



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

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neighbourhoodplanning@york.gov.uk

Date: 5th February 2018

Dear Mr Jones,

Earswick Neighbourhood Plan Pre Submission Draft

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

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

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

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

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

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

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

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

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

Earswick Neighbourhood Plan

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

Strategic Environmental Assessment

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

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

Neighbourhood Plan

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

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

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

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

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

Date: 05 February 2018
Our ref: 232130



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BY EMAIL ONLY

Dear Derek Jones

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

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

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

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

Strategic Environmental Assessment

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

Neighbourhood Plans

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

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

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

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

may be affected by this plan, before determining whether an SEA is necessary.

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

Habitats Regulations Assessment

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

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

Draft Neighbourhood Plan

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

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

Yours sincerely

Yorkshire and Northern Lincolnshire Team
Natural England



Historic England

YORKSHIRE

Our ref: PL00251362

Your ref:

Telephone 01904 601 879

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5 February 2018

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

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

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

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

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



Historic England, 37 Tanner Row, York YO1 6WP

Telephone 01904 60 1948 HistoricEngland.org.uk

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

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



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

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

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

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

Thank you in anticipation.

Yours sincerely



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