriate Assessment is the legal term used to indicate what must be done where a plan is screened in for further appraisal following the identification of likely significant effects
Basic Conditions	A set of requirements that a neighbourhood plan needs to meet in order to proceed to referendum and be made
The Habitats Directive	EC Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora'



## **Appendix 1 – Strensall Common Special Area of Conservation Citation**

Name: Strensall Common

Unitary Authority/County: York

SAC status: Designated on 1 April 2005

Grid reference: SE651598

SAC EU code: UK0030284

Area (ha): 569.63

Component SSSI: Strensall Common SSSI

Site description: Strensall Common is an example of acidic lowland heath represented predominantly by *Erica tetralix* – *Sphagnum compactum* wet heath, although its extent has been reduced by drainage. It is a noted locality for marsh gentian *Gentiana pneumonanthe*, narrow buckler-fern *Dryopteris carthusiana* and the dark-bordered beauty moth *Epione vespertaria* as it is associated with creeping willow *Salix repens* on the wet heath. There is also a complex mosaic of wet heaths with *Erica tetralix* and dry heath elements. The *Calluna vulgaris* – *Deschampsia flexuosa* dry heath is noted for petty whin *Genista anglica* and bird's-foot *Ornithopus perpusillus*.

Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

- European dry heaths.
- Northern Atlantic wet heaths with *Erica tetralix* (wet heathland with cross-leaved heath).