

**INGLEBY ARNCLIFFE
NEIGHBOURHOOD DEVELOPMENT PLAN 2018-2036**

BASIC CONDITIONS STATEMENT

**PREPARED ON BEHALF OF
INGLEBY ARNCLIFFE PARISH COUNCIL**



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1.0 LEGAL REQUIREMENTS

- 1.1 This Statement has been prepared by Ingleby Arncliffe Parish Council to accompany its submission to the local planning authority, Hambleton District Council (HDC), of the Ingleby Arncliffe Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2 The Neighbourhood Plan has been prepared by Ingleby Arncliffe Parish Council, a qualifying body, for the Neighbourhood Area covering the parish of Ingleby Arncliffe, as designated by HDC and the North York Moors National Park Authority (NYMNP) on 18th September and 7th October 2014 respectively.
- 1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan extends until the end of 2036 and it does not contain policies relating to excluded development in accordance with the Regulations.
- 1.4 This Statement addresses each of the five ‘basic conditions’ required by the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.
- 1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan;
 - The making of the Neighbourhood Plan contributes to the achievement of sustainable development;
 - The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - The making of the Neighbourhood Plan is compatible with European Union (EU) and European Convention on Human Right (ECHR) obligations;
 - The making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.¹

2.0 INTRODUCTION AND BACKGROUND

- 2.1 In 2014, Ingleby Arncliffe Parish Council took the decision to produce a Neighbourhood Plan in order to address unresolved development issues first raised by the community in the 2013 Community Plan, notably local housing need and the desire to resist further development over and above that need.
- 2.2 A Neighbourhood Area application was subsequently made and a Neighbourhood Area

¹ On 28 December 2018, the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 came into force. Amongst other things, these Regulations amended the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) which stated:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects.

covering the whole parish designated by both HDC and NYMNPA in October and September 2014 respectively.

- 2.3 A Neighbourhood Plan Steering Group was formed in May 2014, comprising parish councillors and local community volunteers. Terms of reference for the group were drafted in 2015 and subsequently agreed by both the parish council and HDC.
- 2.4 From 2015 to 2020, the parish council has engaged, consulted, and listened to the local community through three Housing Needs Surveys, community open meetings, newsletters, and with other interested parties including local landowners, HDC, NYMNPA, North Yorkshire County Council (NYCC) and the Diocese of York. It has also consulted on a Policy Intentions Document over the period December 2018 to January 2019.
- 2.5 Based on the results of this engagement, a Pre-Submission Draft Neighbourhood Development Plan was produced during 2019 and a Regulation 14 consultation undertaken during November and December 2019.
- 2.6 Responses from this consultation have been considered, and some changes made to the policies, evidence and supporting text in the plan as a result. It is now ready to be submitted to HDC, the Local Planning Authority, for further publicity and independent examination.

3.0 REGARD TO NATIONAL PLANNING POLICY

- 3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) of July 2018, as updated on 19 February 2019, and to guidance subsequently issued by the Secretary of State. It is also mindful of the National Planning Practice Guidance (NPPG), published by the Government in November 2016 and last updated 1 October 2019, in respect of preparing Neighbourhood Plans.
- 3.2 Table 1 below, is a summary of how each Neighbourhood Plan policy has regard to the policies of the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table 1: Neighbourhood Plan Policies Regard to NPPF Policies

NDP Policy	NPPF paragraph	Comment on regard to policies
P1: Housing Mix	61	The policy re housing mix is in line with para 61 (reflecting in planning policies the size, type and tenure of housing needed for different groups in the community).
P2: Affordable Housing	62	The expectation that that affordable housing provision should reflect an understanding of local need is in line with para 62 (where a need for affordable housing is identified, planning policies should specify the type of affordable housing required).
P3: Housing Allocation – Land at the Former	69, 68a), 61, 62	The allocation of the land in question is in line with paras 69 and 68a) (NP groups should consider opportunities

NDP Policy	NPPF paragraph	Comment on regard to policies
Primary School and Associated Land		for allocating small...sites no larger than a hectare suitable for housing in their area) and with paras 61 and 62, in respect of its housing mix and affordable housing elements (ref Table 1 P1 and P2 above).
P4: Key Guiding Principles for Development Design	127, 184, 185, 192, 195, 196, 197, 200, 91b), 170, 150	Encouraging appropriately designed development is in line with para 127c) (policies ensuring developments are sympathetic to local character) and with paras 184, 185, 192, 195, 196, 197 & 200 (re design and what should be taken account of in determining planning applications in terms of local character and distinctiveness). Development which plans positively to reduce crime/fear of crime is in line with para 91b) (aim to achieve...safe places which...are safe and accessible, so that crime and disorder, and the fear of crime do not undermine the quality of life). The provision re adaptable homes to take account of different life stages and mobility needs is in line with para 61 (reflecting in planning policies the type of housing needed for different groups in the community). The provision re off-road parking is in line with para 127a) (ensuring that developments function well...over the lifetime of the development). The provision re development retaining and seeking to enhance the parish's local ecology, wildlife and landscape is in line with para 170 (policies should contribute to and enhance the natural and local environment – specifically clauses a) b) & d)). The provision re delivering the best in environmental standards, in order to reduce energy consumption and promote energy efficiency is in line with para 150 (new development planned in ways that...can help to reduce greenhouse gases).
P5: New & Improved Walking Cycling & Bridleway Provision	102, 104	Policy to improve cycling, walking and equestrian provision is in line with para 102 (identifying opportunities to promote walking and cycling); and para 104 (providing for high quality walking and cycling networks).
P6: Car Parking	80, 81, 106, 127	The maintenance of existing car parking capacity and the encouragement of additional public car parking is in line with para 80 (creating the conditions in which businesses can invest, expand and adapt; allowing each area to build on its strengths); para 81 (seeking to address potential barriers to investment such as inadequate infrastructure). The encouragement of additional public car parking is also in line with para 106 (setting of maximum parking standards where there is

NDP Policy	NPPF paragraph	Comment on regard to policies
		clear and compelling justification that they are necessary for managing the local road network); and para 127 (ensuring that developments function well...over the lifetime of the development).

3.3 In conclusion, it can be seen that all of the policies of the Neighbourhood Plan have clear regard to national planning policy as it relates to those policies.

4.0 GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

4.1 The development plan for Ingleby Arncliffe comprises the adopted Hambleton Local Development Framework (LDF) comprising Core Strategy (HDC-CS - 2007), Development Policies DPD (HDC-DP - 2008) and Allocations DPD (2010), together with the North York Moors National Park Authority Local Plan, adopted in July 2020.

4.2 The Neighbourhood Plan has been prepared to ensure its general conformity with the above applicable components of the development plan.

4.3 Table 3 below sets out how each policy is in general conformity with the development plan.

Table 3: Conformity of Neighbourhood Plan Policies with Development Plan

NDP Policy	Development Plan Policy	Comment on Conformity
P1: Housing Mix	HDC-DP/DP13	Policy provisions in line with DP13 (development expected to provide for a mix of housing to meet the needs of all sections of the community).
P2: Affordable Housing	HDC-CS/CP9, CP9A; HDC-DP/DP15, DP13	Policy explicitly states compliance with adopted HDC Local Plan Policies.
P3: Housing Allocation – Land at the Former Primary School and Associated Land	HDC-CS/CP1, CP4, CP6; HDC-DP/DP13	Land allocation in line with CP1 (use and development of land assessed against community's housing requirement; support for proposals which promote & encourage efficient use of land, reduction in social inequalities and disadvantage within the community, the vitality of the area; development utilizing previously developed land in a sustainable location); CP4 (support for development within settlement Development Limits & of scale/nature appropriate to secure the sustainability of the settlement in hierarchy – Ingleby Arncliffe is a secondary village in the hierarchy); CP6)allocation of housing land/support for housing proposals on unallocated land within designated Secondary Villages, subject to criteria which P3 clearly

NDP Policy	Development Plan Policy	Comment on Conformity
		satisfies. Policy provisions re mix and affordability in line with DP13 (development expected to provide for a mix of housing to meet the needs of all sections of the community).
P4: Key Guiding Principles for Development Design	HDC-CS/CP1, CP17; HDC-DP/DP32; NYMNPA-LP/STRATEGIC POLICY C	The principles set out in the policy are in line with CP1 (fits with stated principles of development); CP17 (fits with requirements for achieving a high quality of design & circumstances in which development will be supported); and DP32 (fits with more detailed considerations within context of CP17. The policy is also in line with Strategic Policy C (will deliver development which maintains and enhances the distinctive character of the National Park).
P5: New & Improved Walking Cycling & Bridleway Provision	HDC-CS/DP32, DP3; NYMNPA-LP/CO4	The policy is in line with DP32 (development including provision for footpath and cycleway links) and DP3 (requiring development to include provision for sustainable forms of transport to access sites, including footpaths and cycleways. It is also in conformity with CO4 (protecting and enhancing the existing network of walking and cycling routes within the National Park).
P6: Car Parking	HDC-DP/DP3; NYMNPA-LP/CO3	The policy is in line with DP3 (incorporation of measures commensurate with the development, including where appropriate minimum levels of car parking commensurate with road safety and the reduction of congestion) and with CO3 (new parking facilities permitted where the only way to solve existing identified parking problems and will benefit needs of both National Park communities and visitors).

4.4 In conclusion, it can be seen that all of the policies of the Neighbourhood Plan are clearly in general conformity with the strategic policies of the development plan as they relate to its policies.

5.0 CONTRIBUTION TO ACHIEVING SUSTAINABLE DEVELOPMENT

5.1 Although a formal sustainability appraisal is not a requirement for a Neighbourhood Plan, an informal sustainability assessment has been undertaken (September 2020 – see Appendix 2) in order to take account of the need for the Neighbourhood Plan to contribute to the achievement of sustainable development.

- 5.2 The policies of the Neighbourhood Plan are derived directly from the vision and objectives of the plan which have sustainability at their heart. The sustainability assessment assesses each of the plan's six policies against twelve benchmark criteria derived from the plan's vision and objectives and covering the three dimensions of sustainability, namely environmental, social and economic. The assessment 'scores' the impact of each policy against the criteria, on a scale from 'significant positive impact' through 'some positive or negative impact' or 'no overall impact/non-applicability' to 'significant negative impact'. It also records uncertainty as to impact.
- 5.3 Table 4 below, reproduced from the sustainability assessment, summarises:
- The impact/contribution of policies as a whole in relation to the twelve individual benchmark criteria;
 - The impact/contribution of individual policies on sustainability/benchmark criteria as a whole.
- 5.4 It shows that there will be positive impacts overall, in terms of policies and benchmark criteria collectively. Further analysis indicates some overall minor negative impacts in relation to individual policies (in 1 case only) and benchmark criteria (again in one case), but far outweighed overall by positive impacts.
- 5.5 The overriding conclusion is that the policies of the Neighbourhood Plan will make Ingleby Arncliffe a more sustainable area.

Table 4: Assessment of Sustainability of Neighbourhood Plan Policies

NEIGHBOURHOOD PLAN POLICY NUMBERS							
BENCHMARK CRITERION	P1	P2	P3	P4	P5	P6	SUMMARY IMPACT 1
Biodiversity	0	0	0	+	0	0	+ve
Landscape	0	0	0	+	0	0	+ve
Heritage	0	0	0	+	0	0	+ve
Natural Resources	0	0	-	+	+	-?	+ve
Movement	0	0	-	+	+	0	+ve
Open Spaces	0	0	-?	0	0	0	-ve
Community	0	0	0	0	0	0	Zero
Housing Provision	++	+	++	0	0	0	+ve
Safety /Security	+?	0	-	+	+	0	+ve
Social Inclusion	+	+	0	+	+	0	+ve
Businesses	-?	0	+?	0	0	+?	+ve
Jobs/Training	0	0	+?	0	0	+?	+ve
SUMMARY IMPACT 2	+ve	+ve	-ve	+ve	+ve	+ve	+ve
							+ve

6.0 COMPATIBILITY WITH EU OBLIGATIONS AND LEGISLATION

- 6.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. In preparing the plan, the parish council has consistently taken steps to ensure that the views of all sections of the community have been canvassed and taken into account. This approach to consultation is summarised in Chapter 1 (Background to the Neighbourhood Plan) and Chapter 2 (Next Steps in the Neighbourhood Plan Process) of the plan itself and fully detailed in the Consultation Statement. In particular, the following steps may be highlighted.
- 6.2 The steering group has engaged, consulted and listened to the local community through two formal consultations (eliciting between 28% and 40% response rates), four housing needs surveys, community open meetings (held annually from 2016-2020 with an invitation to all), newsletters, parish council meetings and engaged with other interested parties including local landowners and Beyond Housing Association with a view to progressing a Neighbourhood Plan that will address identified local housing needs.
- 6.3 The steering group understands the importance of engaging, consulting with and listening to the community. For this to be meaningful the community needs to be as informed about the Neighbourhood Plan as possible. The chair of the steering group has provided a report on its progress to every parish council meeting since 2015. These reports are available on the parish website and on parish noticeboards. In addition, 16 of the 18 parish newsletters since November 2017 have reported on the work of the steering group. These newsletters go to every household in the parish, either by e-mail or as a printed hand-delivered copy. Reports are also published on the parish council noticeboards and in the Darlington and Stockton Times. The press representative reports on the parish council meetings on a regular basis.
- 6.4 Regarding Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) screening, the report prepared on behalf of the parish council by its Neighbourhood Plan consultants (Directions Planning Consultancy), in May 2019, and updated in August 2019, in respect of the Ingleby Arncliffe Pre-Submission Neighbourhood Development Plan (attached as Appendix 1 to this statement) advised that, in respect of SEA screening:
The assessment indicates a range of possible minor positive and negative environmental effects as a result of the draft plan policies. No likely significant environmental effects have been identified.
- 6.5 And in respect of HRA screening:
The plan will not lead to any loss of supporting habitat to the North York Moors SAC/SPA. In terms of recreational pressure, it is considered highly unlikely that any proposals in the Plan that would increase the recreational pressure that could undermine the conservation objectives of the qualifying features of any the European sites within the National Park and so likely significant effects (alone and in combination) can be screened out.
- 6.6 Comments received during statutory Regulation 14 consultation on the Pre-Submission NDP resulted in a number of changes to the wording of NDP policies. However none of the changes were considered material in respect of either SEA or HRA screening and the conclusions of the updated screening report remain unchanged.

7.0 CONCLUSIONS

- 7.1 This Ingleby Arncliffe Neighbourhood Development Plan Basic Conditions Statement addresses each of the four 'basic conditions' required by the Regulations and demonstrates that the Ingleby Arncliffe Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town and Country Planning Act.
- 7.2 In line with the Regulations, this Basic Conditions Statement explains how the Ingleby Arncliffe Neighbourhood Development Plan:
- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Is in general conformity with the strategic policies contained in the 'development plans' for the area;
 - Contributes to the achievement of sustainable development;
 - Does not breach and is otherwise compatible with EU obligations.
- 7.3 It is therefore respectfully suggested that the Ingleby Arncliffe Neighbourhood Development Plan complies with Paragraph 8(1) (a) of Schedule 4B of the Act and subject to Examination can proceed to a Referendum.

APPENDICES

APPENDIX 1

INGLEBY ARNCLIFFE NEIGHBOURHOOD DEVELOPMENT PLAN

STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING DETERMINATION UNDER REGULATIONS 9 AND 11 OF THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2014

PREPARED ON BEHALF OF
INGLEBY ARNCLIFFE PARISH COUNCIL



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August 2019

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- Ingleby Arncliffe Parish Council
- Hambleton District Council
- North Yorks Moors National Park Authority

1.0 INTRODUCTION

This statement provides the determination (under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)) that the draft Ingleby Arncliffe Neighbourhood Development Plan is unlikely to result in significant environmental effects and therefore does not require a Strategic Environmental Assessment. This statement also includes the reasons for this determination (in line with Regulation 11 of the SEA Regulations). In addition, this statement determines that the making of the draft Ingleby Arncliffe Neighbourhood Plan is unlikely to result in significant effects on any European sites and consequently the plan does not require Habitat Regulations Assessment. This determination statement is also intended to demonstrate that the Ingleby Arncliffe Neighbourhood Development Plan is compatible with certain European Union obligations as required by the basic conditions, namely:

- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment; and
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

This determination has been made on Monday 22nd July 2019. Within 28 days of this determination, the parish council will publish this determination statement in accordance with its regulatory requirements (as per Regulation 11 of the SEA Regulations). The statutory consultees will be sent a copy of this statement and copies of the statement will be available for inspection at the Hambleton District Council website (www.hambleton.gov.uk), the North York Moors National Park Authority website (www.northyorkmoors.org.uk) and on the parish council's website (www.inglebyarncliffe.org.uk).

2.0 DETERMINATION STATEMENT

A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) preliminary screening opinion was prepared by the parish council for the draft Neighbourhood Plan. This opinion, see Appendix 1 to this report, was made available to the statutory environmental bodies (Natural England, Historic England and Environment Agency) for comment starting on 6th June 2019.

Consultation responses were received from all three organisations. Their conclusions are summarised below, and their detailed comments are included in Appendix 2.

2.1 Natural England

"We have reviewed the Strategic Environmental Assessment and Habitats Regulations Assessment screening report and are in agreement with the conclusions. 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) are concerned, that there are unlikely to be significant environmental effects from the proposed plan."

2.2 Historic England

"On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with your conclusion that as a result of the policies contained within the draft Neighbourhood Plan "no likely significant environmental effects have been identified". Therefore the preparation of a Strategic Environmental Assessment is not required for the Ingleby Arncliffe Neighbourhood Plan."

2.3 The 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.

In summary, it is determined that the Ingleby Arncliffe Neighbourhood Plan would not have a significant effect on the environment because:

- as detailed in table 3.2 of the SEA preliminary screening report, the policies were either found to have either minor or no impacts on the environmental criteria set out in Schedule 1 to the Environmental Assessment Regulations. Where minor impacts were considered likely these were largely found to be positive.”

The HRA screening concludes that the Neighbourhood Plan is not predicted to have likely significant effects on any European site, either alone or in combination with other plans and projects.

Based on the preliminary screening opinion prepared by the parish council in June 2019 and having considered the consultation responses from the statutory environmental bodies, the parish council, Hambleton District Council and the North York Moors National Park Authority determine that the Ingleby Arncliffe Neighbourhood Plan is unlikely to result in significant environmental effects and therefore does not require a Strategic Environmental Assessment. The council also determines that the Neighbourhood Plan is not likely to result in significant effects on any European site.

This screening determination is applicable to the pre-submission version of the Neighbourhood Plan.

APPENDIX 1: STRATEGIC ENVIRONMENTAL ASSESSMENT AND HABITATS REGULATIONS ASSESSMENT SCREENING REPORT FOR THE INGLEBY ARNCLIFFE NEIGHBOURHOOD DEVELOPMENT PLAN

**Strategic Environmental Assessment and Habitats Regulations Assessment
Screening Report for the Ingleby Arncliffe**

**Neighbourhood Development Plan
FINAL**

August 2019

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1. Introduction

1.1 There are two key purposes to this document:

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

Strategic Environmental Assessment

1.2 The responsible bodies (in this case Ingleby Arncliffe Parish Council, together with Hambleton District Council and the North York Moors National Park Authority) are required to consult the statutory bodies, the Environment Agency, Natural England and English Heritage prior to reaching a screening determination and will use this report as a basis for this consultation.

The Habitats Directive

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

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

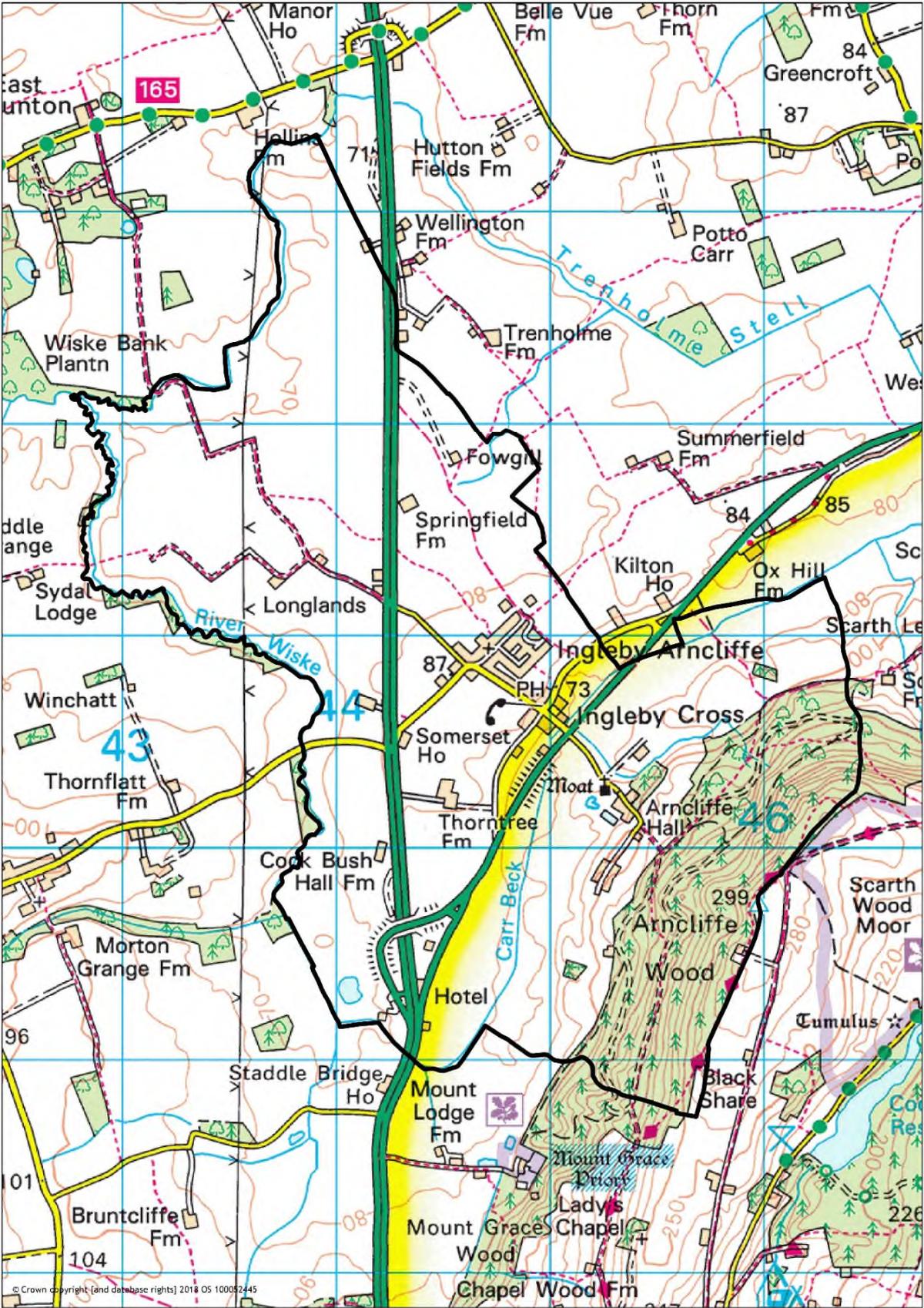
“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.”

Introduction to Ingleby Arncliffe

1.5. The Ingleby Arncliffe NDP will cover the plan area shown in Figure 1 below. This area falls substantially within Hambleton District Council, but some 30% of the area, east of the villages and covering Arncliffe Wood at the area's south-eastern end, lies within the North York Moors National Park boundary and administrative planning area – again see Map 1 below.

Figure 1 – NP Area and Local Planning Authority Areas

NB Hambleton to NW of yellow line; North York Moors National Park to SE



1.6 The NDP is underpinned by the following Vision

NDP Vision

The vision of the Plan is to bring new life to the Parish, by building a “Mixed Housing Development” of different property types, sizes and choice of tenure that will meet the identified housing needs by the community, whilst at the same time preserving the rural nature of the Parish, so valued by residents.

1.7 This vision is supported by 4 objectives (i.e. what the community hope to achieve through the plan):

- NDP Objectives**
- Revitalize the community by providing a more appropriate and sustainable mix of housing types and sizes which will help reverse the ageing demographic profile of the population.
 - Have land allocated to make clear the location where the delivery of new homes will be supported.
 - Have a policy that any housing development must be built to agreed standards, and design, whilst being financially viable and sustainable. Any development must also respect the character of existing properties and the character of the villages.
 - Commit the Parish Council to adhering to the Plan when deciding its position on planning applications. It will ensure priority is given to achieving the community's aspirations

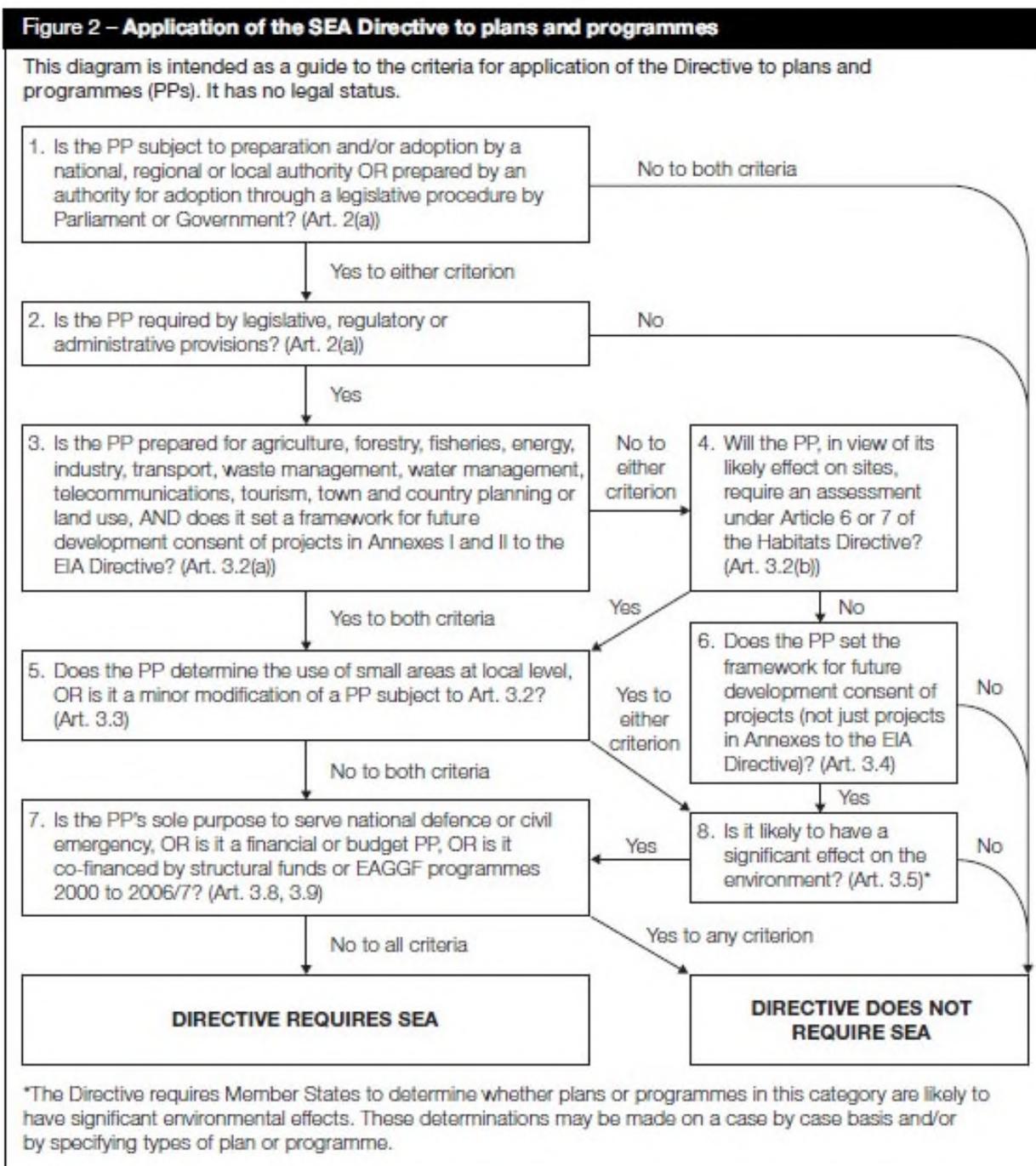
1.8 Table 1 below provides an overview of each of the draft NDP policies.

Table 1: An overview of the NP policies	
Policy	What does it do
P1: Housing Allocation – Land at the Former Primary School	The policy allocates land for a minimum of 18 new dwellings and sets out requirements to govern the development
P2: Housing Mix	The policy sets out the housing mix approach which the NDP would support, with a particular emphasis on accessible housing and specialist accommodation for older people.
P3: Affordable Housing	The policy sets out the approach to affordable housing provision which the NDP would support.
P4: Key Guiding Principles for Development	The policy provides guiding principles for new development
P5: New and Improved Walking, Equestrian and Cycling Provision	A policy applicable to development proposals which affect the Ingleby Arncliffe cycleway, footpath and bridleway network, specifying its protection or improvement.
P6: Car Parking	The policy protects existing car parking capacity in Ingleby Cross, requires parking needs arising from new development to be accommodated on-site and supports appropriate development which would increase car parking capacity, particularly in Ingleby Cross.

2. Legislative Background to SEA

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

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



2.3 The table below uses the diagram above to help determine whether or not the SEA directive applies to the Ingleby Arncliffe NDP:-

Table 2: Application of the SEA Directive to Neighbourhood Plans			
Stage	Response	Outcome	Comment
1. Is the NDP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	Go to question 2	The preparation and adoption of the NDP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NDP is being prepared by Ingleby Arncliffe Parish Council (as the "relevant body") and will be "made" by Hambleton District Council as the main local planning authority. The preparation of NDPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (referendums) Regulations 2012.
2. Is the NDP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Go to question 3	Whilst the Neighbourhood Development Plan is not a requirement and is optional under the provisions of The Town and Country Planning Act 1990 as amended by the Localism Act 2011, it will, if "made", form part of the statutory Development Plan for the district.
	No	NO SEA required	
3. Is the NDP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II (see Appendix 2) to the EIA Directive? (Art 3.2(a))	Yes to both	Go to question 5	The Neighbourhood Development Plan does not set the framework for future development consent of projects in Annexes I and II to the EIA Directive (see Appendix 2 for list).
	No to either	Go to question 4	

Table 2: Application of the SEA Directive to Neighbourhood Plans			
Stage	Response	Outcome	Comment
4. Will the NDP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	Yes	Go to question 5	See separate assessment.
	No	Go to question 6	
5. Does the NDP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes to either	Go to question 8	Not applicable.
	No to both	Go to question 7	
6. Does the NDP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes	Go to question 8	The Neighbourhood Development Plan is to be used for determining future planning applications.
	No	Does not require SEA	
7. Is the NDP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	Yes to any criteria	Does not require SEA	Not applicable
	No to all criteria	Requires SEA	
8. Is it likely to have a significant effect on the environment? (Art 3.5)	Yes	Requires SEA	Likely significant effects are explored in more detail in section 3 of this report.
	No	Does not require SEA	

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

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

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

Plan characteristics

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

Characteristics of the effects and the plan area

- the probability, duration, frequency and reversibility of the effects;
- the cumulative nature of the effects;
- the transboundary nature of the effects;
- the risks to human health or the environment (for example, due to accidents);
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- the value and vulnerability of the area likely to be affected due to:-
 - special natural characteristics or cultural heritage;
 - exceeded environmental quality standards or limit values;
 - intensive land-use;
- the effects on areas or landscapes which have a recognised national, community or international protection status.

Table 3.1: Plan Characteristics	
Plan Characteristics	Ingleby Arncliffe NDP
<ul style="list-style-type: none"> 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 	<p>Alongside the Local Plan (currently the adopted Hambleton Local Development Framework (LDF) comprising Core Strategy (2007), Development Policies DPD (2008) and Allocations DPD (2010), together with the North York Moors National Park Authority Local Plan, adopted in 2008), the Ingleby Arncliffe NDP will provide the statutory development plan for the area. This means planning applications will be determined against the policies in both plans. An overview of the plan policies is provided in Table 1 to this report.</p> <p>The 6 policies can be categorised into:</p> <p>A policy allocating a site for residential development.</p> <p>A protection and enhancement policy in respect of public and private car parking areas.</p> <p>Design and development requirement policies in respect of any future development, including housing; housing mix; affordable housing and the area’s cycling/footpath/bridleway network.</p> <p>Aspirational/encouragement policies regarding additional parking capacity and improved cycling and walking provision.</p>
<ul style="list-style-type: none"> the degree to which the plan or programme influences other plans and programmes including those in a hierarchy 	<p>There is no statutory plan that will sit underneath the Ingleby Arncliffe NDP. However, the NYMNPA Core Strategy and Development Policies Document, together with the HDC Core Strategy sit above the NDP. The assessment concludes no significant effects in terms of the NDP’s influence on these higher level plans.</p>
<ul style="list-style-type: none"> the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development 	<p>Before the NDP can be made it will need to be tested against the basic conditions. This includes a requirement to contribute towards the achievement of sustainable development.</p>

Table 3.1: Plan Characteristics	
Plan Characteristics	Ingleby Arncliffe NDP
<ul style="list-style-type: none"> environmental problems relevant to the plan or programme 	<p>There are key environmental constraints within and/or in close proximity to the NDP area. These are:</p> <p>Biodiversity: 2 sites of international nature conservation importance, i.e. North York Moors Special Area of Conservation (SAC) and Special Protection Area (SPA) (incorporating North York Moors SSSI – NB all of Neighbourhood Area (NA) within SSSI Impact Risk Zone) adjoin the eastern boundary of the NA at Arncliffe Wood. The SPA/SAC covers an area of moorland of over 44,000 hectares in north-east Yorkshire to the south and east of the NA.</p> <p>SPA citation (extract) – Consultation proposal: North York Moors SSSI has been recommended as a Special Protection Area because of the site’s European Ornithological importance. The North York Moors SPA contains the largest continuous tract of heather moorland in England. The site displays a wide range of high quality dry heathland and blanket bog vegetation types dominated by Calluna. The transition from dry heathland to blanket bog is complemented by a diverse mosaic of wet heath and flush communities. European ornithological importance of the SPA: North York Moors SPA is of European importance because: the site qualifies under article 4.1 of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain population of two species listed in Annex I in any season: Annex I species Estimated breeding population 1996 % GB population Merlin Falco columbarius 35 - 40 pairs 2.7 - 3.1 % GB Golden Plover Pluvialis apricaria 526 -706 pairs 2.3- 3.1 % GB. Non-qualifying species of interest: In addition, the site supports a rich upland breeding bird assemblage which includes Short-eared Owl Asio flammeus, Peregrine Falcon peregrinus and Hen Harrier Circus cyaneus (all Annex I species), together with Redshank Tringa totanus, Red Grouse Lagopus lagopus scoticus and a nationally important population of Curlew Numenius arquata. Status of SPA: North York Moors was classified as a Special Protection Area on 12 May 2000.</p> <p>SAC citation – This site in north-east Yorkshire within the North York Moors National Park contains the largest continuous tract of upland heather moorland in England. Dry heath covers over half the site and forms the main vegetation type on the western, southern and central moors where the soil is free-draining and has only a thin peat layer. The principal type present is heather – wavy hair-grass (Calluna vulgaris – Deschampsia flexuosa) heath, with some heather – bell heather Erica cinerea heath on well-drained areas throughout the site, and large areas of heather – bilberry Vaccinium myrtillus heath on steeper slopes. Cross-leaved heath – bog-moss (Erica tetralix – Sphagnum compactum) wet heath is the second most extensive vegetation type on the site and is predominantly found on the eastern and northern moors where the soil is less free-draining. Purple moor-grass Molinia caerulea and heath rush Juncus squarrosus are also common within this community. In the wettest stands bog-mosses, including Sphagnum tenellum, occur, and the nationally scarce creeping forget-</p>

Table 3.1: Plan Characteristics	
Plan Characteristics	Ingleby Arncliffe NDP
	<p>me-not <i>Myosotis stolonifera</i> can be found in acid moorland streams and shallow pools. Blanket mire occurs in small amounts along the main watershed of the high moors where deep peat has accumulated. These areas are dominated by heather and cross-leaved heath with frequent hare’s-tail cottongrass <i>Eriophorum vaginatum</i> and common cottongrass <i>E. angustifolium</i>. Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I: <input type="checkbox"/> Blanket bogs* <input type="checkbox"/> European dry heaths <input type="checkbox"/> Northern Atlantic wet heaths with <i>Erica tetralix</i>. (Wet heathland with cross-leaved heath). Annex I priority habitats are denoted by an asterisk (*).</p> <p>Upland Heathland Priority Habitat adjoin the eastern boundary of the NA at Arncliffe Wood.</p> <p>Arncliffe Wood – escarpment woodland within/at east end of NA is Ancient Replanted Woodland with some pockets of Ancient and Semi-Natural Woodland.</p> <p>Arncliffe Wood (part) plus pockets to west and north-west in grounds of Arncliffe Hall, Deciduous Woodland Priority Habitat.</p> <p>Arncliffe Hall estate includes 2 traditional orchards – a Priority Habitat. Estate also includes Woodpasture and Parkland BAP Priority Habitat.</p> <p>Arncliffe Wood, Cock Bush Hall Farm (NA – south-west corner) and land at north-east corner of NA – targeting of curlew as Priority Species for Countryside Stewardship.</p> <p>NA-wide - targeting of lapwing as Priority Species for Countryside Stewardship.</p> <p>East of Ingleby Cross – Upland Breeding Bird Area for Countryside Stewardship.</p> <p>Arncliffe Hall – identified in respect of bats as European Protected Species.</p> <p>Soils/Agri-Environment: The south-east third of the NA is identified as a Less Favoured Area – Disadvantaged.</p> <p>The whole of the NA is within a Nitrate Vulnerable Zone as at 2017.</p>

Table 3.1: Plan Characteristics	
Plan Characteristics	Ingleby Arncliffe NDP
	<p>Arncliffe Wood and other parts of Arncliffe Estate identified as Countryside Stewardship Agreement Management Areas.</p> <p>Over 50% of the NA subject to Environmental Stewardship Agreements, including tight to village development limits, except on north side.</p> <p>Ingleby Cross and land to east identified as Higher Level Stewardship Target Area.</p> <p>Remainder of NA identified as Higher Level Stewardship Theme.</p> <p>Arncliffe Wood and Arncliffe Estate subject to Woodland Grant Schemes.</p> <p>Water: Carr Beck and Trenholme Stell are the principal watercourses in the NA. The River Wiske forms much of the NA's south-western boundary.</p> <p>All of the NA is within a Flood Risk Management Priority Area (High Priority).</p> <p>All of the NA is also in Priority Areas (High Priority) for the following:-</p> <p>Surface Water Nitrate Issues Sediment Issues Phosphate Issues</p> <p>Air: All of the NA (except for the northern 25%) falls within a Site Sensitive to Ammonia Pollution.</p> <p>Climatic Factors: Climate Change Vulnerability Buffers – both 'low' (NA north) and 'medium' (village and NA south) – cover much of the area.</p>

Table 3.1: Plan Characteristics	
Plan Characteristics	Ingleby Arncliffe NDP
	<p>Population: The 2011 Census recorded the parish population at 304. A parish survey in 2018 recorded the population at 293 – a reduction of 11.</p> <p>The age profile trend since the 2001 Census is of a significant increase in the average age of parish residents, from 41 in 2001 to 51 in 2018. The numbers aged over 60 have nearly doubled from 65 in 2001 to 127 in 2018, accounting for 43% of the parish population in 2018. Conversely those aged 44 or less declined from 156 in 2001 to 93 in 2018, now representing less than 32% of the parish population compared to just under 50% in 2001.</p> <p>Human Health: No known health, wellbeing or social care issues in the NA. No medical facilities in the NA.</p> <p>Material and Cultural Assets: -Ingleby Cross Village Hall. -Ingleby Villages Recreation Area. The Blue Bell Inn. The Cleveland Tontine Inn. The Joiner’s Coffee Shop. -The Cleveland Way National Trail. -The ‘Wainwright Coast to Coast Walk’ (NB unofficial but internationally famous national trail).</p> <p>Cultural Heritage, including architectural and archaeological heritage: 17 listed buildings, including 1 grade I and 4 grade II* (4 on the Arncliffe Estate, plus All Saints Church). 1 registered park/garden, i.e. Arncliffe Hall.</p> <p>There are additional archaeological/heritage records for the area, further information on which can be found at www.heritagegateway.org.uk These include 4 historic milestones and 2 ridge and furrow sites.</p> <p>Landscape: The south-east third of the NA lies within the North York Moors National Park, with the boundary following the old route of the A172, west of the new/current route.</p>

Table 3.1: Plan Characteristics	
Plan Characteristics	Ingleby Arncliffe NDP
	<p>The plan area is in National Landscape Character Area (NLCA) 23: The Tees Lowlands (see below) at its boundary with NLCA 25 The North York Moors.</p> <p>The Tees Lowlands National Character Area (NCA) forms a broad, open plain dominated by the meandering lower reaches of the River Tees and its tributaries, with wide views to distant hills. The large conurbation around the Lower Tees and Teesmouth contrasts with the rural area to the south and west, which is largely agricultural in character. The mosaic of intertidal and wetland habitats within the Tees Estuary are internationally designated as Teesmouth and Cleveland Coast Special Protection Area and Ramsar site, due to their importance for waterfowl. These areas are in close proximity to heavy industry, which has developed due to the estuary's strategic location close to; mineral reserves, a network of main roads, railways and Teesport. Industrial installations form a dramatic skyline when viewed from the surrounding hills. Early successional grasslands and scrub have also emerged on previously developed land; these brownfield sites have significant biodiversity value.</p> <p>The interrelationship between the above: Various Countryside Stewardship (CS) Agreement Management Areas, Environmental Stewardship Agreements and Woodland Grant Schemes in existence.</p> <p>The south-western half of the NA falls within a sub-regional corridor (Wiske), as identified by Natural England in its "Yorkshire & Humber Green Infrastructure Mapping Project" 2009.</p> <p>The Cleveland Way National Trail runs along the NA's eastern boundary.</p> <p>The Coast to Coast walk passes directly through the centre of the village.</p> <p>NB Most of above information ref www.magic.gov.uk</p>

Table 3.1: Plan Characteristics	
Plan Characteristics	Ingleby Arncliffe NDP
<ul style="list-style-type: none"> the relevance of the plan or programme for the implementation of [European] Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). 	<p>There are no conflicts between the Ingleby Arncliffe NDP and statutory plans linked to waste, water etc.</p>

Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Ingleby Arncliffe NDP
<ul style="list-style-type: none"> the probability, duration, frequency and reversibility of the effects 	<p>Biodiversity</p> <p>The impact of the policies on the European sites has been assessed as part of the HRA screening shown below. In this assessment, three policies were found not to trigger additional development or influence the location of development and therefore ruled out as having any effect on the European sites. The remaining three policies were assessed in terms of impact leading to ‘loss of supporting habitats’ and also for ‘recreational impacts on the SPA/SAC’. The assessment concluded no likely significant effect arising directly from the NDP policies.</p> <p>Of the remaining three policies that could trigger additional development or influence the location of development:</p> <p>Policy P1: Housing Allocation – Land at the Former Primary School. Relates to former school building, grounds and playing fields. Allocates site for some 18 new dwellings. The site is small (0.53ha) and ‘improved’ in habitat terms, offering very little or nothing in terms of foraging habitat for SPA species. Concluded as such that impact on biodiversity is likely to be negligible. Conclusion that no negative effect.</p> <p>Policy P5: New and Improved Walking, Equestrian and Cycling Provision. Policy seeks protection and/or enhancement of Ingleby Arncliffe walking/riding/cycleway network. Policy itself does not allocate development. There could be some impacts on biodiversity, flora and fauna but these are likely to be minor due to location but would need to be assessed at planning application stage. Conclusion that no negative effect.</p>

Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Ingleby Arncliffe NDP
	<p>Policy P6: Car Parking. The policy supports provision of new car parking within the existing built-up area of the villages. There could be some impacts on biodiversity but these are likely to be minor due to location but would need to be assessed at planning application stage. Conclusion that no negative effect.</p> <p>Soil/Agri-Environment No specific effects identified.</p> <p>Water No specific effects identified.</p> <p>Air No specific effects identified.</p> <p>Impact on Climatic Factors No specific effects identified.</p> <p>Population The plan includes a number of policies which would benefit the population, with regard to additional much-needed new housing provision (P1-3), provision of additional cycle, walking and equestrian opportunities (P5) and additional car parking provision (P6).</p> <p>Human Health Possible minor positive impacts due to policies regarding provision of additional cycle, walking and equestrian opportunities (P5), and encouragement of new homes to meet disabled needs (P2).</p> <p>Material and Cultural Assets Policy P1 allocates land for 18+ new dwellings to meet local needs and is supported by housing policies P2 (mix) and P3 (affordable housing). They could result in minor positive impacts by increasing the sustainability of the NA's material/cultural assets, i.e. village hall, recreation area, pubs and coffee shop, due to an increased population.</p>

Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Ingleby Arncliffe NDP
	<p>Policy P4 (Key Guiding Principles for Development) provides for off-road parking in any new development to minimise on-road obstruction and discourage on-street parking. This could result in minor positive impacts for car using patrons of the NA's assets.</p> <p>Policy P5 (New and Improved Walking, Equestrian and Cycling Provision) could result in more and better provision, including links to the 2 existing national trails through the NA/villages, leading to increased tourist patronage of the villages' assets.</p> <p>Policy P6 (Car Parking) provides for off-road parking in any new development and encourages additional car parking capacity. This could result in minor positive impacts for car using patrons of the NA's assets.</p> <p>Cultural Heritage, including architectural and archaeological heritage Policy P4 expects proposals for new development to respect the scale, layout and appearance of existing buildings within the vicinity in order to protect and enhance the character of Ingleby Arncliffe – which features 18 designated heritage assets.</p> <p>Landscape The former primary school site allocated by Policy P1 is an edge of settlement location, although the open countryside to the north has no formal landscape designation attaching to it. At planning application stage, all proposals must comply with adopted Development Policies DPD Policy DP30 which states:</p> <p><i>DP30 Protecting the character and appearance of the countryside</i></p> <p><i>DP30 The openness, intrinsic character and quality of the District's landscape will be respected and where possible enhanced. Development within the Areas of Outstanding Natural Beauty shown on the Proposals Map will be subject of particular controls, in accordance with national planning policy, in order to secure the</i></p>

Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Ingleby Arncliffe NDP
	<p><i>conservation of these important landscape assets. Throughout the District, the design and location of new development should take account of landscape character and its surroundings, and not have a detrimental effect on the immediate environment and on any important long distance views.</i></p> <p><i>The design of buildings, and the acceptability of development, will need to take full account of the nature and distinctive qualities of the local landscape. The use of techniques such as landscape character analysis to establish the local importance, and the key features that should be protected and enhanced, will be supported.</i></p> <p><i>Where possible opportunities should be taken to add appropriate character and distinctiveness through the contribution of new landscape features, particularly to landscapes which otherwise lack interest.</i></p> <p>This is within the context of adopted Core Strategy Policy CP16 (Protecting and enhancing natural and man-made assets), which promotes initiatives which enhance natural and man-made assets and does not accept detrimental impacts on such assets.</p> <p>As such, no negative effects are anticipated.</p> <p>The interrelationship between the above: Policies relating to new/improved walking, cycling, equestrian provision could have minor positive impacts relating to identified national trails and access to/within the sub-regional Wiske Green Infrastructure corridor.</p>
<ul style="list-style-type: none"> the cumulative nature of the effects 	<p>Cumulatively, the policies relating to new housing provision (including to meet disabled needs), additional walking/equestrian /cycling provision and additional car parking could have positive benefits in relation to population, health and material/cultural assets. No negative effects have been identified in relation to biodiversity or cultural heritage.</p>
<ul style="list-style-type: none"> the risks to human health or the environment (for example, due to accidents) 	<p>Not applicable.</p>

Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Ingleby Arncliffe NDP
<ul style="list-style-type: none"> • the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) 	<p>Policy P1 allocates a housing site of 0.53ha for 18+ new dwellings to meet locally assessed housing need. This is consistent with the approach taken in adopted Core Strategy policies CP1 (re sustainable development), CP4 and CP6 – ref supporting NDP extract:-</p> <p><i>The Hambleton Core Strategy policy CP1 then sets out more local policy considerations for achieving sustainable development, including reducing social inequalities and disadvantages within the community and meeting the health, economic and social well-being of the population. Policy CP4 then sets out considerations for proposals outside of identified development limits to settlements such as Ingleby Arncliffe. The policy sets out how affordable housing that would meet local need, but cannot be met in a settlement within the hierarchy, will be supported. Policy CP6 then sets out how development within villages that is small in scale will be supported where it constitutes an exception to achieve affordable housing.</i></p> <p>The size of site and nature of proposed development are such that no likely significant effects are identified. Site development will directly impact only a small part of the village and its residents. The development could bring between some 35-60 new residents into the village/NA – an increase of up to 20% in the population – an increase considered to be beneficial in relation to meeting need and village sustainability.</p>
<ul style="list-style-type: none"> • 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 	<p>The North York Moors SPA/SAC are highly valued and protected as European sites. All of NA is within SSSI Impact Risk Zone. The impact of the policies on the European sites have been assessed as part of the HRA screening shown below.</p> <p>Priority habitats are present within the NA, outside the villages to the south-east. No specific effects identified.</p> <p>The whole of the NA is identified for the targeting of lapwing as a Priority Species for Countryside Stewardship. The housing site allocated through Policy P1 has no existing and is unlikely to have any potential value for lapwing, being a former school building and playing field. No specific effects identified.</p>
<ul style="list-style-type: none"> • the effects on areas or landscapes which have a recognised national, 	<p>The North York Moors National Park boundary runs along the south-eastern edge of the village. The housing site allocated through Policy P1 lies on the opposite north-western edge of the village. No specific effects identified.</p>

Table 3.2: Plan effects and area characteristics	
Effects and area characteristics	Ingleby Arncliffe NDP
Community or international protection status	

4. SEA Conclusions

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

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

5. Legislative Background to HRA

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

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

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

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

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

6. HRA Screening for the Ingleby Arncliffe NDP

6.1 This section of the report:

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

European Sites within 20 km of the NDP area

6.2 There are 4 European sites applicable to the Ingleby Arncliffe plan area:

- a) The North York Moors Special Area of Conservation (SAC) and Special Protection Area (SPA) (incorporating North York Moors SSSI) adjoin the eastern boundary of the NA at Arncliffe Wood. The SPA/SAC covers an area of moorland of over 44,000 hectares in north-east Yorkshire to the south and east of the NA.
- b) A portion of the Teesmouth and Cleveland Coast SPA, to the south of Billingham, lies approximately 20km to the north-north-east of the extreme north-eastern corner of the NA. The SPA covers some 1,247 hectares and is located on the coast of north-east England. It includes a range of coastal habitats – sand- and mud-flats, rocky shore, saltmarsh, freshwater marsh and sand dunes – on and around an estuary which has been considerably modified by human activities. Together these habitats provide feeding and roosting opportunities for important numbers of waterbirds in winter and during passage periods. In summer Little Tern *Sterna albifrons* breed on beaches within the site, while Sandwich Tern *Sterna sandvicensis* are abundant on passage. This site is also a Ramsar Site. It is also a SSSI and National Nature Reserve.

Natural England Defined Impact Risk Zones

6.3 Natural England have defined Impact Risk Zones around the European sites to reflect the particular sensitivities of the features for which they are notified and indicate the types of development proposals which could potentially have adverse impacts. Using this tool which is available on www.magic.gov.uk it is possible to rule out effects from the following European site simply because the plan area lies outside the applicable impact risk zones:

- The Teesmouth and Cleveland Coast SPA and Ramsar Site.

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

The North York Moors Special Protection Area (SPA)

6.4 The citation for the North York Moors Special Protection Area (SPA) is included as Appendix 1 to this document. The site qualifies under Article 4.1 of the EC Directive on the Conservation of Wild Birds (79/409/EEC) as it is used regularly by 1% or more of the Great Britain population of two species listed in Annex I in any season:

- Merlin (*Falco columarius*)
- Golden Plover (*Pluvialis apricaria*)

6.5 The Conservation Objectives for the North York Moors Special Protection Area (SPA) are published by Natural England.

They are:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.*

The North York Moors Special Area of Conservation (SAC)

6.6 The citation for the North York Moors Special Area of Conservation (SAC) is included as Appendix 2 to this document. The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

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

Annex I priority habitats are denoted by an asterisk (*).

6.7 The Conservation Objectives for the North York Moors SAC are published by Natural England.

They are:

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

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

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

6.8 Two existing Habitats Regulations reports for plans affecting the Neighbourhood Area provide useful context to the HRA screening for the Ingleby Arncliffe NDP:-

- The Habitats Regulations Screening Report undertaken for the emerging Hambleton District Council Local Plan (November 2016);

- The Draft Habitats Regulations Assessment of the North York Moors National Park Local Plan (March 2019).

Hambleton District Council Local Plan Habitats Regulations Screening Report

6.9 The Habitat Regulations Screening Report for the emerging Hambleton District Council Local Plan led to the identification of a range of likely significant effects on the North York Moors that could result from the Local Plan.

6.10 Impact pathways considered for likely significant effects on the European sites as part of the screening work for the Local Plan were:

- Loss of supporting habitats – through land take in these areas;
- Increased water demand and impact on water quality – the quality of water that feeds SAC/SPA sites is important to habitats and species as poor water quality and supply can have adverse impacts;
- Increased emissions to air – a change in the composition of air that disperses in the vicinity of a SAC/SPA site can change conditions and damage both habitat and species;
- Recreational impacts – SAC/SPA sites can be affected by trampling which can cause compaction and erosion and disturbance of birds.

6.11 The relevant findings of the Local Plan screening report were that:

- Overall the majority of policies and allocations assessed will not result in Likely Significant Effects to the SAC/SPA and that those policies and allocations are not considered to require further assessment.
- A small number of policies (see below) and 6 proposed allocation sites (NB none in Ingleby Arncliffe) could result in Likely Significant Effects and that for those policies an Appropriate Assessment is required.
- Policy to meet Hambleton's housing, employment land and residential need was assessed as having uncertain likely significant effects, because dependent on how requirements are spatially distributed.
- Policies setting out strategies for development in Northallerton, Thirsk, Bedale, Easingwold and Stokesley, although steering development away from the SAC/SPA, may have significant effects due to increased population, surface water run off during construction and air pollution.
- Policy setting out the spatial strategy for service villages and secondary villages (NB such as Ingleby Arncliffe), while not allocating any sites directly affecting the SAC/SPA, could result in more people visiting sites close to the SAC/SPA for recreational purposes, although it is difficult to even estimate any increases.
- Policy to meet Hambleton's employment needs, although unlikely to have direct impacts on the SAC/SPA, may however result in increased traffic along the A1 and A19 (NB adjacent to Ingleby Arncliffe) which could potentially affect the SAC/SPA.

- Policy supporting the provision of new tourism facilities and accommodation, although unlikely to have direct effects on the SAC/SPA, may increase visitors to the National Park and this may have effects on the SAC/SPA.
- Policy to address the requirements for new infrastructure to support the new Local Plan was assessed as having uncertain likely significant effects due to the type and nature of development being as yet unknown.
- The Local Plan is unlikely to result in changes in drainage (i.e. water demand/flooding) in the SAC/SPA.
- Increased local populations in Hambleton as a result of Local Plan policies could result in greater incidence of disturbance and damage.

6.12 The possible impacts identified as part of the screening work on the emerging Local Plan have been taken into account to identify the following impact pathways to be considered for likely significant effects on the SAC/SPA as a result of the NDP.

1. Loss of supporting habitats.
2. Recreational impacts arising from an increase in the number of people visiting the sites.

North York Moors National Park Local Plan Draft Habitats Regulations Assessment

6.13 The Habitat Regulations Assessment for the North York Moors National Park Local Plan led to the identification of two potential effects on the North York Moors that could result from the Local Plan:-

- Air pollution;
- Recreational pressure.

6.14 The relevant findings of the assessment in relation to these effects were that:-

- The policy on car parks, which establishes general criteria for testing the acceptability/sustainability of the plan, cannot have any effect on a European site and is screened out of the HRA;
- The policy on Public Rights of Way and linear routes, which makes provision for change, could have no conceivable effect on any European site because there is no link between the proposals and any qualifying features, and is screened out of the HRA;
- Various housing policies setting out proposals for 551 homes, making provision for significant change, could have no conceivable effect on any European site because there is no link between the proposals and any qualifying features, and are screened out of the HRA;
- All 64 policies could be screened out of the need for further assessment;
- The North York Moors Local Plan will not lead to any likely significant effects alone on the European sites within the National Park boundary and that there are no residual effects and, therefore, no need for an in-combination assessment or an appropriate assessment.

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

6.15 Three of the policies/parts of policies in the draft NDP are aimed at either shaping how development comes forward or protecting and enhancing existing provision of some sort, i.e. they do not themselves guide where development comes forward or lead to additional development coming forward. Such policies need not be considered for their impact on the European sites and can be ruled out at an early stage of screening. Other policies either specifically allocate a site for

development (Policy P1) or encourage/aspire to new development in order to deliver improved walking/cycling provision or increased off-road car parking capacity.

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

Table 6.1: Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	What does it do	Implications for HRA purposes	Can policy be ruled out for any impact on European site
P1: Housing Allocation – Land at the Former Primary School	The policy allocates land for a minimum of 18 new dwellings and sets out requirements to govern the development in respect of housing mix and affordable housing provision. This is a new site allocation, not previously identified in either the adopted or emerging Local Plans.	This policy would lead to additional development that would not otherwise come forward without the NDP being in place.	No
P2: Housing Mix	A policy on housing mix	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NDP being in place.	Yes
P3: Affordable Housing	A policy on affordable housing	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NDP being in place.	Yes
P4: Key Guiding Principles for development	This policy provides guiding principles for all new development	This policy does not guide where development can come forward or lead to additional development that would not otherwise come forward without the NP being in place.	Yes
P5: New and	A policy applicable to	Development cannot be	No

Table 6.1: Identification of policies which do not either guide where development comes forward or lead to additional development coming forward			
Policy	What does it do	Implications for HRA purposes	Can policy be ruled out for any impact on European site
Improved Walking, Equestrian and Cycling Provision	development proposals which affect or could contribute to the Ingleby Arncliffe cycleway, footpath and bridleway network, specifying its protection or improvement.	ruled out as part of this policy so it is assessed in more detail below.	
P6: Car Parking	A policy protecting existing car parking capacity in Ingleby Cross; requiring parking needs arising from new development to be accommodated on-site; and supporting appropriate development which would increase car parking capacity, particularly in Ingleby Cross.	This policy could lead to provision of additional car parking, particularly in Ingleby Cross.	No

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

The HRA of Emerging Local Plans and the Adopted Local Development Framework

6.18 As part of the assessment of the NDP, it is important to consider the findings of the HRA work into the emerging Local Plans for Hambleton and the North York Moors National Park (as set out in paragraphs 6.8 to 6.17 above) and the relevant provisions of the adopted Local Development Framework, in this case specifically the adopted Development Policies DPD.

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

- Policy to meet Hambleton’s housing, employment land and residential need was assessed as having uncertain likely significant effects, because dependent on how requirements are spatially distributed.
- Policy setting out Hambleton’s spatial strategy for service villages and secondary villages (NB such as Ingleby Arncliffe), while not allocating any sites directly affecting the SAC/SPA, could result in more people visiting sites close to the SAC/SPA for recreational purposes, although it is difficult to even estimate any increases.
- The Hambleton Local Plan is unlikely to result in changes in drainage (i.e. water demand/flooding) in the SAC/SPA.

- Increased local populations in Hambleton as a result of Local Plan policies could result in greater incidence of disturbance and damage.
- Pre-Submission Local Plan Policies providing for 551 new homes in the National Park were screened out.
- A policy providing for change in respect of Public Rights of Way and linear trails in the National Park was screened out.
- A policy in respect of car parks in the National Park was screened out.

6.20 On this basis, it is considered that NDP policies to meet residential need in Ingleby Arncliffe (new housing and car parking provisions), together with policies increasing the local population and potentially encouraging more visitors (new housing, improved/additional footpath, bridleway, cycle path provision) still need to be considered for likely significant effects, although up-to-date HRA indications are that effects are probably unlikely. It is further considered that the following impact pathways should be considered for likely significant effects on the SAC/SPA as a result of the NDP.

1. Loss of supporting habitats.
2. Recreational impacts arising from an increase in the number of people visiting the sites.

6.21 In the adopted Development Policies DPD, Policy DP31: Protecting Natural Resources would be applicable to all development proposals coming forward in the plan area. This includes the requirement that:

Any proposed development that could have an adverse effect on the integrity of an international wildlife site (Natura 2000 or Ramsar site) alone or in combination with other plans or projects will not be permitted unless it can be demonstrated that the legislative provisions to protect such sites can be fully met.

Table 6.2: Possible impacts on the North York Moors Special Area of Conservation (SAC)/Special Protection Area (SPA)					
Ingleby Arncliffe NDP Policy	1. Loss of supporting habitats to the North York Moors SAC/SPA	2. Recreational impacts arising from an increase in the number of people visiting the sites	No negative effect	No likely significant effect	Likely significant effect
P1: Housing Allocation – Land at the Former Primary School	<p>This site is approximately 1.71 km away from the SPA/SAC</p> <p>The site comprises former school buildings, with hardstanding playground/parking area, mown grass, occasional small mature trees and shrubs and boundary hedgerows to the front (NB nearest to the SAC/SPA) with overgrown former playing fields to the rear.</p> <p>The small size of the site (0.53ha), together with the basically ‘improved’ nature of the grassland present and ornamental nature of the tree and shrub species (plus the extensive open countryside hinterland with more unimproved habitats behind the site and the woodland, upland heathland, woodpasture and parkland habitats present on the Arncliffe Estate between the site and the SAC/SPA) suggest that the site is</p>	<p>The site is allocated for some 18 new dwellings, likely to lead to an estimated increase in local population of between 35-60 people. It is considered unlikely that any increase in visitor numbers to the sites as a result of this low level of population increase will give rise to significant recreational impacts on the sites.</p> <p>The NDP policy will not lead to negative effects on the SPA/SAC. This is supported by the fact that the HRA screening report for the Pre-Submission North York Moors Local Plan rules out likely significant adverse effects, alone or in combination, for 551 new planned homes within the National Park.</p>	✓		

Table 6.2: Possible impacts on the North York Moors Special Area of Conservation (SAC)/Special Protection Area (SPA)					
Ingleby Arncliffe NDP Policy	1. Loss of supporting habitats to the North York Moors SAC/SPA	2. Recreational impacts arising from an increase in the number of people visiting the sites	No negative effect	No likely significant effect	Likely significant effect
	likely to be insignificant as supporting/foraging habitat for Merlin and/or Golden Plover.				
P5: New and Improved Walking, Equestrian and Cycling Provision	<p>This policy states that development which increases use of the existing footpath/bridleway network will be expected to contribute to improvements or new provision, including connections to the existing network.</p> <p>The policy also supports otherwise compliant development which would add to and/or improve the existing network generally, as well as resisting losses/harm in relation to the network.</p> <p>Were development to take place as a result of this policy (i.e. improvements/ additions to the network), it would not be within the SAC/SPA. Such development could potentially impact on supporting habitats outside of the</p>	<p>Were improvements/additions to the network to take place as a result of this policy, then the policy could have a positive alleviating effect on the SPA/SAC by providing increased alternative provision and reducing visitor numbers/recreational impacts. However it is also acknowledged that improvements to the network in close proximity to footpaths/bridleways leading into the SAC/SPA could lead to increased visitor numbers/impacts. Were proposals to come forward as a result of the policy, impacts would depend on scheme specifics. Those impacts will be assessed at planning application stage and implementation of Policy DP31 of the Development Policies DPD will rule out adverse impacts</p>	✓		

Table 6.2: Possible impacts on the North York Moors Special Area of Conservation (SAC)/Special Protection Area (SPA)					
Ingleby Arncliffe NDP Policy	1. Loss of supporting habitats to the North York Moors SAC/SPA	2. Recreational impacts arising from an increase in the number of people visiting the sites	No negative effect	No likely significant effect	Likely significant effect
	<p>SAC/SPA, but any such impact, were it even to occur, is likely to be at such small scale as to be negligible.</p> <p>The policy itself is therefore unlikely to lead to any negative effect on the SAC/SPA.</p>	<p>to the European sites.</p> <p>Negative effects therefore ruled out. This is supported by the fact that the HRA screening report for the Pre-Submission North York Moors Local Plan rules out likely significant adverse effects, alone or in combination, for a policy providing for change in respect of Public rights of Way and linear trails within the National Park.</p>			
P6: Car Parking	<p>This policy could potentially lead to additional car parking capacity to serve the villages, particularly Ingleby Cross.</p> <p>This policy is not specific to any location but is a policy generally supportive of additional car parking capacity. Any impact of specific proposals will be assessed at the planning application stage against Policy DP31 of the Development Policies DPD which will rule out adverse impacts to the European sites.</p>	<p>Policy will not lead to any additional recreational impacts or an increase in number of people visiting the SAC/SPA. This is supported by the fact that the HRA screening report for the Pre-Submission North York Moors Local Plan rules out likely significant adverse effects, alone or in combination, for a policy in respect of car parks within the National Park.</p>	✓		

Table 6.2: Possible impacts on the North York Moors Special Area of Conservation (SAC)/Special Protection Area (SPA)					
Ingleby Arncliffe NDP Policy	1. Loss of supporting habitats to the North York Moors SAC/SPA	2. Recreational impacts arising from an increase in the number of people visiting the sites	No negative effect	No likely significant effect	Likely significant effect
	The policy itself is therefore unlikely to lead to any negative effect on the SAC/SPA.				

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

6.22 The plan will not lead to any loss of supporting habitat to the North York Moors SAC/SPA.

6.23 In terms of recreational pressure, it is considered highly unlikely that any proposals in the Plan that would increase the recreational pressure that could undermine the conservation objectives of the qualifying features of any the European sites within the National Park and so likely significant effects (alone and in combination) can be screened out.

7 HRA Conclusions

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

8 Glossary of Terms

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

Appendix 1 – North York Moors Special Protection Area Citation

EC Directive 79/409 on the Conservation of Wild Birds: Special Protection Area (SPA) Name: North York Moors Unitary Authority/County: North Yorkshire County and Redcar & Cleveland Unitary Authority Consultation proposal: North York Moors Site of Special Scientific Interest (SSSI) (which includes the renotification of Tripsdale SSSI, Fylingdales Moor SSSI and May Moss SSSI) has been recommended has a Special Protection Area because of the site's European Ornithological importance. The North York Moors SPA contains the largest continuous tract of heather moorland in England. The site displays a wide range of high quality dry heathland and blanket bog vegetation types dominated by *Calluna*. The transition from dry heathland to blanket bog is complemented by a diverse mosaic of wet heath and flush communities. Boundary of SPA: The SPA boundary is coincident with North York Moors SSSI. See SPA map for detail of boundary. Size of SPA: The SPA covers an area of 44,087.68 ha. European ornithological importance of the SPA: North York Moors SPA is of European importance because: The site qualifies under article 4.1 of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain population of two species listed in Annex I in any season: Annex I species Estimated breeding population 1996 % GB population Merlin *Falco columbarius* 35 - 40 pairs 2.7 - 3.1 % GB Golden Plover *Pluvialis apricaria* 526 -706 pairs 2.3- 3.1 % GB

Data sources: Charlton, T. & Archer, R (1996). North York Moors National Park breeding wader survey 1996. RSPB. Nattrass, M. & Downing, R. (1991) Survey of merlins breeding in the North York Moors National Park, 1991. RSPB. Rebecca, G. & Bainbridge, I (In press) The status of breeding merlin *Falco columbarius* in Britain in 1993-94. Bird study. Stone, B.H., Sears, J.E., Cranswick, P.A., Gregory, R.D., Gibbons, D.W., Rehfisch, M.M., Aebischer, N.J. & Reid, J.B. (1997) Population estimates of birds in Britain and the United Kingdom. British Birds 90:1-22. Non-qualifying species of interest In addition, the site supports a rich upland breeding bird assemblage which includes Short-eared Owl *Asio flammeus*, Peregrine *Falco peregrinus* and Hen Harrier *Circus cyaneus* (all Annex I species), together with Redshank *Tringa totanus*, Red Grouse *Lagopus lagopus scoticus* and a nationally important population of Curlew *Numenius arquata*. Status of SPA: North York Moors was classified as a Special Protection Area on 12 May 2000.

Appendix 2 – North York Moors Special Area of Conservation Citation

EC Directive 92/43 on the Conservation of Natural Habitats and of Wild Fauna and Flora Citation for Special Area of Conservation (SAC)

Name: North York Moors Unitary Authority/County: North Yorkshire, Redcar and Cleveland SAC
status: Designated on 1 April 2005 Grid reference: NZ711021 SAC EU code: UK0030228 Area (ha): 44082.25 Component SSSI: North York Moors SSSI Site description: This site in north-east Yorkshire within the North York Moors National Park contains the largest continuous tract of upland heather moorland in England. Dry heath covers over half the site and forms the main vegetation type on the western, southern and central moors where the soil is free-draining and has only a thin peat layer. The principal type present is heather – wavy hair-grass (*Calluna vulgaris* – *Deschampsia flexuosa*) heath, with some heather – bell heather *Erica cinerea* heath on well-drained areas throughout the site, and large areas of heather – bilberry *Vaccinium myrtillus* heath on steeper slopes. Cross-leaved heath – bog-moss (*Erica tetralix* – *Sphagnum compactum*) wet heath is the second most extensive vegetation type on the site and is predominantly found on the eastern and northern moors where the soil is less free-draining. Purple moor-grass *Molinia caerulea* and heath rush *Juncus squarrosus* are also common within this community. In the wettest stands bog-mosses, including *Sphagnum tenellum*, occur, and the nationally scarce creeping forget-me-not *Myosotis stolonifera* can be found in acid moorland streams and shallow pools. Blanket mire occurs in small amounts along the main watershed of the high moors where deep peat has accumulated. These areas are dominated by heather and cross-leaved heath with frequent hare's-tail cottongrass *Eriophorum vaginatum* and common cottongrass *E. angustifolium*. Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I: Blanket bogs* European dry heaths Northern Atlantic wet heaths with *Erica tetralix*. (Wet heathland with cross-leaved heath)

Annex I priority habitats are denoted by an asterisk (*).

APPENDIX 2: RESPONSES ON THE SCREENING REPORT FROM NATURAL ENGLAND, THE ENVIRONMENT AGENCY AND HISTORIC ENGLAND

Date: 11 July 2019

Our ref: 284869

Mike Dando Directions Planning Consultancy Limited On behalf of Ingleby Arncliffe Parish Council
BY EMAIL ONLY

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

T 0300 060 3900

Dear Mr Dando

Planning consultation: Strategic Environmental Assessment and Habitats Regulations Assessment
Screening Report for the Ingleby Arncliffe Neighbourhood Development Plan

Thank you for your consultation on the above which was received by Natural England on 06 June
2019

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

We have reviewed the Strategic Environmental Assessment and Habitats Regulations Assessment
screening report and are in agreement with the conclusions. 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) are concerned, that there are unlikely to be significant environmental effects from
the proposed plan.

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 Kate Wheeler on
07769918711. For any new consultations, or to provide further information on this consultation
please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Kate Wheeler Yorkshire and Northern Lincolnshire Area

SENT BY E-MAIL 19TH JULY 2019

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

Strategic Environmental Assessment

We note that the 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.

Draft Plan

We have **no objections** to the draft plan, we recommend you discuss the site allocation with the local council for this to be added to their local plan,

Following are other environmental issues you could look at putting into your plan.

Flood Risk

I note that the area has a risk of flooding (within Flood Zone 2.3) around the watercourses

We would like to see flood risk policies and that minimising the impact of flooding referred to in an 'Environmental' section. This is a key sustainability issue and will be exacerbated in the future due to climate change.

In terms of both policy and site selection, flood risk should be a major consideration in your plan. In drafting your flood risk policy, you should:

- Emphasise that inappropriate development will not be considered acceptable in areas of high flood risk.
- Highlight, where necessary, the need to undertake the sequential and exception tests.
- Promote a sequential approach to development layout, to ensure the highest vulnerability development is located in areas at lowest flood risk.
- Address the potential impacts of climate change on flood risk.
- Describe what is expected of developers in terms of surface water run-off rates (for both brownfield and Greenfield sites) and sustainable drainage systems.
- Where possible, expect development to result in a betterment to the existing flood risk situation.
- Ensure that new development does not increase flood risk to others

A sequential approach to flood risk will also need to be taken when allocating sites.

New development proposals should be encouraged to contribute either financially or through physical works to reduce the flood risk to the wider village. This would require a clear understanding of what the flood risk reduction strategy is. This should be reflected in this section/policy.

Surface Water

The Lead Local Flood Authority is now the responsible authority for commenting on the surface water drainage arrangements. We therefore recommend you consult your LLFA regarding the proposed management of surface water within the Plan.

Allocation of sites

We understand that the large allocation for over 500 houses is within the local plan, we should have made comment on this at this stage. This could be used as an opportunity for environmental gain for the area as an offset against the housing development.

Those that are not within the local plan we suggest any developer take the opportunity to have pre development advice from ourselves, so no unwanted surprises arise at planning stage.

Water quality

Proper management is important to protect water quality, both for groundwater and surface water resources.

Drainage misconceptions can occur in new developments, redevelopments, extensions or through refurbishment. Developers must ensure that they do not connect any foul drainage (including sinks, showers, washing machine/dishwasher outlets and toilets) to a surface water sewer, as this can send polluted water into watercourses. Similarly, developers should ensure that they do not connect surface water drainage (e.g. roof gutter downpipes) into foul sewers as this can cause overloading of the foul sewer during heavy rainfall.

Polluted surface water flows from areas like car parks or service yards should always have sufficient pollution prevention measures in place to ensure the protection of groundwater and watercourses from specific pollutants like petrol (hydrocarbons) and suspended solids. Developers should follow appropriate pollution prevention guidance when designing formal drainage for large areas of hardstanding.

Ideally, applicants should introduce more 'surface' or 'green' drainage solutions to aid improvements in water quality, such as swales along hardstanding boundaries, or a more advanced reed bed system for larger sites. These solutions are easier to access and maintain than engineered solutions like petrol/oil interceptors, which require regular maintenance to ensure they operate correctly. We would welcome a policy which requires a net gain in biodiversity through all development,

River restoration

We would welcome the inclusion of a specific river policy, addressing the following:

- Minimum of 8 metre (m) buffer zones for all watercourses measured from bank top to provide an effective and valuable river corridor and improve habitat connectivity. A 5m buffer zone for ponds would also help to protect their wildlife value and ensure that the value of the adjacent terrestrial habitat is protected.
- Development proposals to help achieve and deliver WFD objectives. Examples of the types of improvements that we may expect developers to make are: removal of obstructions (e.g. weirs), de-culverting, regrading banks to a more natural profile, improving in-channel habitat,

reduce levels of shade (e.g. tree thinning) to allow aquatic vegetation to establish, etc. Proposals which fail to take opportunities to restore and improve rivers should be refused. If this is not possible, then financial or land contributions towards the restoration of rivers should be required.

- River corridors are very sensitive to lighting and rivers and their 8m buffer zones (as a minimum) should remain/be designed to be intrinsically dark i.e. Lux levels of 0-2.

It may be useful to include ownership information details for landowners, applicants or developers who have a watercourse running through or adjacent to their site. Many people believe that the Environment Agency own 'main rivers' which is not the case. Whilst we hold permissive powers to carry out maintenance on main rivers, the site owner is the 'riparian owner' of the stretch of watercourse running through their site (whole channel) or adjacent to their site (up to the centre line of the channel) – and this includes culverted watercourses. Our 'Living on the Edge' publication provides important guidance for riverside owners.

Applicants should remove watercourses from existing culverts where this is feasible. This will help to reduce flood risk from blocked or collapsed culverts, and open channels are significantly easier for the landowner to maintain. Culverts that cause blockages of the watercourse are the responsibility of the owner to repair. Additionally, we will usually object to planning applications that propose new culverts.

Your plan policy should also provide details of 'buffer zones' that are left adjacent to watercourses. We will always ask developers to maintain an undeveloped,

Naturalised, 8 metre buffer zone adjacent to main rivers. We ask that applicants do not include any structures such as fencing or footpaths within the buffer zone as this could increase flood risk - through the inclusion of close-board fencing for example. Any works or structures that applicants intend within 8m of a main river will require a flood defence consent from us, which is separate from and in addition to any planning permission granted.

Sustainable construction

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.

We hope this response helps you develop your plan.

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

Our ref: PL00 589906

Your ref:

Telephone 01904 601 879

Mobile 0755 719 0988

3 July 2019

Dear Mr. Dando,

Ingleby Arncliffe Neighbourhood Development Plan Strategic Environmental Assessment Screening Opinion Consultation

We write in response to your consultation, seeking a Screening Opinion for the Ingleby Arncliffe Neighbourhood Plan.

For the purposes of this consultation, Historic England will confine its advice to the question, “Is it likely to have a significant effect on the environment?” in respect to our area of concern, cultural heritage. Our comments are based on the information supplied within the Ulleskelf Neighbourhood Plan.

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

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of ‘SEA’ Directive], Historic England concurs with your conclusion that as a result of the policies contained within the draft Neighbourhood Plan “no likely significant environmental effects have been identified”. Therefore the preparation of a Strategic Environmental Assessment is not required for the Ingleby Arncliffe Neighbourhood Plan.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. We should like to stress that this opinion is based on the information available in the Ingleby Arncliffe Neighbourhood Plan.

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 Hambleton Council and the North 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 look forward to receiving a consultation on the Pre-submission Draft of the Ingleby Arncliffe Neighbourhood Plan in due course.

Yours sincerely

Craig Broadwith
Historic Places Adviser
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APPENDIX 2

**INGLEBY ARNCLIFFE NEIGHBOURHOOD DEVELOPMENT PLAN
2018-2036
SUSTAINABILITY ASSESSMENT**

**PREPARED ON BEHALF OF
INGLEBY ARNCLIFFE PARISH COUNCIL**



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THE BENCHMARK CRITERIA

These are the definitions, with illustrative examples, of the criteria that have been used in order to assess/benchmark the impact of each policy, representing the environmental, social and economic dimensions of sustainability:

Biodiversity – wildlife sites, habitats, features plus geological sites and features. Also strategic wildlife value, i.e. green infrastructure.

Landscape – character, views, attractiveness. Taking account of Special Landscape Areas and conservation areas.

Heritage – conservation areas, listed buildings, positive buildings, non-designated heritage assets, archaeological interest.

Natural Resources – covering air, water and soil quality/pollution.

Movement – traffic levels/congestion/flow, public transport, cycling, walking and accessibility to facilities.

Open Spaces – spaces available for outdoor recreation and leisure.

Community – health, education, social, cultural and indoor leisure and recreation facilities.

Housing Provision – housing levels.

Safety/Security – e.g. in relation to crime, traffic, health/safety.

Social Inclusion – inclusion/exclusion, equality/inequality. Taking account of poorer and disadvantaged members of society, e.g. older people, the very young, non-car owners.

Businesses – local businesses, business/industrial sectors more generally.

Jobs/Training – levels of and opportunities for.

THE SCORING OF IMPACTS

significant positive impact = ++

some positive benefit = +

no overall impact or not applicable = 0

some negative impact = -

significant negative effects = --

uncertain as to benefits/effects/impact = ?

POLICY – P1 HOUSING MIX		
BENCHMARK CRITERION	IMPACT	EXPLANATION
Biodiversity	0	No likely overall impact.
Landscape	0	No likely overall impact.
Heritage	0	No likely overall impact.
Natural Resources	0	No likely overall impact.
Movement	0	No likely overall impact.
Open Spaces	0	No likely overall impact.
Community	0	No likely overall impact.
Housing Provision	++	Development will have a positive impact on the provision of the types of housing required by the NA community.
Safety/Security	+?	Development may possibly lead to safer, more secure accommodation for older people and those with disabilities/accessibility issues, e.g. level access, single storey, warden-linked.
Social Inclusion	+	A housing mix which meets the needs of older people and those with disability/accessibility issues is likely to have some positive impact on social inclusion and equality.
Businesses	-?	The emphasis on accessible housing and specialist accommodation for older people may possibly impact negatively on housebuilder profitability, as it may be argued that housebuilders prefer, for example, to build more profitable 4+ bedroom dwellings.
Jobs/Training	0	No likely overall impact.

POLICY – P2 AFFORDABLE HOUSING		
BENCHMARK CRITERION	IMPACT	EXPLANATION
Biodiversity	0	No likely overall impact.
Landscape	0	No likely overall impact.
Heritage	0	No likely overall impact.
Natural Resources	0	No likely overall impact.
Movement	0	No likely overall impact.
Open Spaces	0	No likely overall impact.
Community	0	No likely overall impact.
Housing Provision	+	Provisions would ensure that a proportion of new housing meets identified local needs, thereby having a positive impact.
Safety/Security	0	No likely overall impact.
Social Inclusion	+	Provision of affordable housing stock would help to meet the needs of poorer and disadvantaged people in the area, thereby having a positive impact.
Businesses	0	No likely overall impact.
Jobs/Training	0	No likely overall impact.

POLICY – P3 HOUSING ALLOCATION – LAND AT THE FORMER PRIMARY SCHOOL AND ASSOCIATED LAND		
BENCHMARK CRITERION	IMPACT	EXPLANATION
Biodiversity	0	No likely overall impact.
Landscape	0	No likely overall impact.
Heritage	0	No likely overall impact.
Natural Resources	-	Site development will inevitably lead to some increase in people movements within/into the local area, including motorised vehicular movements, possibly leading in turn to a negative impact on air quality in the local area. Development of this site is also likely to have negative impacts on soil resources.
Movement	-	Development of this site will inevitably lead to some increase in people movements within/into the local area, including motorised vehicular movements which are likely to have some negative impacts on traffic congestion in the local area and potentially on pedestrian safety.
Open Spaces	-?	Development of this site will result in the loss of playing fields, although the village is already well-served by other recreational land.
Community	0	No likely overall impact.
Housing Provision	++	Development of this site will have a positive impact in terms of much-needed increased housing provision.
Safety/Security	-	Development of this site will inevitably lead to an increase in people movements within/into the local area, including motorised vehicular movements which are likely to have some negative impacts on traffic congestion in the local area, and potentially on motorist and pedestrian safety.
Social Inclusion	0	No likely overall impact.
Businesses	+?	Housing development on this site could have positive implications for local businesses i.e. more work, but impossible to be certain at time of assessment.
Jobs/Training	+?	Housing development on this site could have implications for jobs/training but impossible to be certain at time of assessment.

POLICY – P4 KEY GUIDING PRINCIPLES FOR DEVELOPMENT DESIGN		
BENCHMARK CRITERION	IMPACT	EXPLANATION
Biodiversity	+	Development which retains and seeks to enhance the parish's local ecology and wildlife is likely to have a positive impact.
Landscape	+	Development which retains and seeks to enhance the parish's local landscape is likely to have a positive impact.
Heritage	+	Development which reflects high design standards and respects the scale, materials, layout and appearance of adjacent existing buildings, in order to protect and enhance local character is likely to have a positive impact.
Natural Resources	+	The expectation that development will deliver the best in environmental standards to reduce energy consumption and promote energy efficiency is likely to have a positive impact.
Movement	+	Provision regarding off-street parking in order to minimise on-road obstruction and discourage on-street parking is likely to have a positive impact.
Open Spaces	0	No likely overall impact.
Community	0	No likely overall impact.
Housing Provision	0	No likely overall impact.
Safety/Security	+	Provision regarding off-street parking in order to minimise on-road obstruction and discourage on-street parking is likely to have a positive impact on both traffic and pedestrian safety. Similarly, the expectation that development should demonstrate design which reduces crime/fear of crime is likely to have positive safety/security impacts.
Social Inclusion	+	Provision for new homes, capable of adaptation for people through different life stages or to take account of mobility needs is likely to have some positive impact on social inclusion and equality.
Businesses	0	No likely overall impact.
Jobs/Training	0	No likely overall impact.

POLICY – P5 NEW & IMPROVED WALKING CYCLING & BRIDLEWAY PROVISION		
BENCHMARK CRITERION	IMPACT	EXPLANATION
Biodiversity	0	No likely overall impact.
Landscape	0	No likely overall impact.
Heritage	0	No likely overall impact.
Natural Resources	+	Policy seeks to improve public rights of way/cycling/bridleway provision, reducing motorised vehicle, particularly private car, use as a result, with a possible positive impact on traffic congestion and local air quality.
Movement	+	Policy seeks to improve public rights of way/cycling/bridleway provision, reducing motorised vehicle, particularly private car, use as a result, with a possible positive impact on traffic congestion.
Open Spaces	0	No likely overall impact.
Community	0	No likely overall impact.
Housing Provision	0	No likely overall impact.
Safety/Security	+	Policy seeks to improve public rights of way/cycling/bridleway provision, reducing motorised vehicle, particularly private car, use as a result, with a possible positive impact on local air quality/health.
Social Inclusion	+	Policy seeks to improve public rights of way/cycling provision impacting positively on non-car users such as older people, the disabled and young people and on poorer members of society.
Businesses	0	No likely overall impact.
Jobs/Training	0	No likely overall impact.

POLICY – P6 CAR PARKING		
BENCHMARK CRITERION	IMPACT	EXPLANATION
Biodiversity	0	No likely overall impact.
Landscape	0	No likely overall impact.
Heritage	0	No likely overall impact.
Natural Resources	-?	Any additional car parking capacity could lead to an increase in motorised vehicle movements within/into the NA, possibly leading in turn to a negative impact on air quality in the NA.
Movement	0	Any additional car parking capacity could lead to an increase in motorised vehicle movements within/into the NA, which could have some negative impacts on traffic congestion in the NA. Conversely, it could make a positive contribution to accessibility and improve the highway network by taking cars off the highway and making it easier for vehicle users to access the villages.
Open Spaces	0	No likely overall impact.
Community	0	No likely overall impact.
Housing Provision	0	No likely overall impact.
Safety/Security	0	Any additional car parking capacity would make a positive contribution to highway safety by removing parked cars off the highway, making both driving and road-crossing easier. This might however be balanced by an encouragement of increased vehicle movements, impacting negatively on traffic congestion and possibly highway safety as a result.
Social Inclusion	0	No likely overall impact.
Businesses	+?	Any additional car parking capacity could make a positive contribution to the sustainability of the villages' retail/service and community uses making the villages attractive to residents and visitors who use a private vehicle to visit and in turn support local business.
Jobs/Training	+?	Any additional car parking capacity makes a positive contribution to the sustainability of the villages' retail/service and community uses making the villages attractive to residents and visitors who use a private vehicle to visit and in turn support local business. More sustainable businesses means more secure and possibly increased job/training opportunities.

NEIGHBOURHOOD PLAN POLICY NUMBERS								
BENCHMARK CRITERION	P1	P2	P3	P4	P5	P6		SUMMARY IMPACT 1
Biodiversity	0	0	0	+	0	0		+ve
Landscape	0	0	0	+	0	0		+ve
Heritage	0	0	0	+	0	0		+ve
Natural Resources	0	0	-	+	+	-?		+ve
Movement	0	0	-	+	+	0		+ve
Open Spaces	0	0	-?	0	0	0		-ve
Community	0	0	0	0	0	0		Zero
Housing Provision	++	+	++	0	0	0		+ve
Safety /Security	+?	0	-	+	+	0		+ve
Social Inclusion	+	+	0	+	+	0		+ve
Businesses	-?	0	+?	0	0	+?		+ve
Jobs/Training	0	0	+?	0	0	+?		+ve
SUMMARY IMPACT 2	+ve	+ve	-ve	+ve	+ve	+ve		+ve
								+ve

SUMMARY ANALYSIS

Summary Impact 1 = impact/contribution of policies as a whole on/to individual sustainability benchmark criteria

-Overall +ve

-Weak Negative – Open Spaces

-Zero Impact - Community

-Weak Positives (i.e. positive scores of 1 or less) – Biodiversity, Landscape, Heritage, Natural Resources, Movement, Businesses

Summary Impact 2 = Impact/contribution of individual policies on sustainability/benchmark criteria as a whole

-Overall +ve

-Weak Negative – P3 (Housing Allocation)

-Weak Positives (i.e. positive scores of 1 or less) – P6 (Car Parking)