

**STRATEGIC ENVIRONMENTAL ASSESSMENT &
HABITATS REGULATIONS ASSESSMENT:
SCREENING REPORT**

DRAFT ALWOODLEY NEIGHBOURHOOD PLAN

July 2017



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1. Introduction

- 1.1 The purpose of this report is to determine whether the emerging Alwoodley Neighbourhood Plan (ANP) requires a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) through a process referred to as SEA/HRA screening.
- 1.2 A Strategic Environmental Assessment is a process for evaluating, at the earliest appropriate stage, the environmental effects of a plan before it is made. The SEA screening determines whether the plan is likely to have significant environmental effects. If likely significant environmental effects are identified, an environmental report must be produced.
- 1.3 A Habitats Regulations Assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. A HRA is required when it is deemed that likely negative significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. The HRA screening will determine whether significant effects on a European site are likely.
- 1.4 This report explains the legislative background to SEA/HRA screening, provides details of the draft ANP before undertaking a SEA and HRA screening exercise and providing conclusions.
- 1.5 Leeds City Council has prepared this screening report on behalf of Alwoodley Parish Council who are the qualifying body for the ANP as part of the neighbourhood planning duty to assist. Leeds City Council has a responsibility to advise the Parish Council if there is a need for formal SEA/HRA of the draft plan. One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (this includes the SEA Directive).
- 1.6 For the purposes of this assessment the draft version of the plan which was sent to the Local Authority in June 2016 has been screened along with two possible revised version of Policy H2 which were also submitted to the City Council. This version of the plan is considered to show a firm vision and policy intent. As a consequence the neighbourhood plan is considered to be at an appropriate stage for the screening exercise to be undertaken.

2. Legislative background

Strategic Environmental Assessments (SEA)

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).

- 2.2 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) for all local development documents to meet the requirement of the EU Directive on SEA. It is considered best practice to incorporate requirements of the SEA Directive into an SA as discussed within the NPPF at paragraph 165. However, the 2008 Planning Act amended the requirement to undertake a Sustainability Appraisal for only development plan documents (DPD's), but did not remove the requirement to produce a Strategic Environmental Assessment. As a Neighbourhood Plan is not a development plan document it therefore does not legally require a Sustainability Appraisal. Where appropriate, however, an SEA still needs to be undertaken in line with the SEA regulations.
- 2.3 In February 2015 amendments to the Neighbourhood Plan Regulations came into force. Regulation 2(4) of these amendments adds additions to the list of documents that a qualifying body must submit to a local planning authority with a Neighbourhood Plan. The additional document which must be submitted is either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environment assessment is not required. The amendment to the Regulations is to ensure that the public can make informed representations and that independent examiners have sufficient information before them to determine whether a neighbourhood plan is likely to have significant environmental effects.
- 2.4 The legislation advises that draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a 'screening' assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. The regulations state that before an authority makes a determination on a plan it should:
- a) Take into account the criteria for determining the likely significance of effects on the environment specified in schedule 1 of the Regulations.
 - b) Consult the environmental consultation bodies.
- 2.5 The National Planning Practice Guidance (NPPG), provides further guidance on SEA screening. It advises that whether a neighbourhood plan proposal requires a Strategic Environmental Assessment, and (if so) the level of detail needed, will depend on what is proposed. A SEA may be required, for example, where:
- A neighbourhood plan allocates sites for development.
 - The neighbourhood area contains sensitive natural or heritage assets that may be affected by proposals in the plan.
 - The neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

- 2.5 Where it is determined that the plan is unlikely to have significant environmental effects, and accordingly, does not require an environmental assessment, the authority is required to prepare a statement for its reasons for the determination. If likely significant environmental effects are identified then an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Habitats Regulations Assessment (HRA)

- 2.6 Habitats Regulations Assessment (HRA) has its origins in European law under the Habitats Directive. This has been translated into UK law via The Conservation of Habitats and Species Regulations 2010.
- 2.7 Article 6 (3) of the EU Habitats Directive and regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) require that an appropriate assessment is carried out with regard to the Conservation Objectives of the European Sites and with reference to other plans and projects to identify if any significant effect is likely for any European Site.
- 2.8 The NPPG advises that it is required to determine whether significant effects on a European site can be ruled on the basis of objective information. If the conclusion of the screening is that the plan is likely to have a significant effect on a European site then an appropriate assessment of the implications of the plan for the site, in view of the site's conservation objectives, must be undertaken. If a plan is one which has been determined to require an appropriate assessment under the Habitats directive then it will normally also require a SEA.

3. Draft Alwoodley Neighbourhood Plan Overview

- 3.1 Whether a neighbourhood plan requires a SEA/HRA is dependent on what is being proposed within the plan. The emerging ANP contains a set of locally specific planning policies and guidance for the Neighbourhood Area.
- 3.2 The vision of the draft plan is

“To protect the character of the parish for current and future generations whilst improving the facilities, safety and health for those living and working here and enabling residents to live in the parish throughout their lives. This includes ensuring that our main residential area remains bounded by countryside to the north and west, which provides leisure opportunities for the parish and the wider Leeds community, protects wildlife and biodiversity and enables farming and associated land based activities to continue.”

- 3.3 The Neighbourhood Plan does not propose any allocations. However, it includes several policies to help guide development within the area. The neighbourhood plan includes draft policies under the following topic headings: countryside and the natural environment, the built environment, community and recreational facilities, economy and business, heritage assets and housing.
- 3.4 Once made the Neighbourhood Plan will become part of the Leeds Local Plan and the policies within the plan will be used, alongside other adopted Development Plan documents in the determination of planning applications within the Neighbourhood Area.

4. Summary of consultee responses (Environmental assessment consultation bodies)

- 4.1 It is a requirement of the SEA screening process to consult the environmental assessment consultation bodies when forming a view on whether a SEA is required. Regulation 4 of the Environmental Assessment of Plans and Programmes Regulations 2004 defines these consultation bodies as Historic England, the Environment Agency and Natural England.
- 4.2 A copy of the draft ANP was send to the environmental assessment consultation bodies on 21st December 2015. All of the consultation bodies provided comments to the consultation. Full details of the responses can be found in Appendix 1 of this report. A summary of their responses is provided within the table below:

| Consultation Body | Summary of comments |
|--------------------|---|
| Historic England | There is no direct physical impact arising from the policies contained within the draft Neighbourhood Plan. We can now advise that we consider that an SEA will not be required in relation to the Alwoodley Neighbourhood Plan. |
| Environment Agency | Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan. |
| Natural England | It is our advice, on the basis of the material supplied with the consultation, thatthere are likely to be significant environmental effects from the proposed plan. we can confirm that in our view the allocation contained within the plan will have significant effects on sensitive sites that Natural England has a statutory duty to protect. |

- 4.3 Following the comments from Natural England, Alwoodley Parish Council proposed two alternative revisions to ANP Policy H2 which are attached in Appendix 2. These alternatives were sent initially to Natural England who confirmed either of these would remove the need for

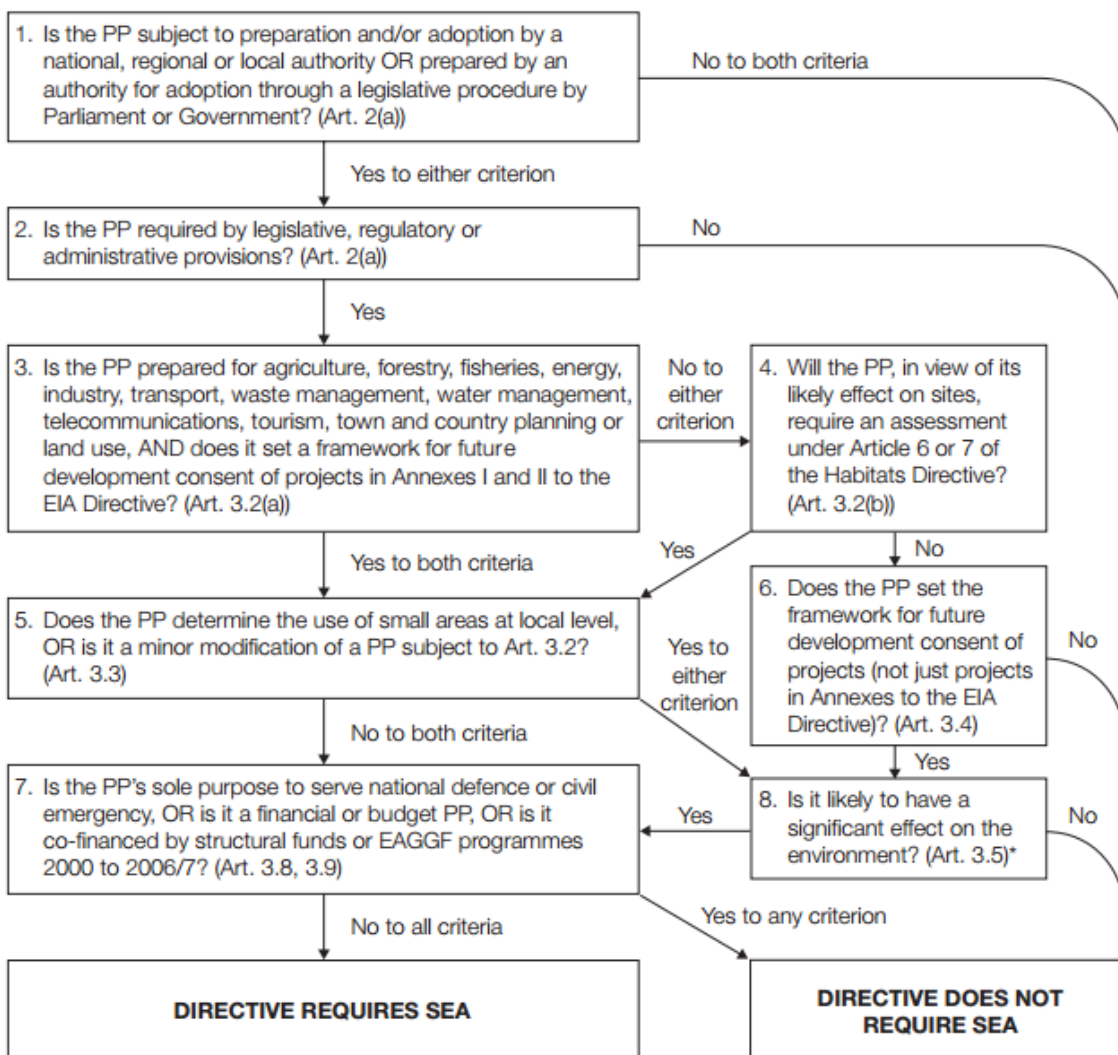
an SEA. They were subsequently sent to the Environment Agency and Historic England who confirmed either version would not necessitate an SEA. The full responses are in Appendix 2.

5. SEA Screening Assessment

5.1 The flowchart below illustrates the process for screening a planning document to ascertain whether a full SEA is required:

FIGURE 1: 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.

5.2 Table 1 (below), helps to apply the Directive by running the draft plan through the questions outlined within Figure 1:

Table 1 – Application of the SEA Directive

| Stage | Y/N | Reason |
|---|-----|--|
| 1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) | Y | Neighbourhood Plans are made by a 'qualifying body' (Parish/Town Council or designated Neighbourhood Forum) under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. A neighbourhood plan is subject to an examination and referendum. If it receives 50% or more 'yes' votes at referendum, it will be 'made' by Leeds City Council as the Local Planning Authority. |
| 2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a)) | Y | Communities have a right to be able to produce a neighbourhood plan, however communities are not required by legislative, regulatory or administrative purposes to produce a neighbourhood plan. This plan however if adopted would form part of the statutory development plan, therefore it is considered necessary to answer the following questions to determine further if an SEA is required. |
| 3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a)) | N | The draft plan is being prepared for town and country planning and land use and once adopted and will be part of the planning policy framework determining future development within the Alwoodley Neighbourhood Area. Developments that fall within Annex I are 'excluded' development for Neighbourhood Plans (as set out in Section 61(k) of the Town and Country Planning Act 1990 (as amended)). It is not anticipated that the ANP would be the tool to manage development of the scale and nature envisaged by Annex I and Annex II of the EIA Directive. |
| 4. Will the PP, 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)) | N | See screening assessment for HRA in following section of this report. |
| 5. Does the PP 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) | Y | Once made the ANP will be part of the land use framework for the area and will help to determine the use of small areas at a local level. The draft plan seeks to allocate several areas as Local Green Spaces. GO TO STEP 8 |
| 6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4) | Y | The Neighbourhood Plan will provide a framework for future development consent of projects in the area. GO TO STEP 8 |

| | | |
|---|-----|--------------------|
| 7. Is the PP'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) | N/A | N/A |
| 8. Is it likely to have a significant effect on the environment? Art. 3(5) | ? | See section below. |

5.3 The criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below in Figure 2.

FIGURE 2: CRITERIA FOR DETERMINING LIKELY SIGNIFICANT EFFECTS

1. The characteristics of plans and programmes, having regard, in particular, to

- *the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,*
- *the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,*
- *the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,*
- *environmental problems relevant to the plan or programme,*
- *the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).*

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

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

5.4 An assessment of the likely significant effects resulting from the Neighbourhood Plan has been carried out in Table 2:

Table 2 – Assessment of likely significant effects

| Criteria | Comments |
|---|---|
| 1. The characteristics of plans and programmes, having regard, in particular, to | |
| The degree to which the NP sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | <i>The NP will set a policy framework for the determination of planning applications for future development projects. Once made the NP will form part of the Leeds Local Plan.</i> |
| The degree to which the NP influences other plans and programmes including those in a hierarchy | <i>The NP must be in general conformity with the Leeds Local Plan and national planning policy. It does not influence other plans.</i> |
| The relevance of the NP for the integration of environmental considerations in particular with a view to promoting sustainable development | <i>The achievement of sustainable development in one of the basic conditions that the NP must meet. The draft plan includes themes and policies regarding the environment and sustainability and overall it aims to create sustainable communities.</i> |
| Environmental problems relevant to the NP | <i>It is not considered that there are any particular environmental problems relevant to the plan.</i> |
| The relevance of the NP for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection) | <i>This criterion is unlikely to be directly relevant in regard to the NP.</i> |
| 2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to | |
| The probability, duration, frequency and reversibility of the effects | <i>Although no specific developments are proposed within the NP the Plan encourages development and provides a framework for guiding any such development. It is likely that development will occur during the duration of the Plan within the area therefore an element of environmental change will take place. However, the Plan policies are designed to encourage new development that is more sustainable and has the least negative and greatest positive environmental impacts.</i> |
| The cumulative nature of the effects | <i>The cumulative effects of proposals within the NP are unlikely to be significant on the local environment. The effects of the NP need to be considered alongside the Leeds Core Strategy. The NP is required to be in general conformity with the Leeds Local Plan. It is not considered that the NP introduces significant additional effects over and above those already considered in the SA/SEA</i> |

| | |
|---|--|
| | <i>for the Core Strategy and the NRWDPD. Notably the NP does not propose more development than the Core Strategy for the area.</i> |
| The transboundary nature of the effects | <i>The proposals within the NP are unlikely to have a significant impact beyond the Neighbourhood Area boundary.</i> |
| The risks to human health or the environment (e.g. due to accidents) | <i>None identified.</i> |
| The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), | <i>The NP is concerned with development within the Alwoodley neighbourhood Area. The potential for environmental impacts are likely to be local, limited and minimal.</i> |
| The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> ▪ special natural characteristics or cultural heritage, ▪ exceeded environmental quality standards or limit values, ▪ intensive land-use, | <i>The NP is unlikely to adversely affect the value and vulnerability of the area in relation to its special natural characteristics or cultural heritage. The policies within the plan seek to provide greater protection to the character of the area. The NP does not allocate any sites, as such there are unlikely to be any intensive land-use concerns.</i> |
| The effects on areas or landscapes which have a recognised national, Community or international protection status. | <i>It is not considered that the draft policies in the NP will adversely affect areas or landscapes which have a recognised national, community or international protection status. The policies do not allocate land for development and the plan also seeks to protect some local green spaces and the local landscape character..</i> |

Assessment of Alwoodley Neighbourhood Plan Policies

Countryside and Natural Environment

- 5.5 This section provides for the protection and retention, protection and management of the countryside and natural environment within the ANP area. The plan area has a large proportion of countryside and high quality recreational facilities that the parish wish to retain. A number of specific areas of woodland have been identified and policies have been identified to protect the specified areas. Policy CNE1 identifies 4 areas of woodland that should be protected from any development. Eccup reservoir is within the plan area and residents have indicated that they wish to protect the area surrounding the reservoir. Policy CNE2 is specific to Eccup reservoir and identifies the area as a SSSI and significance in relation to wildlife, the area surrounding the reservoir seeks to protect the surrounding and any proposals should seek to overcome the concerns raised by the specific policy. The plan area does have a number of tree lined streets with mature trees. The plan has a policy CNE3 which seeks to protect the grassed verge areas which also have trees. The policy not only seeks to protect these areas but also any development proposals within the plan area and the specific area identified should seek to introduce further trees wherever practicable. Residents have also identified that they enjoyed living in the area due to the parishes proximity to the countryside. Policy CNE4 identifies a number of measures which seek to respect and enhance the rural characteristics of the plan

area. This policies that are in relation to the residents first priority of the ANP are there to both protect and enhance the countryside and natural environment which will have a positive impact on the environment and seek to protect the area.

The built environment

- 5.6 The plan sets out policies to protect and enhance the built environment and specifically the abundance of green space enjoyed by the community. Policy BE1 identifies 22 areas of local green spaces that development should not be permitted. Also any proposed development should not be permitted that specifically affects these areas. The built environment within the plan area is suburban in form consisting of 2 storey detached and semi-detached properties. Policy BE2 is in relation to local character and design in relation to any new proposals for development. The plan seeks some conformity in relation to any new building within the area and any new proposals should not look out of place with the surrounding area. Residents have raised concerns in relation to parking within the plan area and also the volume of traffic. Policy BE3 has been identified with certain criteria to ensure adequate off street parking is provided and the parking is of a size for a normal family car. The ANP area is in close proximity to the countryside with a large network of footpaths and bridleways. Policy BE4 has been put in place to both protect and enhance the footpaths, bridleways and cycle paths within the parish. The policies identified in relation to the built environment are considered to have a positive impact on the environment and seek to protect the individuality of the area.

Community and recreational facilities

- 5.7 The Plan has identified a number of existing community premises and a number of policies have been included to support the community in terms of access to sport, leisure and communal spaces. Policy CRF1 identifies 24 community facilities that should be protected from development. Also and proposals to improve the name facilities should be supported. The parish have raised concerns in relation to access to the current facilities and have included a policy CRF2 that any new development should seek to incorporate community facilities or demonstrate that they add value to the already existing facilities. The parish also seeks to promote a health active lifestyle. Policy CRF3 has been included to encourage any new development to incorporate and demonstrate how healthy lifestyles will be encouraged through the maintenance of existing provision of new sport and recreational facilities. These policies have been included to protect existing facilities and have a positive impact on the environment.

Economy and business

- 5.8 The Plan does have a number of local shops within the area also a new restaurant has recently opened. The parish seeks to introduce policies that support and promote small businesses. The local retail outlets have been specified with a view to protecting them from conversion into residential units. The plan policy does concede that if this is not achievable through marketing

then further uses should be considered. Also within Policy EB1 the parish wishes to protect the existing residential units above the shops. The parish have identified that there are changing patterns of work and a number of small businesses operate from home. The parish seeks to encourage new business opportunities subject to them not causing a nuisance to neighbours, including excessive traffic movements and not be out of keeping with the surrounding area. These policies that seek to encourage local business which are not detrimental to the amenities of the area would be considered to have a positive impact on the area.

- 5.9 The Plan supports and encourages the growth of jobs that are appropriate to the parish. Support is given for new businesses that do provide new employment opportunities and doesn't have a negative impact on nearby residents within policy BCE1. This policy promotes employment and growth within the area and the policy controls any negative impact to the residents and the environment.

Housing

- 5.10 The plan supports housing which is appropriate to the needs of the parish and the overall city wide targets. This area was second on the list of most important identified by the residents. The plan sets out a number of criteria under Policy H1 for new homes that exceeds 50 units which seeks to take account of local needs and reflect the local character of the area. This policy also seeks to provide greenspace and access to the countryside. The plan also identifies that new housing has been proposed under the Leeds Core Strategy and the emerging SAP.
- 5.11 Policy H2 was originally written with regards to the 285 new homes proposed under site 2053b of the Site Allocations Plan which the neighbourhood plan supports. A number of criteria were placed within the policy and a site brief in an appendix. There was a strong desire to reduce the carbon footprint and aim for new housing proposals within the area to meet and exceed the Code for Sustainable Homes Level 4 or an equivalent standard. The proposed revised version of the policy which specifically relates to site 2053b adds a requirement for an ecological assessment of the site and mitigation measures in relation to Eccup Reservoir SSSI. The alternative version is more general and applies to "land being allocated for development by Leeds City Council" and therefore is less specific, with no reference to Eccup Reservoir. The 3 consultation bodies are satisfied that neither of these will necessitate an SEA.
- 5.12 The remaining policy within the ANP area is in relation to Green space and recreational areas. Policy H4 stipulates that any new proposals for more than 50 residential units including the site 2053b allocated within the Site Allocations Plan should provide open space and recreational areas with provision for play areas for younger children and young teenagers. The housing policies attached to the plan are considered to have a positive impact on the environment.

SEA Screening Conclusions

- 5.13 In conclusion, as a result of the assessment carried out in Table 2 above and the more detailed consideration of the draft policies, it is considered that it is unlikely that any significant environmental effects will arise as a result of the Alwoodley Neighbourhood Plan. Consequently, the assessment within Table 1 concludes (subject to HRA screening outcome), that an SEA is not required when judged against the application of the SEA Directive criteria.
- 5.14 Notably, the draft neighbourhood plan does not propose any allocations. No sensitive natural or heritage assets will also be significantly affected by proposals within the plan. The neighbourhood plan's policies seek to guide development within the Neighbourhood Area and are required to be in general conformity with those within the Local Plan. It is unlikely that there will be any significant additional environmental effects that have not already been considered and dealt with through a SEA/SA of the Local Plan. Finally, none of the environmental consultation bodies raised any concerns regarding any likely significant environmental effects.

6. HRA Screening Assessment

- 6.1 The HRA involves an assessment of any plan or project to establish if it has potential implications for European wildlife sites. The HRA will consider if the proposals in the neighbourhood plan have the potential to harm the habitats or species for which European wildlife sites are designated. European wildlife sites are:
- Special Protection Areas (SPA) designated under the Birds Directive (79/409/EEC)
 - Special Areas of Conservation (SAC) designated under the Habitats Directive (92/43/EEC).
- 6.2 In addition to SPA and SAC sites Ramsar sites are designated under the Ramsar Convention (Iran 1971 as amended by the Paris Protocol 1992). Although they are not covered by the Habitats Regulations, as a matter of Government Policy, Ramsar sites should be treated in the same way as European wildlife sites. European wildlife sites and Ramsar sites are collectively known as Natura 2000 sites.
- 6.3 The initial screening stage of the HRA process determines if there are any likely significant effects possible as a result of the implementation of the plan and if an appropriate assessment is needed. This stage should provide a description of the plan and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.

Relevant Natura 2000 sites

- 6.4 As a general 'rule of thumb' it is identified that sites with pathways of 10-15km of the plan/project boundary should be included within a HRA. Kirk Deighton Special Area of Conservation (SAC) is the only international designated site within a 15km radius of the Alwoodley Area boundary.
- 6.5 The Kirk Deighton SAC is approximately 4ha in size and is located to the north of Wetherby within the administrative area of Harrogate Borough (North Yorkshire). The site lies about 500m north of the northern boundary of the Leeds City Council administrative boundary. The SAC is situated approximately 15km away from the Alwoodley Neighbourhood Area at its nearest point. It is therefore unlikely that any policies or proposals in the draft plan will have an effect on Kirk Deighton SAC. A location plan and the Natura 2000 data form are in Appendix 2.
- 6.6 The primary reason for the protection of this site is the presence of Great Crested Newts (*Triturus cristatus*) which breed in a large pond set in a depression in grazed pasture. This main breeding pond has a water level that fluctuates widely, sometimes leading to pond desiccation. As a result, there is relatively little aquatic vegetation but egg-laying occurs and recruitment is successful intermittently; however, a large population is present, demonstrating this species' ability to thrive in temporary pond sites. Newts range across an area comprising pasture with old hedgerows.

HRA Screening Determinations for higher level planning policy documents

Leeds Core Strategy (2014)

- 6.7 The potential effects of the provisions of the Publication Draft Core Strategy on Kirk Deighton SAC were assessed through a Screening Determination (Feb 2012). It was concluded that whilst policies promoting housing and economic growth could result in transport growth and increased industrial emissions, there was no risk of a likely significant effect which could not be mitigated by applying the LDF. Furthermore the West Yorkshire Local Transport Plan promotes a low carbon, sustainable transport system. Natural England agreed with this conclusion and that an Appropriate Assessment was not required in a letter dated 16th February 2012. A further screening was undertaken on the pre-submission changes in December 2012. As the neighbourhood plan is in general conformity with the strategic policies of the Core Strategy, it broadly complies with the HRA assessment of the Core Strategy.

Leeds Site Allocations Plan

- 6.8 A HRA screening determination has been undertaken considering the potential effect of those sites proposed for development and protection as greenspace on the relevant SACs and SPAs. All sites within 2.5km of Kirk Deighton were assessed as to whether they could potentially have an impact even though it is acknowledged that the distance for movement of great crested

newts is normally up to 500m. This larger buffer was to reflect the threat to the habitat of the Great Crested Newt from increased acid and nitrogen deposition from transport growth.

- 6.9 Great Crested Newt movements between Kirk Deighton and the nearest proposed housing site (Spofforth Hill, Wetherby) were investigated, however West Yorkshire Ecology and North and East Yorkshire Ecological Data Centre data did not show any records of Great Crested Newts between Kirk Deighton SAC and Spofforth Hill, not least because there are road barriers between the two sites. It was therefore concluded that none of the site allocations within the 2.5km buffer are likely to have any significant impact on movements of Great Crested Newts. Habitat fragmentation, water abstraction, increased acid & nitrogen deposition from transport were identified as potential likely significant effects however it was concluded that none would occur due to a series of identified precautionary Avoidance Measures and the application of LTP, NRW LP and Core Strategy Policies which are capable of achieving a shift to more sustainable transport modes, combined with a reduction in travel (per capita) and mitigation for air quality impacts. None of the Alwoodley Neighbourhood Area lies within the 2.5km buffer. The neighbourhood plan does not propose to allocate any land for development therefore it is unlikely to have any significant impact on the SAC. None of the Alwoodley Neighbourhood Area lies within the 2.5km buffer. The ANP is in general conformity with the Publication Draft Site Allocations Plan.

Leeds Natural Resources and Waste Development Plan Document

- 6.10 A HRA screening determination was done to determine whether the NRWDPD required an Appropriate Assessment under the Habitats Regulations (Conservation of Habitats and Species Regulations 2010, SI no. 2010/490). It was identified that only 2 policies gave rise to the potential for direct or indirect impacts on SAC or SPA, however they would not affect the Kirk Deighton SAC as they related firstly to the development of wind power and the potential impact on flight patterns of birds and secondly to possible sites for waste facilities in the Aire Valley, over 10km from Kirk Deighton, particularly as great crested newts and their habitats are not particularly sensitive to air pollution. Natural England agreed that the policies of the NRWDPD are not likely to have a significant effect on any SAC or SPA. The ANP do not address the issue of natural resources and waste therefore only the NRWDPD will be applicable to any such proposals in the Alwoodley area.
- 6.11 As Kirk Deighton SAC lies within Harrogate District Council, plans prepared for that area must be considered:

Harrogate Local Plan: Issues and Options Consultation Habitats Regulations Assessment July 2015

- 6.12 This assessment was informed by the HRA produced for the Draft Sites and Policies Development Plan Document in May 2013 which was withdrawn from examination in May 2014.

It is considered that the Great Crested Newts utilize the terrestrial habitat outside the SAC and that policies that required land in-take in areas within 500m of the SAC boundary could have an impact. Furthermore, policies that would increase the concentrations and deposition of air pollutants above a critical level or that would impact on water quality or quantity could also have a potential impact. Consultation on the Draft Harrogate District Local Plan will commence on 11th November 2016.

Harrogate Core Strategy 2009

- 6.13 The Harrogate Core Strategy was formally assessed under Article 6(3) and Article 6(4) of the Habitats Directive 92/43/EEC on the Conservation of Natural Habitats of Wild Flora and Fauna. It was not found that any of the policies within it required an Appropriate Assessment to be done, however following consultation with Natural England, some policies did raise issues which were subsequently addressed.

North Yorkshire Minerals and Waste DPD

- 6.14 The Issues and Options draft of the plan was screened and the findings were set out in Habitat Regulations Assessment Likely Significant Effects Report (Feb 2014). It assessed various options and highlighted whether an appropriate assessment may be necessary if particular options were to be carried forward to Preferred Option stage. Most options were not likely to have significant effects, it was anticipated that these could be avoided by using caveats. Consultation on the Preferred Options was undertaken Nov 2015 – Jan 2016. The HRA concluded that the majority of policies are likely to have no negative effect on a European site however four preferred policies were identified as having uncertain impacts. However, this uncertainty could be removed by adding wording to the policy stating that any development would need to be in line with the development policies in the plan. Further assessment of the sites at Ruddings Farm is required to assess whether likely significant effects on Kirk Deighton would result from the policies and may be policy changes would be necessary to ensure no significant effects.

Harrogate Local Biodiversity Action Plan 2012

- 6.15 North Yorkshire County Council and Harrogate Borough Council have led the Harrogate BAP initiative, with support and funding from Natural England. This attempts to draw together all the information known on habitats and species and concentrates on priority species and habitats. Individual Action Plans have been prepared for 15 habitats. The aim is to achieve conservation through targets based upon protection, enhancement and re-creation. A small number of Species Action Plans have also been prepared including one for Great Crested Newts. The BAP will contribute to the care of special habitats and the species associated with them.
- 6.16 An HRA was undertaken of the Publication Draft Harrogate District Sites and Policies DPD (May 2013) which concluded that there was no need to carry out an Appropriate Assessment as it was

not considered that any of the draft sites or policies proposed in the Sites and Policies DPD singularly or in combination with other sites or plans would have any significant effects on the Natura 2000 sites considered. This plan was withdrawn from examination in June 2014 to address some fundamental concerns but the HRA is assisting in the preparation of the emerging Harrogate District Local Plan.

- 6.17 Overall, it was determined that these higher order plans would not significantly affect any SAC or SPA, including Kirk Deighton SAC. Where plans were at an early stage of preparation it was considered that mitigation measures could address any potential effects.

Assessment of the likely effect of the neighbourhood plan

- 6.18 The following questions will help to establish whether an Appropriate Assessment is required for the emerging ANP:

- a) **Is the ANP directly connected with, or necessary to the management of a European site for nature conservation?**

The Kirk Deighton SAC does not lie within the Alwoodley Neighbourhood Area, therefore the KNP does not relate nor is directly connected with the management of the SAC.

- b) **Does the ANP propose new development or allocate sites for development?**

No. The neighbourhood plan is required to be in general conformity with the policies set out within the adopted Leeds Core Strategy which set the broad parameters for future development within Leeds. The Core Strategy and earlier drafts of the Site Allocations Plan have been subject to HRA's and future drafts of the SAP will be assessed appropriately.

- c) **Are there any other projects or plans that together with the ANP could impact on the integrity of a European site, the 'in combination' impact?**

The aforementioned section regarding HRA Screening Determinations for higher level planning policy documents (para's 6.7-6.16), confirms that other projects and plans that relate to the Kirk Deighton SAC site are unlikely to impact on the integrity of the European site. The KNP does not propose any development sites, rather the policies will help to shape new development within the area and primarily minimise any negative effect. The policies within the plan are required to be in general conformity with those of the Local Plan (inc Biodiversity policies) which has been subject to HRA assessment. The neighbourhood plan does not promote a greater amount of development than the Local Plan. Overall it is considered that the plan is unlikely to have an 'in combination' impact.

HRA Screening Conclusions

- 6.19 It is considered that none of the policies in the ANP are likely to have a significant effect on the Kirk Deighton SAC, whether alone or in combination with other projects and programmes. The plan does not specifically allocate land for development and does not promote more land for development than the Local Plan. Furthermore, the policies within the plan are required to be in general conformity with those of the Local Plan (inc Biodiversity policies) which has been subject to HRA assessment.
- 6.20 Kirk Deighton SAC is protected due to the presence of Great Crested Newts which have a limited distance of movement of normally up to 500m. None of the Alwoodley Neighbourhood Area lies within 500m of the site. Furthermore, Natural England have stated within their consultation response that 'there are no European designated sites in close proximity to Alwoodley, therefore the plan would be unlikely to have a significant effect, alone or in combination, on any European site'.
- 6.21 It is therefore considered that the ANP is not likely to cause a significant effect Kirk Deighton SAC or on any other European site. Consequently the draft plan is not considered to require further assessment under Article 6 or 7 of the Habitats Directive (Art. 3.2(b)).

7. Screening Conclusions

- 7.1 A SEA and HRA screening exercise has been undertaken for the emerging KNP. The assessments have concluded that the Alwoodley neighbourhood plan is unlikely to give rise to any significant environmental effects or have significant effects on a European site. These conclusions are supported by comments from the environmental consultation bodies. Accordingly it is considered that an SEA, or further HRA assessment is not required for the draft neighbourhood plan.
- 7.2 It is important to note that this screening opinion is based on a draft version of the ANP. Consequently if the content of the neighbourhood plan should materially change then the SEA/HRA screening process will need to be re-assessed and updated.

APPENDIX 1

RESPONSES FROM ENVIRONMENTAL ASSESSMENT CONSULTATION BODIES

Neighbourhood Planning Team
Leeds City Council
Department of Planning
The Leonardo Building
2 Rossington Street
Leeds
West Yorkshire
LS2 8HD

Our ref: RA/2006/100689/OT-
05/IS1-L01
Your ref: Alwoodley
Date: 16 August 2016

Dear Sir/Madam

ALWOODLEY NEIGHBOURHOOD PLAN

We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest.

Adel Beck (Main River) and a number of other watercourse runs along and within the boundary, with associated areas of flood zones 2 and 3.

We note that the Plan will influence design and layout of any new development in Alwoodley area through policy requirements and guidance, rather than allocate sites for development.

Having considered the nature of the policies in the Plan, we consider that it is unlikely that significant negative impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan.

If it is the Parish's Council's intention to allocate land for development, we would make reference to the National Planning Practice Guidance, paragraph 061 which states that qualifying bodies involved in neighbourhood planning should:

- seek to ensure neighbourhood plans are informed by an appropriate assessment of flood risk;
- ensure policies steer development to areas of lower flood risk as far as possible;
- ensure that any development in an area at risk of flooding would be safe, for its lifetime taking account of climate change impacts;
- be able to demonstrate how flood risk to and from the plan area/development site(s) will be managed, so that flood risk will not be increased overall, and that opportunities to reduce flood risk, for example, through the use of sustainable drainage systems, are included in the plan.

Local planning authorities should have in mind these aims in providing advice or assistance to qualifying bodies involved in neighbourhood planning.

Environment Agency
Lateral 8 City Walk, LEEDS, LS11 9AT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

Should you require any additional information, or wish to discuss these matters further, please contact me on the number below.

Yours sincerely

Ms CLAIRE DENNISON
Sustainable Places - Planning Advisor

Direct dial 02030256425

Direct e-mail claire.dennison@environment-agency.gov.uk

cc Alwoodley Parish Council

End

2

Date: 18 August 2016
Our ref: 191761



Chris Sanderson
Principal Compliance Officer
Leeds City Council
LDF Publication Draft Consultation
Forward Planning & Implementation
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD
Chris.Sanderson@leeds.gov.uk

Customer Services
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Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Chris Sanderson

Planning consultation: Strategic Environmental Assessment Screening of draft policies in East Alwoodley Neighbourhood Plan

Thank you for your consultation on the above dated 26 July 2016 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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

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

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

We have checked our records and based on the information provided, we can confirm that in our view the allocation contained within the plan will have significant effects on sensitive sites that Natural England has a statutory duty to protect. As the Leeds Site Allocations Plan has not yet been adopted, we consider that the neighbourhood plan should include an assessment in order to determine the potential impact on these sensitive sites and what possibilities exist for the avoidance/mitigation of the effects. We would encourage the Parish Council to work closely with the Local Planning Authority regarding the assessment and mitigation

<http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans/>

The following sites have been identified as being potentially significantly affected by the plan policies/allocations/proposals:

- Eccup Reservoir Site of Special Scientific Interest (SSSI)

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

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

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

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter please contact Merlin Ash at 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.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Merlin Ash
Yorkshire and Northern Lincolnshire Team
Natural England

APPENDIX 2

ALTERNATIVE POLICY H2 AND RESPONSES FROM ENVIRONMENTAL ASSESSMENT CONSULTATION BODIES

Alwoodley Neighbourhood Plan – Alternative A

3.6.2 Design of new housing developments: ~~site HG2-36~~

Future housing development is one of the subjects covered in the Leeds Core Strategy. Leeds has to find land on which to develop 66,000 new homes. Much of this is likely to be in the east of the city, but the Strategy makes it clear that it may be necessary to encroach on green areas.

Supporting evidence

The Leeds Core Strategy also proposes that developments of 50+ homes should make a contribution to independent living e.g. bungalows or level access flats. ~~Site HG2-36 (formerly known as site 2053b) proposed by Leeds City Council for housing is anticipated to contain some 285 properties.~~ The Neighbourhood Plan recognises that some land may have to be released for housing development as indicated in the Leeds Core Strategy and the emerging Site Allocation Plan.

The Parish Council recognises the need for new homes and welcomes the opportunity to have an input into the nature and design of ~~this~~ development. ~~The site brief at Appendix 1 provides an outline of how site HG2-36 should be developed.~~

H2: Design of new housing developments – ~~site HG2-36~~

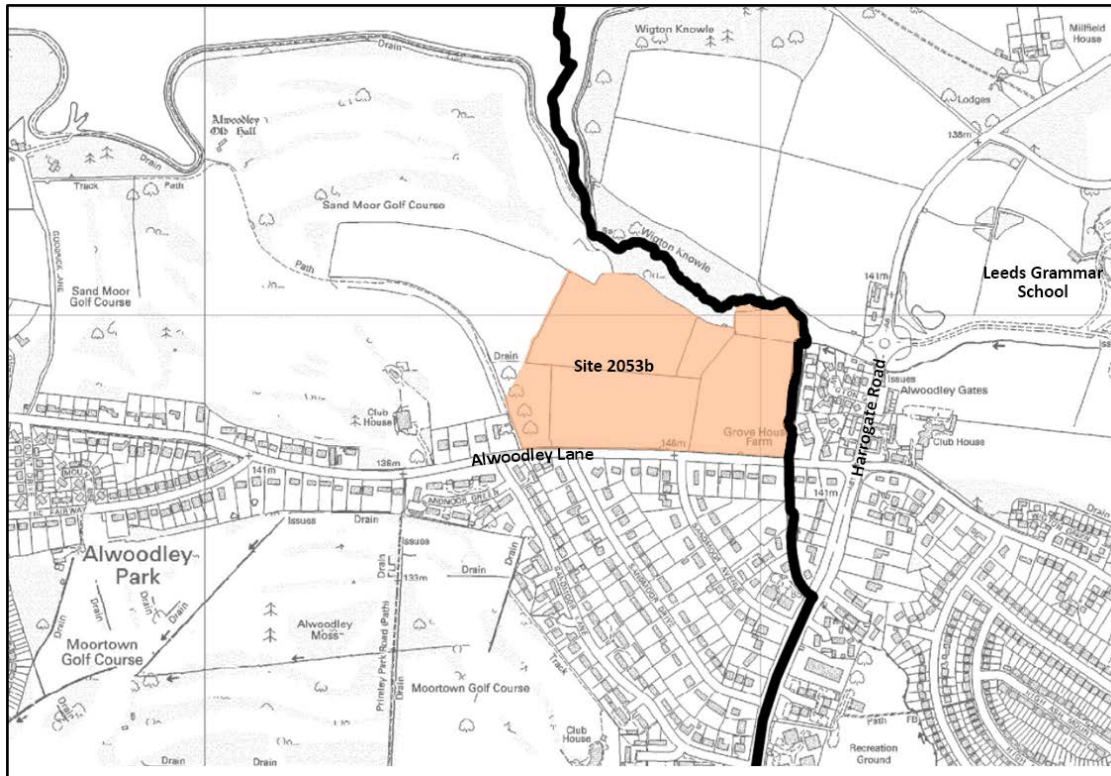
In the event of ~~Site HG2-36 land~~ being allocated for development by Leeds City Council, the following will apply:

- a) Proposals for development should include detailed proposals for minimising the effect on traffic ~~on existing roads in Alwoodley Lane, including dual access points onto both Alwoodley Lane and Harrogate Road.~~
- b) Development of the site should integrate new publicly accessible green space and community facilities with particular focus on young people and their needs, for example through the provision of formal and informal play space for all age ranges.
- c) Existing landscape features are retained and integrated with the development;
- d) Non-motorised access routes are provided to link the development to the countryside.
- e) Sufficient primary school places are available nearby based upon an independent assessment of actual and anticipated demand.
- ~~f) Retain and improve the boundary on Alwoodley Lane with conservation and improvement of walls, hedges and tree line. Retention of stone gateway sign.~~
- ~~g) Strong green infrastructure, including street trees and corridors leading towards and linking to woodland and countryside beyond, should be integrated through the site.~~
- ~~h) Ensure massing and height is not out of keeping with neighbouring properties.~~
- ~~i) Green technology should be incorporated into ~~the~~ developments to reduce the carbon footprint and impact upon the environment.~~

Site Brief

~~Appendix 1: Site Brief for Policy H2: Location of new homes – Alwoodley Lane~~

~~Site location. Delete map~~



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~~Key considerations~~

~~Site HG2-36, formerly known as site 2053b refers to land to the north of Alwoodley urban area, off Alwoodley Lane. The site is a greenfield, agricultural site within the Green Belt and the Leeds Special Landscape Area. Sand Moor Golf Club is to the west and Eccup Reservoir SSSI is to the north west. The site is flat and in active use as agricultural grazing land. The gross area of the site is 13.43ha. The site is considered to be on the edge of a main urban area and has been designated in the settlement hierarchy as being within the main urban area extension zone.~~

~~This site has been identified by Leeds City Council's draft Site Allocation Plan as being capable of accommodating 285 housing units on a 13.43ha site. Part of the site would be retained for the provision of a primary school. The Parish Council are not aware of any previous planning applications on this site.~~

~~There are no community facilities or public open spaces within the site. There are no~~

~~historical or listed buildings within the site. The site's eastern boundary abuts the parish boundary.~~

Environmental landscape

~~To the east of the site is a beck which runs from outside the parish to the south east to the by-pass channel on the south side of Eccup reservoir. To the north of the site is deciduous woodland and to the south, bordering Alwoodley Lane, is an established line of deciduous trees running along the verge and additionally bounded in part by a gritstone wall.~~

~~To the north west of the site lies Eccup Reservoir SSSI. Eccup Reservoir is the largest single stretch of water in West Yorkshire. Water for the reservoir is supplied from the River Ouse and several upland reservoirs. Eccup Reservoir has long been a site of major attraction for wildfowl and other water birds and the earliest documented records date from the 1920's. The most significant population of wintering wildfowl is the goosander. On average Eccup holds between 1–2% of the estimated total wintering population of goosander in the British Isles. The Eccup population is therefore of national importance and is currently the fourth largest population in the British Isles. Eccup Reservoir is on the trans-Pennine bird migration route and its size and location make it a very attractive site for wintering birds and passage migrants. Its recognised national significance for goosander makes it the most important open water area for wildfowl in West Yorkshire.~~

Access

~~Vehicular access for the site is likely to be from Alwoodley Lane and/or the roundabout off the Harrogate Road near to The Grammar School at Leeds, although road improvements would be required to be agreed with Leeds City Council. With the exception of Green Belt and Special Landscape Area, there are no known other conservation, ecological or biodiversity issues with the site. There is no known significant infrastructure crossing the site, e.g. power lines or pipe lines. No utility services are available on site. No public rights of way cross the site although the western boundary has a footpath leading north from Alwoodley Lane marking the limit of the site.~~

Character of surrounding area/built environment

~~The southern edge of the site i.e. Alwoodley Lane border the Sandmoors character area. There is no distinct vernacular to this area, although most houses are of brick construction with a mixture of pantile and slate roofing.~~

Recommendations

The key consideration in the development of the site must be its proximity to Eccup reservoir and the potential impact of removing a significant area of arable land from the vicinity and subsequent potential impacts upon migrant bird populations.

Although the site is relatively featureless, it does provide nearby residents with open views across countryside towards the reservoir and its loss will impact upon the visual amenity of the area clearly.

If development is to take place on the site, the following recommendations are made:

1. To retain and improve the boundary on Alwoodley Lane with conservation and improvement of walls, hedges and tree line. Retention of stone gateway sign.
2. Integration of green spaces and recreational facilities within the development for all ages to enjoy informal recreation.
3. Integration of strong green infrastructure, including street trees and corridors leading towards and linking to woodland and countryside beyond.
4. Dual access points onto Alwoodley Lane and the A61 Harrogate Road.
5. Integration of rights of way and cycle paths within the development and linked to other parts of Alwoodley.
6. Ensure massing and height is not out of keeping with neighbouring properties.
7. Green technology to be incorporated where practicable.

Alwoodley Neighbourhood Plan – Alternative A

Alwoodley Neighbourhood Plan – Alternative B

3.6.2 Design of new housing developments: site HG2-36

Future housing development is one of the subjects covered in the Leeds Core Strategy. Leeds has to find land on which to develop 66,000 new homes. Much of this is likely to be in the east of the city, but the Strategy makes it clear that it may be necessary to encroach on green areas.

Supporting evidence

The Leeds Core Strategy also proposes that developments of 50+ homes should make a contribution to independent living e.g. bungalows or level access flats. Site HG2-36 (formerly known as site 2053b) proposed by Leeds City Council for housing is anticipated to contain some 285 properties. The Neighbourhood Plan recognises that some land may have to be released for housing development as indicated in the Leeds Core Strategy and the emerging Site Allocation Plan.

The Parish Council recognises the need for new homes and welcomes the opportunity to have an input into the nature and design of this development. The site brief at Appendix 1 provides an outline of how site HG2-36 should be developed.

(see next page)

H2: Design of new housing developments - site HG2-36

In the event of Site HG2-36 being allocated for development by Leeds City Council, the following will apply:

- a) An Ecological Assessment of the site is required and where appropriate, mitigation measures will need to be provided to ensure consideration of Eccup Reservoir SSSI to the north of the site to minimise recreational impacts, including substantial on-site greenspace (formal and informal), signage to the existing public rights of way and provide a biodiversity buffer (not private garden space) adjacent to the northern boundary with woodland and fencing. An off-site contribution to be provided and agreed for the positive management of Eccup Reservoir SSSI. Consultation with Natural England is required.
- b) Proposals for development should include detailed proposals for minimising the effect on traffic in Alwoodley Lane, including dual access points onto both Alwoodley Lane and Harrogate Road.
- c) Development of the site should integrate new publicly accessible green space and community facilities with particular focus on young people and their needs, for example through the provision of formal and informal play space for all age ranges.
- d) Existing landscape features are retained and integrated with the development. ~~Non-motorised access routes are provided to link the development to the countryside.~~
- e) Sufficient primary school places are available nearby based upon an independent assessment of actual and anticipated demand.
- f) Retain and improve the boundary on Alwoodley Lane with conservation and improvement of walls, hedges and tree line. Retention of stone gateway sign.
- g) Strong green infrastructure, including street trees and corridors leading towards and linking to woodland and countryside beyond, should be integrated through the site.
- h) Ensure massing and height is not out of keeping with neighbouring properties.
- i) Green technology should be incorporated into the development to reduce the carbon footprint and impact upon the environment.
- j) All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system. Development will be expected to incorporate sustainable drainage techniques wherever possible. On sites which have not previously been connected to the drainage infrastructure, or watercourse, surface water run off rates will not exceed the 'greenfield' run-off rate (i.e. the rate at which water flows over land which has not previously been developed)

From: [Dennison, Claire](#)
To: [Suggate, Heather](#)
Subject: RE: Alwoodley Neighbourhood Plan - effect of proposed revised Policy H2 on SEA screening conclusions
Date: 10 July 2017 13:36:04
Attachments: [image001.gif](#)
[image002.gif](#)
[image003.gif](#)
[image004.gif](#)
[image005.gif](#)
[image007.png](#)

Heather

I can confirm an SEA will not be required for Allwoodley Neighbourhood Plan.

Kind Regards

Claire Dennison
Sustainable Places Planning Advisor

MY CONTACT DETAILS:

Direct Dial : 02030256425 (internal 56425)

Email: Claire.Dennison@environment-agency.gov.uk

TEAM CONTACT DETAILS:

Tel: 020 302 56862 (Internal 56862)

Email: sp-yorkshire@environment-agency.gov.uk

Environment Agency, Lateral, 8 City Walk, Leeds, LS11 9AT

Charging for planning advice

We began charging for some of our planning advice.

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<https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions> or speak to your local Sustainable Places team.



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From: Suggate, Heather [<mailto:Heather.Suggate@leeds.gov.uk>]

Sent: 29 June 2017 11:17

To: Dennison, Claire <claire.dennison@environment-agency.gov.uk>

Cc: Sustainable Places, Yorkshire <sp-yorkshire@environment-agency.gov.uk>; Sanderson, Christopher <Chris.Sanderson@leeds.gov.uk>

Subject: Alwoodley Neighbourhood Plan - effect of proposed revised Policy H2 on SEA screening conclusions

Hi Claire,

On 16th August 2016 you sent the EA's response on the need for an SEA of the draft Alwoodley Neighbourhood Plan, which I attach. In light of Natural England's conclusions that Policy H2 would necessitate an SEA, Alwoodley Parish Council are proposing to revise this policy and I attach the original and two options for the revised policy. Natural England has confirmed either of these versions will remove the need for an SEA. Please would you confirm whether either of them would change your conclusions that an SEA is not required.

The parish council is keen to progress with their plan so a quick response would be greatly appreciated.

Thank you also for the revisions you are doing for Chris in relation to other SEA screening reports.

Kind regards,

Heather Suggate
Principal Planning Policy Officer
Policy and Plans
Leeds City Council
Thoresby House
2 Rossington Street
Leeds LS2 8HD
Personal tel: 0113 3787654
Neighbourhood Planning tel: 0113 3787997
Fax: 0113 2476484

Leeds City Council - MJ Local Authority of the Year 2016

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Historic England

YORKSHIRE

Ms. Heather Suggate,
Policy & Plans,
Leeds City Council,
Thoresby House,
2 Rossington Street,
LS2 8HD

Our ref: PL00123247
Your ref:

Telephone 01904 601 879
Mobile 0755 719 0988

13 July 2017

Dear Ms. Suggate,
**Alwoodley Neighbourhood Plan as Amended
Strategic Environmental Assessment**

We write in response to your e-mail of Monday 29 June 2017, seeking a Screening Opinion for the amended Alwoodley Neighbourhood Plan. For the purposes of this consultation, Historic England will confine its advice to the question, “Is it likely to have a significant effect on the environment?” in respect to our area of concern, cultural heritage. Our comments are based on the information supplied with the draft Alwoodley 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 is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape.

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 considers that the preparation of a Strategic Environmental Assessment is not required.

The views of the other three statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

We should like to stress that this opinion is based on the information provided by you with your e-mail dated 29 June 2017. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later



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

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

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



versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

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

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

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

Thank you in anticipation.

Yours sincerely



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



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

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



From: [O'Reilly, Liam \(NE\)](#)
To: [Suggate, Heather](#)
Subject: RE: Alwoodley Neighbourhood plan SEA Screening report
Date: 08 May 2017 09:17:35

Hello Heather,

Thanks for sending this through, I agree that the wording in either option removes the need for an SEA. We have no preference as to which option is taken forward within the plan.

Kind Regards

Liam

Liam O'Reilly
Lead Adviser
Sustainable Development Team
Natural England
Lateral
8 City Walk
Leeds, LS11 9AT

Tel – 020 802 68668
Mob - 07881 766 631

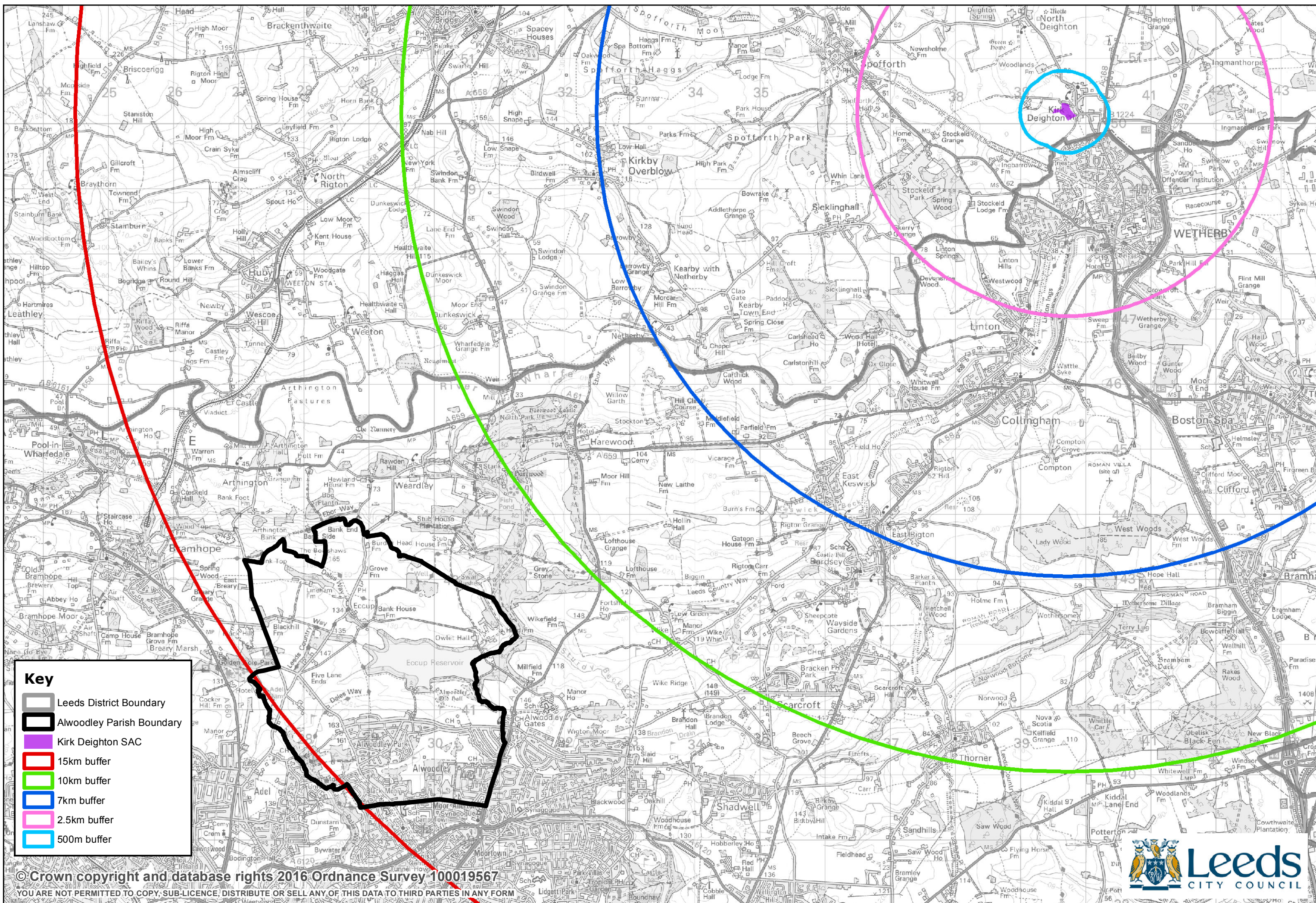
www.gov.uk/natural-england

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APPENDIX 3

MAP OF KIRK DEIGHTON SPECIAL AREA OF CONSERVATION AND NATURA 2000 DATA FORM



Key

-  Leeds District Boundary
-  Alwoodley Parish Boundary
-  Kirk Deighton SAC
-  15km buffer
-  10km buffer
-  7km buffer
-  2.5km buffer
-  500m buffer

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PRODUCED BY GIS MAPPING & DATA TEAM, CITY DEVELOPMENT, LEEDS CITY COUNCIL

Path: L:\CGM\GIS Projects\Neighbourhood Planning Progress\Alwoodley\Kirk deighton SAC & Alwoodley NA Boundary A3.mxd

Scale: 1/50,000 @ A3 Created by: NI



NATURA 2000

STANDARD DATA FORM

FOR SPECIAL PROTECTION AREAS (SPA)
FOR SITES ELIGIBLE FOR IDENTIFICATION AS SITES OF COMMUNITY IMPORTANCE (SCI)
AND
FOR SPECIAL AREAS OF CONSERVATION (SAC)

1. Site identification:

1.1 Type 1.2 Site code

1.3 Compilation date 1.4 Update

1.5 Relationship with other Natura 2000 sites

| | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|

1.6 Respondent(s)

1.7 Site name

1.8 Site indication and designation classification dates

| | |
|---------------------------------------|--------|
| date site proposed as eligible as SCI | 200107 |
| date confirmed as SCI | 200412 |
| date site classified as SPA | |
| date site designated as SAC | 200504 |

2. Site location:

2.1 Site centre location

| | |
|------------|------------|
| longitude | latitude |
| 01 23 47 W | 53 56 43 N |

2.2 Site area (ha) 2.3 Site length (km)

2.5 Administrative region

| NUTS code | Region name | % cover |
|-----------|-----------------|---------|
| UK22 | North Yorkshire | 100.00% |

2.6 Biogeographic region

Alpine

Atlantic

Boreal

Continental

Macaronesia

Mediterranean

3. Ecological information:

3.1 Annex I habitats

Habitat types present on the site and the site assessment for them:

| Annex I habitat | % cover | Representativity | Relative surface | Conservation status | Global assessment |
|-----------------|---------|------------------|------------------|---------------------|-------------------|
| | | | | | |

3.2 Annex II species

| Species name | Resident | Population | | | Site assessment | | | |
|---------------------------|----------|------------|--------|-------|-----------------|--------------|-----------|--------|
| | | Breed | Winter | Stage | Population | Conservation | Isolation | Global |
| <i>Triturus cristatus</i> | Common | - | - | - | C | C | C | B |

4. Site description

4.1 General site character

| Habitat classes | % cover |
|--|-------------|
| Marine areas. Sea inlets | |
| Tidal rivers. Estuaries. Mud flats. Sand flats. Lagoons (including saltwork basins) | |
| Salt marshes. Salt pastures. Salt steppes | |
| Coastal sand dunes. Sand beaches. Machair | |
| Shingle. Sea cliffs. Islets | |
| Inland water bodies (standing water, running water) | 3.0 |
| Bogs. Marshes. Water fringed vegetation. Fens | |
| Heath. Scrub. Maquis and garrigue. Phygrana | |
| Dry grassland. Steppes | |
| Humid grassland. Mesophile grassland | |
| Alpine and sub-alpine grassland | |
| Improved grassland | 95.0 |
| Other arable land | |
| Broad-leaved deciduous woodland | |
| Coniferous woodland | |
| Evergreen woodland | |
| Mixed woodland | |
| Non-forest areas cultivated with woody plants (including orchards, groves, vineyards, dehesas) | 2.0 |
| Inland rocks. Screes. Sands. Permanent snow and ice | |
| Other land (including towns, villages, roads, waste places, mines, industrial sites) | |
| Total habitat cover | 100% |

4.1 Other site characteristics

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| <p>Soil & geology: Clay, Neutral</p> <p>Geomorphology & landscape: Lowland</p> |
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4.2 Quality and importance

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| <p><i>Triturus cristatus</i></p> <ul style="list-style-type: none"> for which this is considered to be one of the best areas in the United Kingdom. |
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4.3 Vulnerability

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|---|
| <p>Kirk Deighton is subject to variable water levels which means the ponds do not hold water some years. The situation will need to be kept under review. The ponds are situated in a heavily grazed pasture. While this is not a problem in itself the pond edges tend to be heavily poached and there is little aquatic vegetation. An agreement will be sought with the land manager that would involve fencing of the pond and setting aside a small section of the pasture to improve the habitat for newts.</p> |
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5. Site protection status and relation with CORINE biotopes:

5.1 Designation types at national and regional level

| Code | % cover |
|------------------|---------|
| UK04 (SSSI/ASSI) | 100.0 |