

HAXBY AND WIGGINTON NEIGHBOURHOOD PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT & HABITAT REGULATIONS ASSESSMENT

RESPECTING AND PROTECTING OUR COMMUNITY,
ADAPTING TO CHANGE, AND IMPROVING LIVES!

**Haxby Town Council
Wigginton Parish Council**

HWNP SEA and HRA Draft v2.21.docx

November 2020

STRATEGIC ENVIRONMENTAL ASSESSMENT

Introduction

Strategic Environmental Assessment (SEA) is a systematic and comprehensive process for evaluating the environmental effects of a plan or programme in order to ensure that the environmental implications of decisions are taken into account before any such decisions are made. The need for the environmental assessment of plans and programmes is set out in the EU Directive 2001/42/EC, known as the SEA Directive.

Under this Directive, Neighbourhood Plans may require SEA but this is very much dependent upon the content of the Plan. For plans that "determine the use of small areas at local level" or are "minor modifications" to existing plans, the Directive only requires SEA where they are likely to have significant environmental effects. The expressions "small area" and "local level" are not defined in the Directive and must be interpreted in relation to the nature and scope of a particular plan. Screening is needed to determine whether such plans are likely to have significant environmental effects.

Annex II of the Directive lists criteria for determining the likely significance of the environmental effects of plans and to be used in a screening exercise. The findings of the exercise must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.

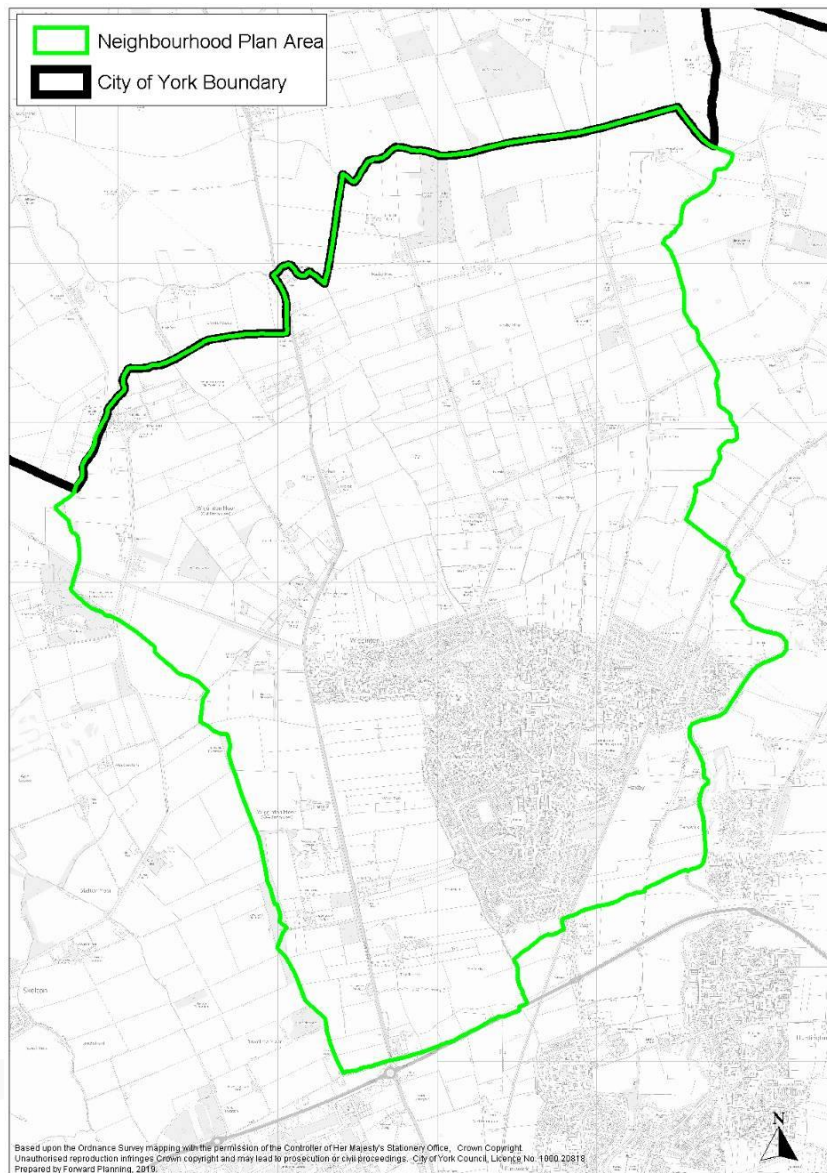
This Screening Report is an assessment as to whether the Haxby and Wigginton Neighbourhood Plan require a Strategic Environmental Assessment in accordance with the Directive. It also determines whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed likely that there will be significant adverse effects on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project.

There are no Sites of Importance for Nature Conservation (SINC) or SSSI located within the plan area, though there are several Sites of Local Interest (SLI), (listed below), the River Foss Corridor, and the Wigginton Corridor (Appendix **XX** refers). The Parish also lies around 1 km (5 km by road) from Strensall Common Special Area of Conservation (SAC) (Appendix **XX** refers), located in the adjacent Strensall Parish.

Sites of Local Interest

Haxby Lake
Westfield Beck
Westfield Wood
Haxby Sewage Treatment Works

REPLACE MAP BELOW WITH MAP OF SLIs



The Haxby and Wigginton Neighbourhood Plan does not allocate sites for development but does support those site allocations presented in the submitted Local Plan (2018).

The Local Plan will protect the draft Green Belt from inappropriate development in line with the National Planning Policy Framework.

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

Pre-submission consultation on this report will be carried out following the pre-publication consultation. Copies of the Consultation Analysis and Responses from the various Statutory Bodies will be included in Appendix **XX**.

Legislative Background

Strategic Environmental Assessment

The SEA Directive was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed guidance on these regulations can be found in the Government publication, A Practical Guide to the Strategic Environmental Assessment Directive (ODPM 2005).

The Planning and Compulsory Purchase Act 2004 requires local authorities to produce Sustainability Appraisals (SAs) for all Development Plan Documents in order to meet the requirement of the SEA Directive and it is considered best practice to incorporate the requirements of this Directive into a Sustainability Appraisal (National Planning Policy Framework, paragraph 165). As a neighbourhood plan is not a Development Plan Document, it does not legally require a Sustainability Appraisal. However, there are instances where a SEA would need to be undertaken in order to meet the requirements of the SEA Regulations.

Consequently, to establish whether the neighbourhood plan might give rise to significant environmental effects, it is necessary to screen the plan (see Section 5).

Habitats Regulations Assessment.

The Neighbourhood Planning (General) Regulations 2012 (as amended), state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which include the need to undertake a Habitats Regulations Assessment.

In April 2018, a notable judgment by the European Court of Justice gave its ruling on the *People Over Wind*¹ case, which provided a new interpretation of when and how mitigation measures should be considered in an HRA. In departing from previous decisions, it clearly identifies that measures designed specifically to avoid or reduce likely significant effects should not be evaluated at the screening stage but reserved for the appropriate assessment.

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". It is considered that the Haxby and Wigginton Parish Neighbourhood Plan (HPNP) and this HRA Screening Report complies with latest legislation.

¹ Case C/323-17 *People Over Wind*, Court of Justice of the European Union

Policy Context

The neighbourhood plan is being prepared in the context of an emerging Local Plan for York which was submitted for independent examination on 25th May 2018. The policies in the plan have been prepared to be in conformity with the Local Plan but are locally specific to Haxby and Wigginton. In addition, the neighbourhood plan area is adjacent to the parish of Earswick who have an adopted Neighbourhood Plan and the parishes of Strensall with Towthorpe and Skelton, who have neighbourhood plans under preparation.

The evidence base and Habitats Regulations Assessment (HRA) of the City of York Local Plan provides useful context to the HRA screening for the Haxby and Wigginton ND. The Local Plan HRA report was initially published in April 2018 but was revised and updated in February 2019 following the completion of visitor survey evidence for

- Strensall Common SAC
- Lower Derwent Valley SPA
- Skipwith Common SAC.

Relevant to the neighbourhood Plan area are the conclusions for Strensall Common Special Area of Conservation (SAC), which is located around 1 km (5 km by road) from the designated boundary. The HRA (2018) submitted alongside the plan concluded that likely effects on the integrity of Strensall Common could be ruled out alone and in-combination following consideration within the Appropriate Assessment.

Following the submission of the Local Plan, further evidence was commissioned to understand the potential impacts of development on Strensall Common Special Area of Conservation (SAC) following concerns raised by Natural England (June 2018). A comprehensive Visitor Survey was carried out in Summer 2018, which identified there would be a 24% increase in recreational pressure as a result of the Plan. This evidence has been considered in a revised Habitat Regulation Assessment (HRA), which has concluded that in order to avoid adverse effects on the integrity of Strensall Common SAC, the site allocations of ST35 and H59 included in the submitted Local Plan should be removed. Officers recommended removing the sites in a report considered by City of York Council's Executive on 7th March 2019 in order for the Local Plan to be in compliance with the HRA Regulations and for the plan to remain legally compliant. The recommendations of the report were approved by the Executive and were submitted to the Local Plan Inspectors.

Subsequently, the revised HRA formed part of the Proposed Modification Consultation held between June-July 2019. As part of this, comments have been received on the revised HRA and proposed modifications to the plan as a result of the conclusions, which included removal of sites ST35 and H59 from the portfolio of site allocations. Responses to this consultation will be considered at the Local Plan examination in due course.

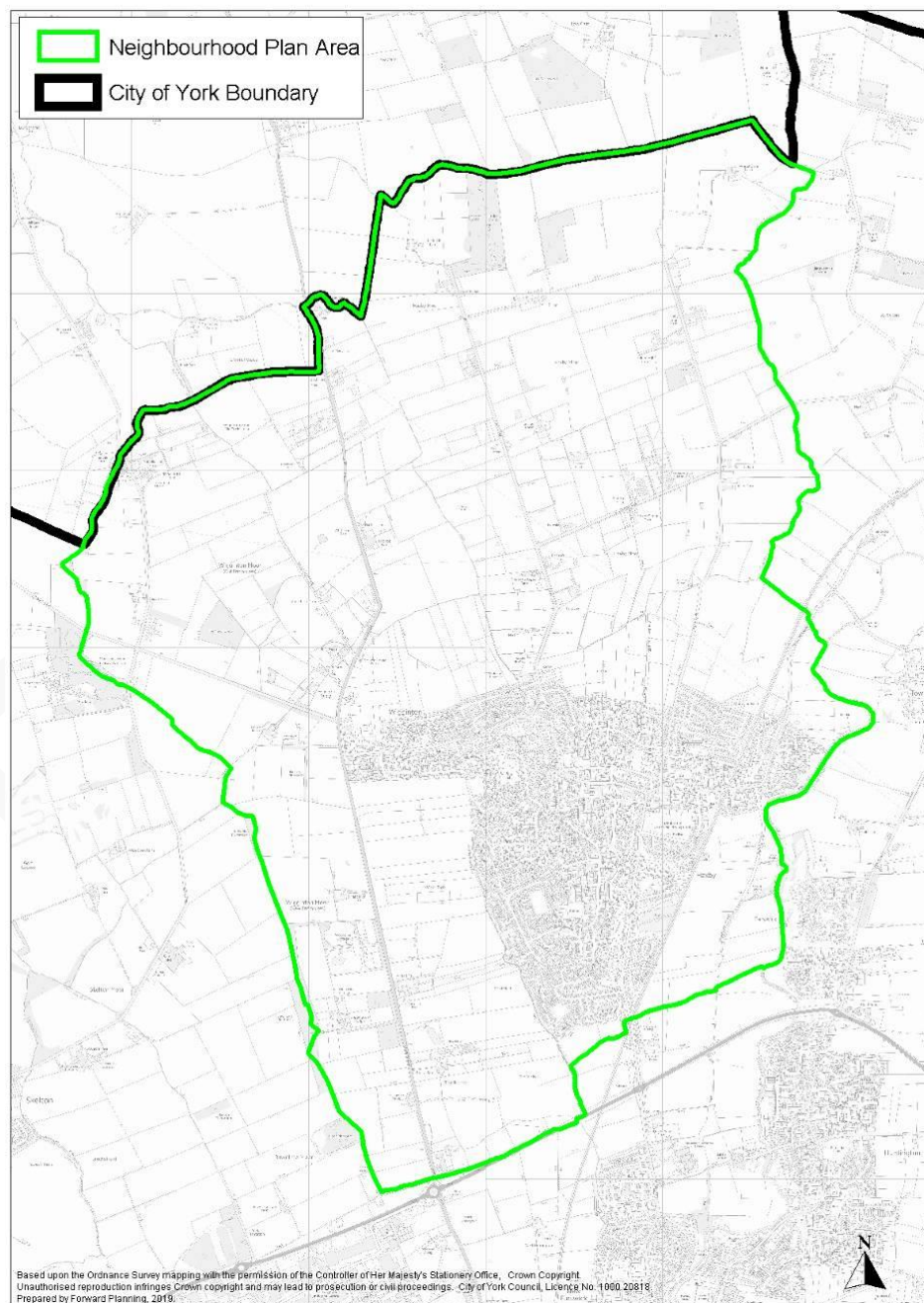
Haxby and Wigginton Neighbourhood Plan

The Haxby and Wigginton Neighbourhood Plan was designated in February 2017. A map showing the Neighbourhood Plan area that is subject to the SEA screening

process is shown below. It comprises the town of Haxby and the village of Wigginton, in which the majority of the population and services of the area are concentrated, while within and surrounding it are large areas of open spaces and farmland.

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

Map 1: Haxby and Wigginton Neighbourhood Plan Area



The objectives of the Neighbourhood Plan are to:

- To ensure that new developments reflect the housing type and mix that best meet the needs of present and future residents.
- To promote opportunities for the development of the Town Centre, local retail and business development and to support local employment.
- To improve, promote and conserve historical sites and buildings.
- To protect and conserve the sports, recreational and green and open spaces in and around Haxby and Wigginton,
- To promote better traffic management and traffic systems, providing new footpaths and cycle paths and deterring through traffic.
- To address issues with public transport and connectivity with the City of York.
- To address issues to do with drainage, flooding risk, and air pollution.
- To support the further development of the community ensuring adequate school and health facilities and enhancing well-being.

In order to deliver these objectives, the Plan sets out a number of parish---wide policies. These indicate how new development proposals will be assessed in order to ensure that any future housing is sustainable and does not have a detrimental impact upon the parish. Policies also provide protection to important environments and natural assets, including local green spaces, as well as supporting the provision of community infrastructure. See Annex 1 for the full policies screened in this assessment.

It is a requirement of the Localism Act 2011 that neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Haxby and Wigginton lie within the City of York and must therefore be in general conformity with the emerging City of York Council Local Plan.

SEA Screening Process

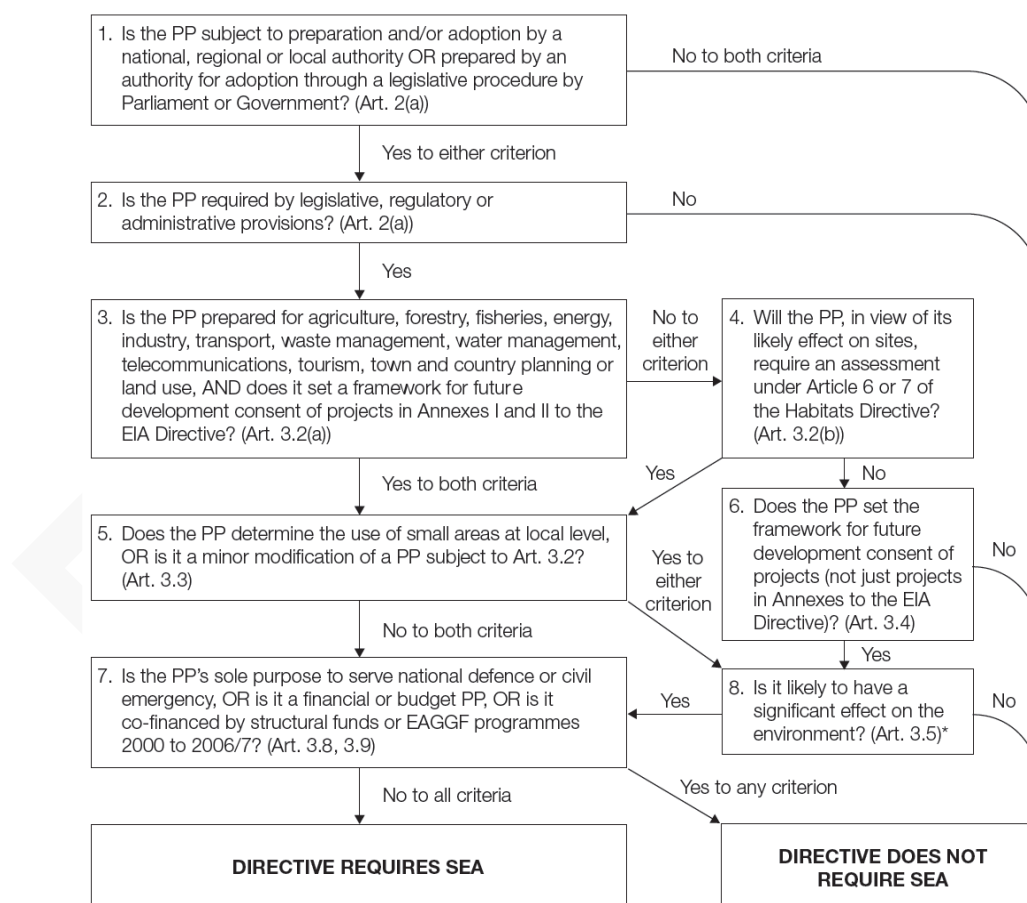
It is the purpose of this report to assess whether the policies and proposals in the Haxby and Wigginton Neighbourhood Plan are likely to have 'significant environmental effects'. This screening assessment has been undertaken in two parts:

The first part assesses whether the neighbourhood plan requires SEA in accordance with the flow chart set out below

The second part considers whether the neighbourhood plan is likely to have a significant effect on the environment, using criteria set out in Schedule 1 of the EU SEA Directive and the Environmental Assessment of Plans and Programme Regulations 2004 (see section 2)

Government guidance, as set out in 'A Practical Guide to the Strategic Environmental Assessment Directive', identifies the following approach to be taken in determining whether a SEA is required:

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.

Source: A practical Guide to Strategic Environmental Assessment (2013) Office of the Deputy Prime Minister.

This process has been followed as set out in the following table:

Table 1: Criteria for determining the likely significance of effects on the environment

STAGE	LIKELY SIGNIFICANT EFFECT?	JUSTIFICATION
1. Is the plan 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 of Government? (Article 2(a))	Yes	Neighbourhood Plans may be prepared under the provisions of the Town and Country Planning Act 1990, as amended by the Localism Act 2011. They are drawn up by a qualifying body, which in the case of this Neighbourhood Plan is Haxby Town Council. It is subject to examination and referendum. If the Plan receives more than 50% or more 'Yes' votes in the referendum it will be 'made' by the Local Planning Authority, City of York Council.
2. Is the plan required by legislative, regulatory or administrative provisions? (Article 2(a))	No	The preparation of a Neighbourhood Plan is optional. However, once made it will form part of the statutory Local Plan for the area and will be used in the determination of planning applications.
3. Is the plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Yes	The Neighbourhood Plan has been prepared for town and country planning purposes and land use, and sets out a framework for future development in Haxby and Wigginton. Once made it will form part of the statutory development plan and will be used when making decisions on planning applications that could include development coming under Annexes I and II to the EIA Directive.
4. Will the plan, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	There are sites identified in the emerging CYC Local Plan for development within the area of the Neighbourhood Plan, and the environmental impact of these sites is covered by the SEA for the Local Plan.

STAGE	LIKELY SIGNIFICANT EFFECT?	JUSTIFICATION
		<p>The Neighbourhood Plan does not seek to allocate additional sites but does include policies which help to shape development should it come forward.</p> <p>Furthermore, the Neighbourhood Plan actively seeks to protect and enhance the natural environment and supports the designation of the area outside of the existing (and that proposed in the Local Plan) built-up area of Haxby and Wigginton as draft Green Belt.</p> <p>The Neighbourhood Plan will therefore have no likely adverse impact on the integrity of the designated sites.</p>
5. Does the plan determine the use of small areas at local level, or is it a minor modification of PP subject to article 3.2? (Article3.3)	Yes	<p>The Neighbourhood Plan determines the use of small sites at the local level, e.g. it designates some land as Green space. However, the Neighbourhood Plan reflects the broader spatial framework laid out in the emerging City of York Local Plan in terms of where new developments can be located. The Neighbourhood Plan does not seek to allocate additional sites for development but seeks to shape development should it come forward.</p>
6. Does the plan set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Yes	<p>A Neighbourhood Plan forms part of the Local Plan and sets the framework for developments at local level. It will be used in the determination of planning applications, providing applicants and decision makers with guidelines on how to react to development proposal to ensure e.g. that the local character is maintained should development be proposed as in Policy XX on windfall development.</p>

STAGE	LIKELY SIGNIFICANT EFFECT?	JUSTIFICATION
7. Is the plan's sole purpose to service the national defence or civil emergency, or is it a financial budget or PP, or is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)	No	The Neighbourhood Plan does not have a sole purpose that falls within these categories.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	The Neighbourhood Plan does not have a significant effect on the environment. See detail in Table 2.

Screening Assessment

The results of the preceding assessment indicate that, depending upon the content of a neighbourhood plan, a Strategic Environmental Assessment may be required. For this reason, neighbourhood plans should be assessed individually in order to determine their likely significant effects on the environment.

The criteria for determining the likely significant effects referred to in Article 3 (5) of Directive 2001/42/EC are set out in Annex II of the SEA Directive and Schedule 1 of the Regulations. The proposals within individual Neighbourhood Plans will need to be assessed against these criteria:

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

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the trans-boundary nature of the effects
 - the risks to human health or the environment
 - the magnitude and spatial extent of the effects
 - the value and vulnerability of the area likely to be affected due to:
 - special national characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,

- the effects on areas or landscapes which have a recognised national, community or international protection status.

The policies set out in the Haxby and Wigginton Neighbourhood Plan have been used to undertake this screening assessment. If the conclusion of the screening exercise is that a SEA is not required, any major changes to the existing policies or the introduction of new ones should be subject to a further screening assessment to ensure that significant effects are not likely.

The table below sets out the assessment of policies in the Haxby and Wigginton Neighbourhood Plan in relation to the criteria outlined earlier:

Table 2: Determining the Likely Significant Effects using SEA Directive Annex II (referred to in Article 3(5))

THE CHARACTERISTICS OF PLANS AND PROGRAMMES, HAVING REGARD, IN PARTICULAR, TO:	SIGNIFICANT ENVIRONMENTAL IMPACT?	ANALYSIS AND JUSTIFICATION
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The Haxby and Wigginton Neighbourhood Plan sets a local policy framework for development proposals which the community and stakeholders consider are important to the sustainable development of the area, and on which the Plan can have the greatest impact. The plan does not allocate sites for development but seeks to shape development should it be proposed. There will be a positive influence on the local green infrastructure, the promoting of connecting with other areas of York through enhancing sustainable transport corridors and support for windfall housing development, providing it is in accordance with the provisions contained in the Plan. It supports, and is in general conformity with, the implementation of the policies proposed in the emerging City of York Local Plan.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	No	The Haxby and Wigginton Neighbourhood Plan must be in conformity with the emerging City of York Local Plan. It therefore supports the implementation of higher tier policies at the neighbourhood level, and, as such, is not considered to have a significant influence on other plans and programmes, including the Neighbourhood Plan for the adjoining Earswick Parish
1c) The relevance of the plan or programme for the integration of environmental considerations in	No	The Haxby and Wigginton Neighbourhood Plan contributes to the achievement of sustainable development at the neighbourhood level. The policies set out in the Plan protect assets of local

THE CHARACTERISTICS OF PLANS AND PROGRAMMES, HAVING REGARD, IN PARTICULAR, TO:	SIGNIFICANT ENVIRONMENTAL IMPACT?	ANALYSIS AND JUSTIFICATION
particular with a view to promoting sustainable development.		environmental value and provide locally distinct planning policies to protect them. The likelihood of significant effects on the environment is, therefore, minimised.
1d) Environmental problems relevant to the plan or programme	No	<p>There are some environmental problems which the Plan contains measure to address and enhance. These are notable in relation to protecting important local green spaces as well as conserving nature conservation sites and heritage assets (designated and non-designated).</p> <p>The River Foss runs along the eastern boundary of the plan area which has this, and the surrounding area in FZ3 (Flood Zone 3). Policy XX Local Green Spaces seeks to protect this area as green space and should not affect the floodplain.</p> <p>This is compatible with the adjacent Neighbourhood Plan for Earswick which also seeks to allocate this area (within its own designated areas) as greenspace.</p> <p>Given that the Plan does not allocate land for housing or other forms of development, does not amend or introduce defined Limits to development and has proposed a suite of policies to protect and, where possible, enhance the built and natural environment. It is unlikely to have a significant impact on the environment.</p>

THE CHARACTERISTICS OF PLANS AND PROGRAMMES, HAVING REGARD, IN PARTICULAR, TO:	SIGNIFICANT ENVIRONMENTAL IMPACT?	ANALYSIS AND JUSTIFICATION
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	No	The Haxby and Wigginton Neighbourhood Plan must be in conformity with higher level plans that comprise the City of York Local Plan and are focussed on policy to shape land uses within the plan area. This will be developed with regard to European Community legislation on the environment but the policies of the Neighbourhood Plan are not considered to be relevant to the implementation of this EC legislation.
2a) The probability, duration, frequency and reversibility of the effects	No	<p>It is considered that the policies in relation to the natural environment and heritage assets (designated and non-designated) will, in conjunction with the emerging Local Plan have a positive environmental effect for, at least, the duration of the Plan. The impact of the windfall housing development is less certain, but it is considered that any impact it may have will not be significant, since a large part of the plan area is within the draft green belt, thus limiting the amount of land available for windfall development unless 'very special circumstances' are demonstrated in line with the NPPF and Local Plan policy. Windfall development would likely be restricted to small-scale infill development (normally for a single dwelling) and the re-use of a very limited amount of previously developed (brownfield) land or existing buildings.</p> <p>It is important to bear in mind that the Plan does not allocate land for housing or other forms of development, other than that</p>

THE CHARACTERISTICS OF PLANS AND PROGRAMMES, HAVING REGARD, IN PARTICULAR, TO:	SIGNIFICANT ENVIRONMENTAL IMPACT?	ANALYSIS AND JUSTIFICATION
		envisaged in the emerging City of York Local Plan, does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect, and where possible enhance the built and natural environment.
2b) The cumulative nature of the effects	No	The cumulative effect of the Plan's policies, as well as those of the emerging Local Plan and adjacent neighbourhood plans, are likely to be positive, but not significant. The Plan does not allocate land for housing or other forms of development, other than that envisaged in the emerging City of York Local Plan, does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect and, where possible, enhance the built and natural environment.
2c) The trans-boundary nature of the effects	No	<p>The policies in the Haxby and Wigginton Neighbourhood Plan are unlikely to have significant adverse environmental impacts in neighbouring areas. As mentioned previously, the Plan does not allocate land for housing or other forms of development, other than that envisaged in the emerging City of York Local Plan, does not amend or introduce defined Limits to Development and has proposed a suite of policies to protect and, where possible, enhance the built and natural environment.</p> <p>Whilst it has been identified that the neighbourhood plan area is located around 1 km (5 km by road) from the nearest Natura 2000</p>

THE CHARACTERISTICS OF PLANS AND PROGRAMMES, HAVING REGARD, IN PARTICULAR, TO:	SIGNIFICANT ENVIRONMENTAL IMPACT?	ANALYSIS AND JUSTIFICATION
		site, Strensall Common, the HRA has concluded that there not likely to be adverse impacts on the integrity of Strensall Common as a result of the plan.
2d) The risks to human health or the environment (e.g. due to accidents)	No	<p>No significant risks to human health or the environment as a result of the Plan's policies have been identified.</p> <p>In fact, the Plan is likely to improve human health by improving access to green spaces and the countryside as well as supporting development proposals that address crime and anti-social behaviour and promote highway and pedestrian safety, as outlined in policies XX.</p>
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)		The Haxby and Wigginton Neighbourhood Plan is concerned with development with the neighbourhood area. The geographical area covered by the Plan has a current population of approximately 12,000. The potential for environmental impacts is likely to be minimal and limited to the Plan area.
2f) 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 	No	<p>The neighbourhood Plan is semi-rural in character</p> <p>Landscape</p> <ul style="list-style-type: none"> • <i>Urban and rural landscape in NP area</i> <p>Heritage</p> <p>Add listed buildings, conservation area.</p>

THE CHARACTERISTICS OF PLANS AND PROGRAMMES, HAVING REGARD, IN PARTICULAR, TO:	SIGNIFICANT ENVIRONMENTAL IMPACT?	ANALYSIS AND JUSTIFICATION
<ul style="list-style-type: none"> intensive land-use <p>2g) The effects on areas or landscapes which have a recognised national, Community or international protection status</p>		<ul style="list-style-type: none"> Ancient Monuments Archaeological Interest Listed Buildings / Ancient Monuments? Important Buildings <p>The Haxby and Wigginton Neighbourhood Plan is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage. In fact, it actually provides greater support to enhance the natural and cultural assets of the area through the support it provides for the natural and built environment.</p> <p>Furthermore, given the Plan does not allocate sites for development, this minimises the vulnerability of the area to change, although incremental windfall development does cause some uncertainty. The impacts of windfall development are likely to be minimised through application of the policy criteria, together with associated policies, in the emerging Local Plan. It is not considered that the scale and type of housing windfall development that will come forward will be significant.</p> <p>In addition, the emerging Local Plan conserves areas of historic character and setting as part of the spatial strategy for locating development. Part of these areas fall within the Haxby and Wigginton Neighbourhood Plan area designated to prevent coalescence (on the eastern edge of Haxby) and to extend a green wedge from the city centre to the authority boundary. This is used</p>

THE CHARACTERISTICS OF PLANS AND PROGRAMMES, HAVING REGARD, IN PARTICULAR, TO:	SIGNIFICANT ENVIRONMENTAL IMPACT?	ANALYSIS AND JUSTIFICATION
		<p>as part of the Local Plan criteria for determining suitable allocations, as keeping these areas open is critically important for the historic character and setting of York and wherein development will be resisted. It is not considered that the Plan will have a considerable effect (in fact it is considered that it will have a marginally positive impact) on these areas identified by the City of York, and which form a key part of the evidence base underpinning the emerging Local Plan.</p> <p>Biodiversity SINCs</p> <ul style="list-style-type: none"> • SLIs • SACs • SPAs

On the basis of the SEA Screening Assessment set out in Table 2 above, the conclusion is that the Haxby and Wigginton Neighbourhood Plan will not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore does not need to be subject to SEA.

The main reasons for this conclusion are:

- The Haxby and Wigginton Neighbourhood Plan supports the implementation of policies in the emerging City of York Local Plan. The Haxby and Wigginton Neighbourhood Plan is a lower tier plan in the hierarchy of planning documents for the area, and therefore has limited influence on other plans or programmes
- The Plan is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic
- The Plan does not allocate land for housing or other forms of development in addition to those in the emerging City of York Local Plan; does not amend or introduce defined Limits to Development
- Through its policies, the Haxby and Wigginton Neighbourhood Plan seeks to avoid or minimise negative environmental effects and has proposed a suite of policies to protect and where possible enhance the built and natural environment.

SEA Annex 1

HAXBY AND WIGGINTON NEIGHBOURHOOD PLAN POLICIES

POLICY 1 – HOUSING AND DEVELOPMENT

HD1: Developments which reflect the current character of housing stock in the area, with well laid out streets with grass verges & trees in keeping with current community layouts will be supported.

HD2: Development proposals for affordable housing, social housing, starter homes, accessible housing and retirement housing will be supported in line with criteria set out in the Local Plan.

HD3: Developments must include parking provision so that all residents' cars can be parked off-road and with up to two spaces per house.

HD4: All new houses must have provision of an electric vehicle charging point.

HD5: Infill developments will be supported where they: do not reduce green space to an extent where it would significantly / adversely affect the rural character of Haxby & Wigginton; do not adversely affect the amenity of the proposed occupiers of the new development or adjacent properties; and maintain the informal building lines.

HD6: Development of care homes / residential accommodation will be supported.

Reference to the change in demographic to the local area should be used to support the justification to the policy

HD7: Developments must include energy efficiency measures e.g. solar panels; triple glazing etc.

POLICY 2 - TOWN CENTRE, BUSINESS AND EMPLOYMENT

TC1: Developments which support or provide opportunities for retail and businesses in Haxby & Wigginton will be supported.

TC2: New development should support opportunities for apprenticeships.

TC3: Proposals for live-work (homeworking) opportunities will be supported.

TC4: Support employment in the agricultural sector, by allowing diversification to ensure that this sector thrives and remains viable

POLICY 3 – THE ENVIRONMENT

EN1: Developments which further develop drainage infrastructure to prevent flooding and avoid problems with back up of sewerage would be supported.

EN2: Developments must provide recreational open spaces that can be enjoyed by all ages within the community, commensurate to the development.

EN3: Green spaces within and between developments must be safeguarded.

EN4: Development that protects and enhances wildlife habitats and biodiversity will be supported. Where habitat loss is proposed and cannot be avoided, it must be adequately mitigated, or as a last resort, compensated for.

EN5: Developments must support the continued designation of Green Belt land, preventing coalescence with the main urban area of York and preserving the character of Haxby and Wigginton. Development in the Green Belt will only be supported in accordance with the NPPF and Local Plan.

EN6: Detailed emissions assessment and full air quality impact assessment must be undertaken in the main streets of Haxby and Wigginton to accompany development proposals and findings shared with local residents; where applicable mitigation measures should be implemented.

EN7: Prior to any development in the area a Heritage / archaeological assessment must be undertaken and where applicable mitigation measures should be implemented.

EN8: heritage assets policy statement from CYC (ref Janet email) Add reference to the appendices re 'non-designated buildings' to add to a list

POLICY 4 – TRAFFIC AND TRANSPORT

TT1: Any housing development above 2ha must promote better traffic management, providing alternative and creative access routes to reduce traffic through the centre of Wigginton and Haxby.

TT2: New development must actively promote alternative methods of transport, through the provision of cycle paths, wide pavements, snickleways. The principles of 'Secured by Design' must be introduced to support evening / night-time use of these thoroughfares.

TT3: New development must include extended bus routes, pedestrian areas, 20mph speed limits, pedestrian crossings, and traffic calming measures.

TT4: Development must provide adequate off-road parking 'out of sight' and discourage anti-social parking.

TT6: Provision of footpath and separate cycle route access from the end of Mill Lane down Wigginton Road to the roundabout junction with the A1237 northern ring road will be supported.

TT7: Development of a new railway station in Haxby will be supported. Development will not be permitted which prejudices the prospect of a new railway station in Haxby. Opportunities for development to contribute to the provision of a railway station must be considered as part of any strategic development viability assessment

POLICY 5 – COMMUNITY AND WELLBEING

CWB1: Development must provide appropriate provision for children and young people including schools, nurseries and playgroups along with children's play areas and youth facilities

CWB2: Development which provides for provision for other groups including elderly people, facilities for the disabled etc will be supported.

CWB3: Development which provides for the provision of: community, sport and leisure facilities; library facilities; allotment provision etc will be supported.

CWB4: Appropriate provision of additional health services facilities including Medical General Practice; Dentists; Pharmacy; Chiropodists etc will be supported.

CWB5: Provision to increase cemetery capacity will be supported.

CWB6: Future housing development must ensure that landscaping of the development complements the current character of the area.

CWB7: Provision of additional allotment capacity is required

DRAFT

HABITAT REGULATIONS ASSESSMENT

The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. This assessment must determine whether a plan would adversely affect, or is likely to affect, the integrity of such sites in terms of its nature conservation objectives.

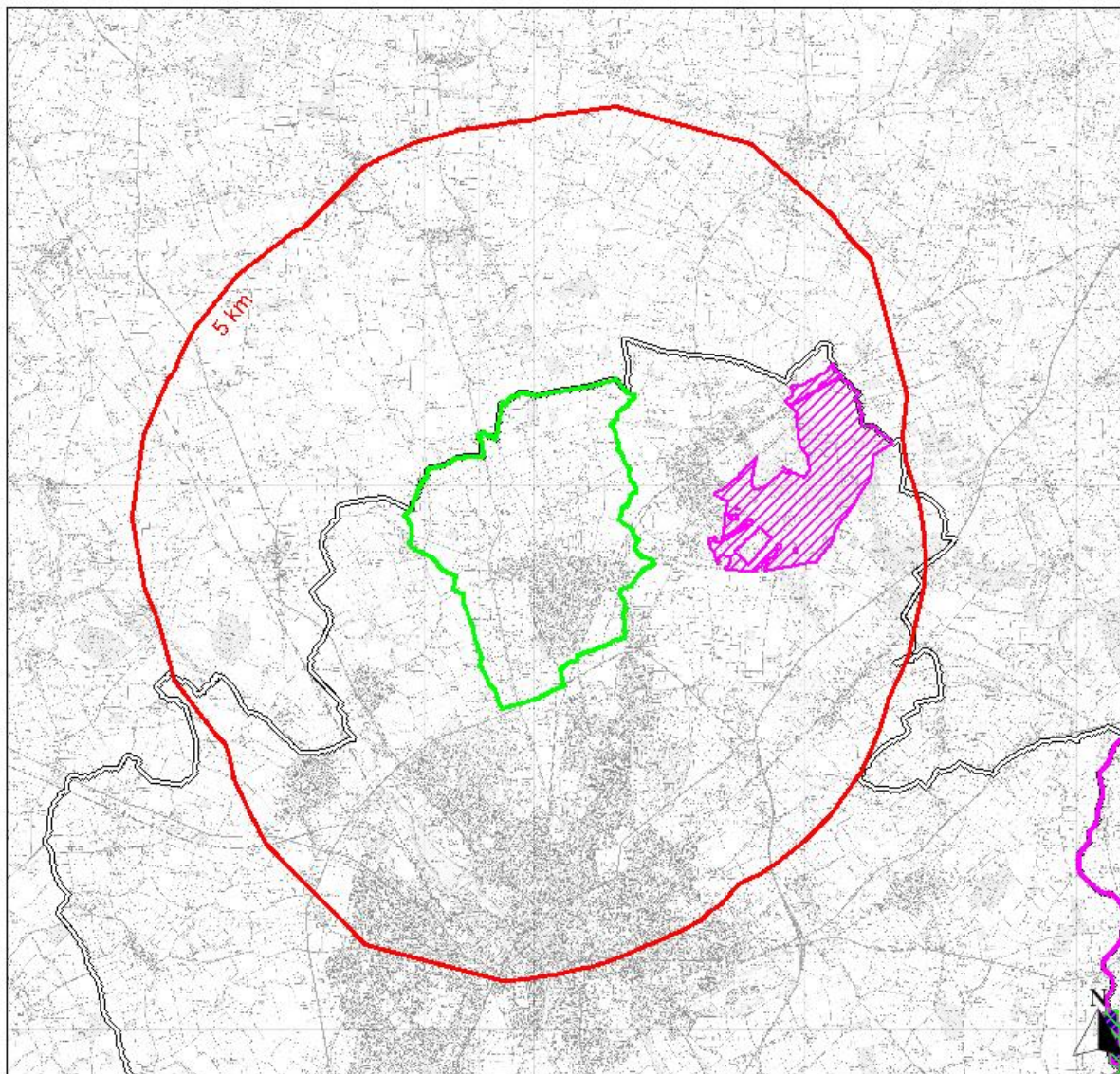
The HRA process is undertaken in stages:

- Stage 1 – Screening Assessment
- Stage 2 – Appropriate Assessment
- Stage 3 – Alternative solutions
- Stage 4 – Imperative reason of overriding public interest (IROPI) and compensatory measures.







The initial screening stage determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.

There are no Sites of European importance with the neighbourhood Boundary. The Parish however lies about 1 km (5 km by road) from Strensall Common Special Area of Conservation (SAC) (Appendix XX refers), located in the adjacent Strensall Parish.

Identifying European Designated Sites within 5km of Haxby and Wigginton Parish Neighbourhood Plan Area



Source: Natural England Spatial Data Catalogue, 2017

-  City of York Council Boundary
-  Special Protection Areas (SPAs)
-  Special Areas of Conservation (SACs)
-  Ramsar
-  Potential Special Protection Area (pSPA)
-  Possible Special Area of Conservation (pSAC)

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Assessment Context

The Haxby and Wigginton Neighbourhood Plan policies and proposals are in conformity with those in the emerging City of York Local Plan.

Any likely significant effects at this screening stage should be ascertained with regard to the specific features and conservation objectives of the protected site.

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.

As set out in the Local Plan HRA (2019), for Strensall Common the identified issues relevant to the SAC to focus on are:

- Recreational pressure
- Airborne pollution
- Aquatic Environment.

HRA Screening Assessment

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:

Code	Category	Outcome
A	General statement of policy/general aspiration	Screened out
B	Policy listing general criteria for testing the acceptability/sustainability of the plan	Screened out
C	Proposal referred to but not proposed by the plan	Screened out
D	Environmental protection/site safeguarding policy	Screened out
E	Policies or proposals which steer change in such a way as to protect European sites from adverse effects	Screened out
F	Policy that cannot lead to development or other change	Screened out
G	Policy or proposal that could not have any conceivable effect on a site	Screened out
H	Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects (used when the location of a policy or allocation is unspecified)	Screened out
I	Policy or proposal with a likely significant effect on a site alone	Screened in
J	Policy or proposal with an effect on a site but not likely to be significant alone, so need to check for likely significant effects in combination	Check

The table below provides an assessment of any likely significant effect of each Neighbourhood Plan policy on Strensall Common SAC designated about 1 km (5km by road) of the plan area. For the purposes of this assessment the policies appraised are those that were issued in the Haxby and Wigginton Neighbourhood Plan Submission Version **XX** and apply equally to all sites.

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
1. HOUSING AND DEVELOPMENT		
HD1: Developments which reflect the current character of housing stock in the area, with well laid out streets with grass verges and trees in keeping with current community layouts will be supported.	This policy requires developments to reflect the current character of housing stock in the area, with well laid out streets with grass verges and trees in keeping with current community layouts.	This policy relates to urban design and therefore would not have any conceivable effect on the SAC. Screened out – Category B
HD2: Development proposals for affordable housing, social housing, starter homes, accessible housing and retirement housing will be supported in line with criteria set out in the Local Plan.	This policy requires developments to include affordable housing, social housing, starter homes, accessible housing and retirement housing in line with criteria set out in the Local Plan.	This policy relates to the range of housing provision and therefore would not have any conceivable effect on the SAC. Screened out – Category G
HD3: Developments must include parking provision so that all residents' cars can be parked off-road and with up to two spaces per house.	This policy requires developments to include parking provision so that all residents' cars can be parked off-road and with up to two spaces per house.	This policy relates to parking within new developments within the neighbourhood boundary. This would not have any conceivable effect on the SAC. Screened out – Category G
HD4: All new houses must have provision of an electric vehicle charging point.	This policy requires all new houses to include provision for an electric vehicle charging point.	This policy relates to the provision of vehicle charging points and therefore would not have any conceivable effect on the SAC. Screened out – Category G

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
	This policy requires developments to include Open spaces that can be enjoyed by all ages within the community.	This policy relates to open space provision and likely to have positive impacts in terms of recreation. Therefore, would not have any adverse effect on the SAC. Screened out – Category E
HD5: Infill developments will be supported where they: do not reduce green space to an extent where it would significantly / adversely affect the rural character of Haxby & Wigginton; do not adversely affect the amenity of the proposed occupiers of the new development or adjacent properties; and maintain the informal building lines.	This policy requires that infill developments do not reduce green space to an extent where it would significantly / adversely affect the rural character of Haxby & Wigginton; do not adversely affect the amenity of the proposed occupiers of the new development or adjacent properties; and maintain the informal building lines.	This policy relates to infill development and retention of greenspace. It sets the acceptability criteria for this but does not include locations within the plan. Screened out - Category H
HD6: Development of care homes / residential accommodation will be supported. <i>Reference to the change in demographic to the local area should be used to support the justification to the policy.</i>	This policy supports the development of care homes / residential accommodation, reflecting the changing demographics of the local area.	This policy relates to housing provision and therefore would not have any conceivable effect on the SAC. Screened out – Category G

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
HD7: Developments must include energy efficiency measures e.g. solar panels; triple glazing etc.	This policy requires developments to include energy efficiency measures e.g. solar panels; triple glazing etc.	This policy relates to building standards and therefore would not have any conceivable effect on the SAC. Screened out – Category B

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
2. TOWN CENTRE, BUSINESS AND EMPLOYMENT		
TC1: Developments which support or provide opportunities for retail and businesses in Haxby & Wigginton will be supported.	This policy requires developments to support or provide opportunities for retail and businesses in Haxby & Wigginton will be supported.	This policy relates to retail retention and development within the Parish. Whilst there may be greater footfall, the village facilities are sufficiently distanced and would not act as an attractor to or past the SAC. Therefore, is a general statement of policy intent and would not have any conceivable effect on the SAC. Screened out – Category B
TC2: New development should support opportunities for apprenticeships	This policy requires that new developments should support opportunities for apprenticeships.	This policy supports apprenticeships as a general aspiration. Screened out – Category A
TC3: Proposals for live-work (homeworking) opportunities will be supported.	This policy requires that new developments should support the opportunities for homeworking.	This policy supports the home working as a general aspiration. Screened out – Category A

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
3. ENVIRONMENT		
	<i>This policy requires developments to address the poor state of the roads and pavements; and support and maintain the snickleways, bridleways, cycle paths and rights of way.</i>	<i>This policy supports the improvement to sustainable access as a general aspiration. There is no direct link from Haxby to Strensall Common and therefore not likely to have adverse effects. Positive effect of policy may reduce recreational attractiveness of SAC.</i> <i>Screened out – Category A</i>
EN1: Developments which further develop drainage infrastructure to prevent flooding and avoid problems with back up of sewerage would be supported.	This policy requires developments to further develop drainage infrastructure to prevent flooding and avoid problems with back up of sewerage.	This policy lists criteria for developers to refer to but does not offer specific solutions. Screened out – Category C
EN2: Developments must provide recreational open spaces that can be enjoyed by all ages within the community, commensurate to the development.	This policy requires that developments include recreational open spaces that can be enjoyed by all ages within the community, commensurate to the development.	This policy lists criteria for developers to refer to but does not offer specific solutions. Screened out – Category C
EN3: Green spaces within and between developments must be safeguarded.	This policy Requires that green spaces within and between developments must be safeguarded.	

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
EN4: Development that protects and enhances wildlife habitats and biodiversity will be supported. Where habitat loss is proposed and cannot be avoided, it must be adequately mitigated, or as a last resort, compensated for.	This policy requires that developments protect and enhance wildlife habitats and biodiversity. Where habitat loss is proposed and cannot be avoided, it must be adequately mitigated, or as a last resort, compensated for.	This policy seeks to protect wildlife habitats and biodiversity. Screened out – Category E
EN5: Developments must support the continued designation of Green Belt land, preventing coalescence with the main urban area of York and preserving the character of Haxby and Wigginton. Development in the Green Belt will only be supported in accordance with the NPPF and Local Plan.	This policy requires developments to support the continued designation of Green Belt land, preventing coalescence with the main urban area of York and preserving the character of Haxby and Wigginton. No development in the Green Belt will be supported other than that considered appropriate in the NPPF (2018).	This policy would have no conceivable effect on the SAC. Screen Out – Category G
EN6: Detailed emissions assessment and full air quality impact assessment must be undertaken in the main streets of Haxby and Wigginton to accompany development proposals and findings shared with local residents; where applicable mitigation measures should be implemented.	This policy requires detailed emissions assessment and full air quality impact assessment to be undertaken in the main streets of Haxby and Wigginton to accompany development proposals and findings shared with local residents; where applicable mitigation measures should be implemented.	This policy would have no conceivable effect on the SAC. Screen Out – Category G

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
EN7: Prior to any development in the area a Heritage / archaeological assessment must be undertaken and where applicable mitigation measures should be implemented (<i>Lund Field / Crooklands Lane</i>).	This policy requires that prior to any development in the area a Heritage / archaeological assessment must be undertaken and where applicable mitigation measures should be implemented, such as Lund Field / Crooklands Lane.	This policy would have no conceivable effect on the SAC Screen Out – Category G
EN8: <i>heritage assets policy statement from CYC (ref Janet email) Add reference to the appendices re ‘non-designated buildings’ to add to a list.</i>		
EN9: Local residents support that part of the North Yorkshire Minerals and Waste Joint Plan (agreed by CYC) which prevents drilling for gas from happening less than 500m from people's homes. Suggested by CYC	This policy requires developments to support that part of the North Yorkshire Minerals and Waste Joint Plan (agreed by CYC) which prevents drilling for gas from happening less than 500m from people's homes.	NLSE

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
4. TRAFFIC AND TRANSPORT		
TT1: Any housing development above 2ha must promote better traffic management, providing alternative and creative access routes to reduce traffic through the centre of Wigginton and Haxby.	This policy requires sizeable developments to promote better traffic management, providing alternative and creative access routes to reduce traffic through the centre of Wigginton and Haxby.	This policy would have no conceivable effect on the SAC. Screen Out – Category B
TT2: New development must actively promote alternative methods of transport, through the provision of cycle paths, wide pavements, snickleways. The principles of ‘Secured by Design’ must be introduced to support evening / night-time use of these thoroughfares.	This policy requires developments to actively promote alternative methods of transport, through the provision of cycle paths, wide pavements, snickleways. The principles of ‘Secured by Design’ must be introduced to support evening / night-time use of these thoroughfares.	This policy supports the improvement to sustainable access to new unspecified development. Screened out – Category H
TT3: New development must include extended bus routes, pedestrian areas, 20mph speed limits, pedestrian crossings, and traffic calming measures.	This policy requires developments to support the introduction of pedestrian areas, 20mph speed limits, pedestrian crossings, and imaginative traffic calming measures.	This policy supports the improvement to sustainable access to new unspecified development. Screened out – Category H
TT4: Introduction of weight restrictions/access only signage to discourage heavy vehicles unnecessarily traversing the centre of the community.	This policy requires the introduction of weight restrictions/access only signage to discourage heavy vehicles unnecessarily traversing the centre of the community.	This policy would have no conceivable effect on the SAC. Screen Out – Category B

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
TT4: Development must provide adequate off-road parking 'out of sight' and discourage anti-social parking.	This policy requires developments to provide adequate off-road parking 'out of sight' and discourage anti-social parking.	This policy relates to urban design and therefore would not have any conceivable effect on the SAC. Screened out – Category B
TT6: Provision of footpath and separate cycle route access from the end of Mill Lane down Wigginton Road to the roundabout junction with the A1237 northern ring road will be supported.	This policy requires developments to support the provision of footpath and separate cycle route access from the end of Mill Lane down Wigginton Road to the roundabout junction with the A1237 northern ring road.	This policy supports the improvement to sustainable access as a general aspiration. There is no direct link from Haxby to Strensall Common and therefore not likely to have adverse effects. Positive effect of policy may reduce recreational attractiveness of SAC. Screened out – Category A
TT7: Development of a new railway station in Haxby will be supported. Development will not be permitted which prejudices the prospect of a new railway station in Haxby. Opportunities for development to contribute to the provision of a railway station must be considered as part of any strategic development viability assessment	This policy requires that any sizeable development must be supported by the provision of a new railway station. Development will not be permitted which prejudices the prospect of a new railway station in Haxby. Opportunities for development to contribute to the provision of a railway station must be considered as part of any strategic development viability assessment.	This policy proposes but does not specify a location for a new railway station. Further impact to be reviewed should a railway station be proposed. Screened out – Category C/ H

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
5. COMMUNITY AND WELLBEING		
CWB1: Development must provide commensurate provision for children and young people including schools, nurseries and playgroups along with children's play areas and youth facilities.	This policy requires developments to provide appropriate provision for children and young people including schools, nurseries and playgroups along with children's play areas and youth facilities.	This policy would have no conceivable effect on the SAC. Screen Out – Category G
CWB2: Development which provides for provision for other groups including elderly people, facilities for the disabled etc will be supported.	This policy requires developments to support provision for other groups including elderly people, facilities for the disabled etc.	This policy would have no conceivable effect on the SAC. Screen Out – Category G
CWB3: Development which provides for the provision of: community, sport and leisure facilities; library facilities; allotment provision etc will be supported.	This policy requires developments to support the provision of: community, sport and leisure facilities; library facilities; allotment provision etc.	This policy would have no conceivable effect on the SAC. Screen Out – Category G
CWB4: Appropriate provision of additional health services facilities including Medical General Practice; Dentists; Pharmacy; Chiropodists etc will be supported.	This policy requires developments to support the provision of additional health services facilities including Medical General Practice; Dentists; Pharmacy; Chiropodists etc. required by the increase in the number of residents.	This policy would have no conceivable effect on the SAC. Screen Out – Category G

NEIGHBOURHOOD PLAN POLICY	POLICY INTENTION	IMPLICATION
CWB5: Provision to increase cemetery capacity will be supported.	This policy requires developments to ensure that provision is made to increase cemetery capacity, as stated in the City of York local Plan	This policy would have no conceivable effect on the SAC. Screen Out – Category G
CWB6: Future housing development must ensure that landscaping of the development complements the current character of the area.	This policy requires developments to ensure that landscaping of the development complements the current character of the area.	This policy would have no conceivable effect on the SAC. Screen Out – Category G
CWB7: Provision of additional allotment capacity is required.	This policy requires developments to ensure that provision is made for additional allotments, as stated in the City of York local Plan.	This policy would have no conceivable effect on the SAC. Screen Out – Category G

CONCLUSIONS AND RECOMMENDATIONS OF THE SCREENING ASSESSMENTS

This report sets out the assessment of the need for the Haxby and Wigginton Neighbourhood Plan to be subject to Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.

The assessment of both of these requirements has been undertaken on the Draft Neighbourhood Plan (Version 2.XX), which was published in XX 2020. As such, if the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan.

Strategic Environmental Assessment (SEA)

In relation to the requirement for the Haxby and Wigginton Neighbourhood Plan to be subject to a Strategic Environmental Assessment, it is concluded in the assessment undertaken in this report that the Plan in its current form is unlikely to have significant

Habitat Regulations Assessment (HRA)

In terms of the requirement for the Haxby and Wigginton Neighbourhood Plan to be subject to the Habitat Regulations Assessment, the appraisal set out in this report concludes that no further work will be required in order to comply with the Habitat Regulations. There are no European sites within the boundaries of the plan area; however, the Screening Report did examine its impact on Strensall Common SAC, about 1 km (5 km by road) from the Parish. The assessment finds that no significant adverse effects are likely as the result of the implementation of the Neighbourhood Plan. There is no requirement to prepare an appropriate assessment or an in-combination assessment

NEXT STEPS

Outline here that the Neighbourhood Plan will be subject to consultation, who the consultation will be with and that this report will be updated to reference the responses.