

**ADDINGHAM
NEIGHBOURHOOD
DEVELOPMENT PLAN**

**Strategic Environmental Assessment and
Habitat Regulations Assessment**

Screening Report

Version 3, October 2018

Kirkwells

The Planning People

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Appendix 1. Consultation Responses March 2018 Screening

Appendix 2. Consultation Responses July 2018 Screening

1.0 Introduction

- 1.1 Strategic Environmental Assessment (SEA) is a systematic and comprehensive process for evaluating the environmental effects of a plan or programme in order to ensure that the environmental implications of decisions are taken into account before any such decisions are made. The need for the environmental assessment of plans and programmes is set out in the EU Directive 2001/42/EC, known as the SEA Directive.
- 1.2 Under this Directive, Neighbourhood Plans may require SEA, but this is very much dependent upon the content of the Plan. For plans which "determine the use of small areas at local level" or are "minor modifications" to existing plans, the Directive only requires SEA where they are likely to have significant environmental effects. The expressions "small area" and "local level" are not defined in the Directive and must be interpreted in relation to the nature and scope of a particular plan. Screening is needed to determine whether such plans are likely to have significant environmental effects.
- 1.3 Annex II of the Directive lists criteria for determining the likely significance of the environmental effects of plans and to be used in a screening exercise. The findings of the exercise must be subject to consultation with Historic England, the Environment Agency and Natural England. The results of the screening process must be detailed in a Screening Statement, made available to the public.
- 1.4 This updated Screening Report (Statement) has been produced to assess whether the contents of the Regulation 14 Draft Addingham Neighbourhood Development Plan published in July 2018 requires a Strategic Environmental Assessment in accordance with the Directive. It also seeks to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). An HRA is required when it is deemed likely that there will be significant adverse effects on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project.
- 1.5 This report is an update of the first Screening Assessment produced in March 2018. The March 2018 screening concluded that neither full SEA or an Appropriate Assessment was required. This was confirmed by the three statutory bodies following consultation, see Appendix 1 of this document for a copy of these responses. Following further consultation two of the three bodies have confirmed neither a full SEA or an Appropriate Assessment is required Appendix 2).

2.0 Legislative Background

Strategic Environmental Assessment

- 2.1 The SEA Directive was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)¹. Detailed guidance on these regulations can be found in the Government publication, A Practical Guide to the Strategic Environmental Assessment Directive (ODPM 2005)².
- 2.2 The Planning and Compulsory Purchase Act 2004 requires local authorities to produce Sustainability Appraisals (SAs) for all Development Plan Documents in order to meet the requirement of the SEA Directive and it is considered best practice to incorporate the requirements of this Directive into a Sustainability Appraisal (National Planning Policy Framework, paragraph 165). As a neighbourhood plan is not a Development Plan Document, it does not legally require a Sustainability Appraisal. However, there are instances where a SEA would need to be undertaken in order to meet the requirements of the SEA Regulations, for example, where:
- A neighbourhood plan allocates sites for development
 - The neighbourhood area contains sensitive natural or heritage assets that may be affected by the policies and proposals in the plan
 - The neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.
- 2.3 Consequently, to establish whether the neighbourhood plan might give rise to significant environmental effects, it is necessary to screen the plan (see Section 5).

Habitats Regulations Assessment.

- 2.4 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 makes provision in relation to the Habitats Directive. The Directive requires that any plan or project likely to have a significant effect on a European site must be subject to an Appropriate Assessment. In relation to this, paragraph 1 sets out a basic condition that the making of a neighbourhood plan is not likely to have a significant effect on a European site. Paragraph 4 indicates that a qualifying body which submits a proposal for a neighbourhood plan must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an assessment is required.
- 2.5 The legislation requires that, where there is a risk of a significant effect on a European site, either individually or in combination with other plans or projects then the plan should progress from HRA screening to an Appropriate Assessment.

¹ http://www.legislation.gov.uk/uksi/2004/1633/pdfs/uksi_20041633_en.pdf

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

3.0 Addingham Neighbourhood Development Plan

3.1 The purpose of the Addingham Neighbourhood Development Plan is to provide a set of statutory planning policies to guide development within the neighbourhood area (parish) over the period to 2030 and has been prepared by a Neighbourhood Plan Forum on behalf of the qualifying body, Addingham Parish Council. The Neighbourhood Area is shown in Figure 1.

3.2 The Vision Statement for the Addingham Neighbourhood Development Plan is:

‘BY 2030, ADDINGHAM HAS RETAINED ITS IDENTITY AS A VILLAGE, ON THE EDGE OF THE YORKSHIRE DALES NATIONAL PARK, WITH A RANGE OF SERVICES AND COMMUNITY FACILITIES FOR LOCAL RESIDENTS, BUSINESSES AND VISITORS. THE TRADITIONAL LOWER WHARFEDALE CHARACTER, SPECIAL SETTING IN THE LANDSCAPE AND BIODIVERSITY OF THE PARISH HAS BEEN PROTECTED AND ENHANCED, AND THE VILLAGE HAS ACCOMMODATED NECESSARY NEW DEVELOPMENT WITHOUT DAMAGING THESE SPECIAL FEATURES AND HAS ALSO STRENGTHENED ITS RESILIENCE TO CLIMATE CHANGE.’

3.3 The NDP has set out 8 objectives to help achieve this Vision:

OBJECTIVE 1 – To help manage future housing growth to meet the needs of the village

OBJECTIVE 2 – To conserve and enhance the neighbourhood area’s built heritage and distinctive character

OBJECTIVE 3 – To conserve and enhance the area’s natural environment

OBJECTIVE 4 – To ensure all new development includes suitable infrastructure to address its needs and any new impact it may have on the wider community

OBJECTIVE 5 – To protect and enhance the vitality and viability of local shops, businesses and facilities

OBJECTIVE 6 – To support improvements to the transport network that meet the needs of all users

OBJECTIVE 7 – To protect and enhance open space, green spaces and recreation sites

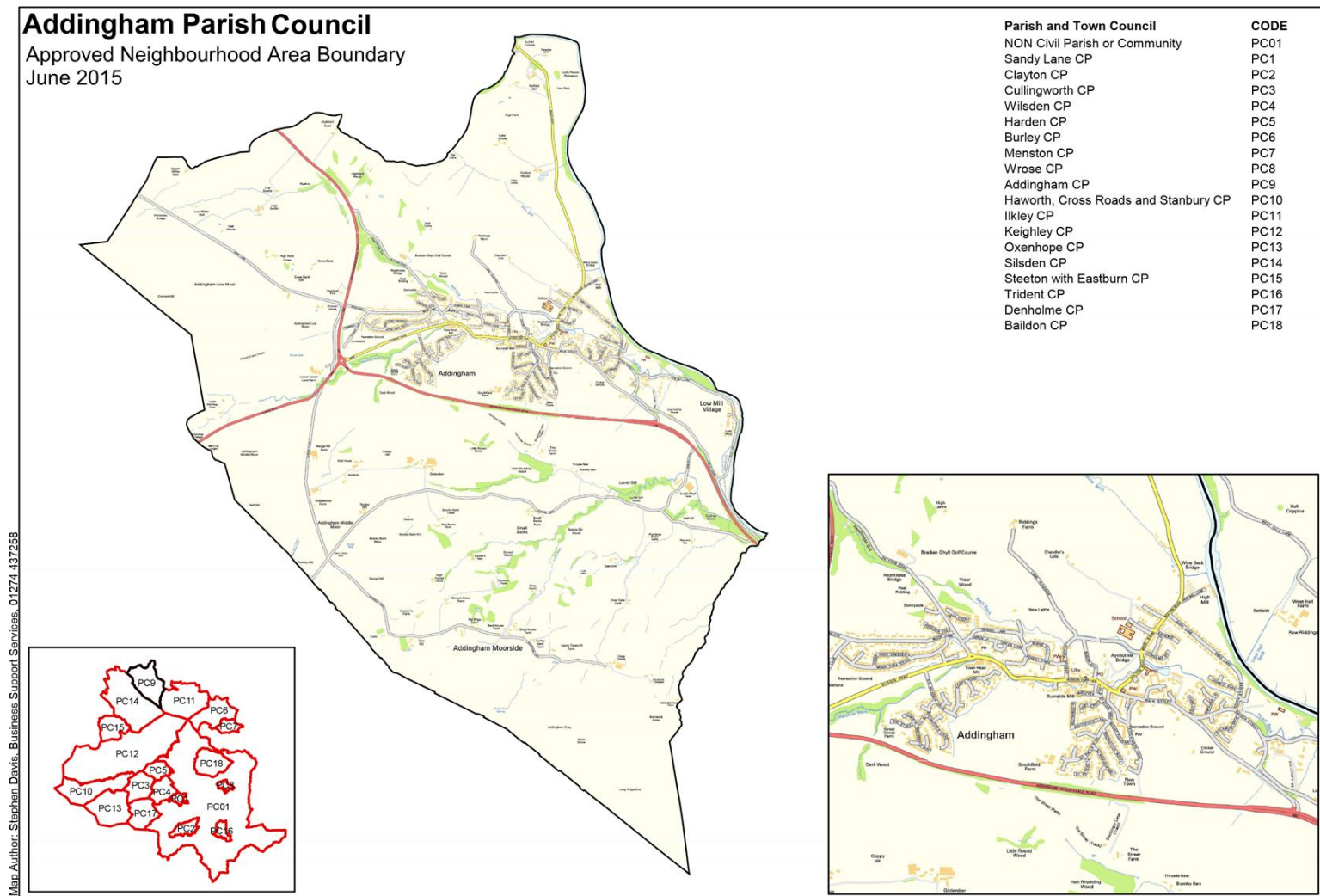
OBJECTIVE 8 – To strengthen resilience to the impact of climate change

3.4 In order to deliver these objectives, the Plan sets out a number of planning policies and proposals. The policies and proposals indicate how new development proposals will be assessed in order to ensure that future growth is sustainable and does not have a detrimental impact upon the area. Policies also provide protection to important environments and built and natural assets, including designated and non-designated heritage assets, landscape character, community facilities, green and blue

infrastructure and local green spaces. Local employment is protected at the Townhead Trading Centre.

- 3.5 It is a requirement of the Localism Act 2011 that neighbourhood development plans must be in general conformity with the strategic policies for the area. Addingham is within the City of Bradford Metropolitan District and must therefore be in general conformity with the 'saved' policies of the Bradford Replacement Unitary Development Plan 2005 and the Bradford Local Plan Core Strategy. These plans have been subject to full Sustainability Appraisals which included SEA assessments and the Local Plan Core Strategy has also been assessed for its impact in terms of the Habitats Regulations. These previously completed Assessments have been taken into account in undertaking this screening assessment of the Addingham Neighbourhood Development Plan.

Figure 1. Addingham Neighbourhood Area (Source: CBMDC, 2014)

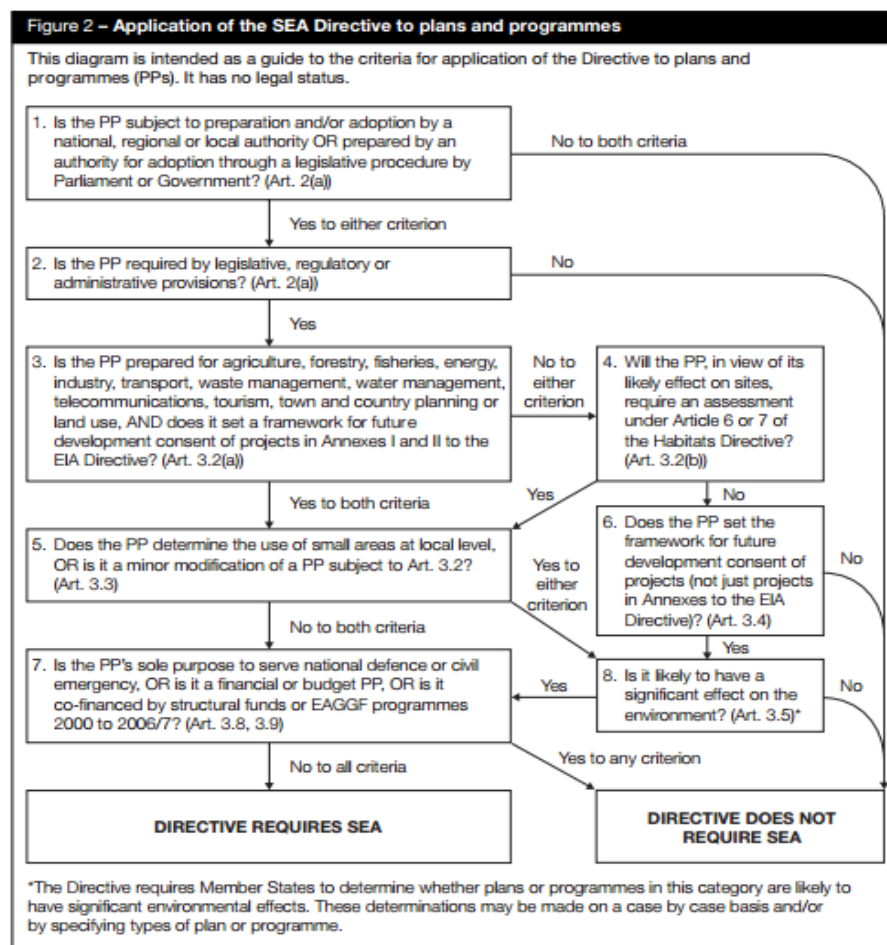


4.0 Screening Process

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

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

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



4.3 This process has been followed and the findings are set out in the table below:

Table 1: Establishing the Need for SEA

Stage	Y/N	Reason
1. Is the plan or programme subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	Neighbourhood development plans may be prepared under the provisions of the Town and Country Planning Act 1990, as amended by the Localism Act 2011. They are drawn up by a qualifying body, which, in the case of Addingham, is the Parish Council. An NDP is subject to independent examination and referendum. If the Plan receives 50% or more 'yes' votes at referendum, it will be 'made' by the local planning authority City of Bradford MBC.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The preparation of a Neighbourhood Development Plan is optional. However, once 'made', it will form part of the statutory Development Plan for the area and will be used in the determination of planning applications. It is therefore considered necessary to answer the following questions to determine further if a SEA is required.
3. Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2(a))	Y	The Neighbourhood Development Plan has been prepared for town and country planning and land use and sets out a framework for future development in Addingham. Once 'made', it would form part of the statutory development plan, and will be used when making decisions on planning applications which could include development which may fall under Annex I and II of the EIA directive.

Stage	Y/N	Reason
4. Will the Plan, in view of its likely effects on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	?	The Neighbourhood Development Plan could potentially have impacts on sites covered by the Habitats Directive. However, this requires individual assessment of a Plan (see section 6 of this screening)
5. Does the Plan determine the use of small areas at local OR is it a minor modification of a Plan or Programme subject to Article 3.2? (Article 3.3)	Y	The Neighbourhood Development Plan no longer allocates small development sites. Existing sites, such as community facilities and green spaces are protected through the plan.
6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? Article 3.4)	Y	A neighbourhood plan forms part of the Development Plan and will be used in the assessment of planning applications. It, therefore, sets the framework for future developments at a local level.
7. Is the Plan'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? (Article 3.8, 3.9)	N	Not applicable
8. Is it likely to have a significant effect on the environment? (Article 3.5)	?	A neighbourhood plan could potentially have an effect on the environment. However, whether this is significant depends on the proposals in the Plan. An individual screening assessment of the Neighbourhood Plan is required (see section 5 of this screening)

5.0 SEA Screening Assessment

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

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

1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection)
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the trans-boundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),

- the value and vulnerability of the area likely to be affected due to:
 - special national characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

5.3 The policies set out in the Preferred Option Draft Addingham Neighbourhood Development Plan (March 2018) have been used to undertake this screening assessment. If the conclusion of the screening exercise is that a SEA is not required, any major changes to the existing policies or introduction of new ones should be subject to a further screening assessment to ensure that significant effects are not likely.

5.4 The table below sets out the assessment of policies in the Preferred Option Draft Addingham Neighbourhood Development Plan in relation to the criteria outlined earlier:

Table 2: Assessment of the Likelihood of Significant Effects on the Environment

Criteria for determining the likely significance of effects	Is the Addingham NDP likely to have a significant environmental effect?	Justification for Screening Assessment
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	The Addingham Neighbourhood Development Plan sets a local policy framework for development proposals. It supports the implementation of policies in the adopted Bradford Replacement Unitary Development Plan which have already been subject to SEA as part of the Sustainability Appraisal. It has also been prepared to be in general conformity with the Bradford Local Plan Core Strategy which again has been subject to Sustainability Appraisal. The neighbourhood plan no longer allocates three sites for new housing development.

Criteria for determining the likely significance of effects	Is the Addingham NDP likely to have a significant environmental effect?	Justification for Screening Assessment
		<p>The neighbourhood plan supports the development, for housing, of non-allocated sites within a settlement boundary for Addingham subject to this meeting a number of criteria set out in Policy ANDP of the Regulation 14 Draft.</p> <p>Again, this approach is considered to be in general conformity with the strategic policies of the Bradford Local Plan Core Strategy and 'saved' policies of the Replacement Bradford Unitary Development Plan.</p>
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The Addingham Neighbourhood Development Plan must be in general conformity with the strategic policies for City of Bradford MDC. It therefore supports the implementation of higher tier policies at the neighbourhood level and, as such, is not considered to have a significant influence on other plans and programmes but will act to support more localised implementation of higher level plans.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The Addingham Neighbourhood Development Plan contributes to the achievement of sustainable development at the neighbourhood level. Policies set out in the Plan protect assets of local environmental value and provide locally distinct planning policies to protect them. The ANDP identifies 12 areas as local green space and seeks to protect designated and non-designated heritage assets, green corridors, landscape character, and biodiversity. The likelihood of

Criteria for determining the likely significance of effects	Is the Addingham NDP likely to have a significant environmental effect?	Justification for Screening Assessment
		significant effects on the environment is, therefore, minimised.
Environmental problems relevant to the plan or programme.	No	Because of the scale of development proposed in the neighbourhood plan, environmental impacts are likely to be small. Environmental concerns relevant to the Plan include drainage and flooding issues and the development threat to the Green Belt and surrounding countryside. These, and other existing environmental problems, have informed the objectives of the neighbourhood plan and therefore may be addressed through the implementation of the Plan's policies
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	No	The Addingham Neighbourhood Development Plan must be in general conformity with higher level plans that comprise the City of Bradford Development Plan. This has had regard to European Community legislation on the environment. Consequently, the policies of the neighbourhood development plan are considered to be supportive of the implementation of EC legislation.
The probability, duration, frequency and reversibility of the effects.	No	Some development will take place over the Plan period meaning that some environmental change will take place. However, the Plan policies, in particular, those relating to design and the protection of landscape and local built heritage, biodiversity, green corridors and green spaces are designed to ensure that any new development will be sustainable, and any environmental impacts minimised.
The cumulative nature of the effects.	No	The neighbourhood plan's policies are unlikely to have significant

Criteria for determining the likely significance of effects	Is the Addingham NDP likely to have a significant environmental effect?	Justification for Screening Assessment
		cumulative impacts on the local environment
The trans-boundary nature of the effects	No	The policies in the Addingham Neighbourhood Development Plan are unlikely to have significant environmental impacts on neighbouring areas. There may be some positive impacts on adjoining areas through, for example, the protection of the local landscape and green corridors.
The risks to human health or the environment (e.g. due to accidents).	No	No significant risks to human health or the environment as a result of the Plan's policies have been identified. In fact, the Plan is likely to improve human health by improving access to green spaces, sport and recreation facilities and the wider countryside.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The Addingham Neighbourhood Development Plan is concerned with development within the neighbourhood area. The geographical area covered by the Plan is 1,299 hectares and it had a population of 3,730 (2011 Census). The potential for environmental impacts could be significant on an area of this size, and with the known designations could be significant but are limited in extent due to the policies in the ANDP..
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	No	The neighbourhood plan area has a high quality natural and built heritage. Its natural heritage assets include the South Pennine Moors Special Protection Area and South Pennine Moor Special Area of Conservation (Figure 3). There are 147 entries on the National Heritage List for England the neighbourhood plan area (March 2018). There is also a Conservation Area.

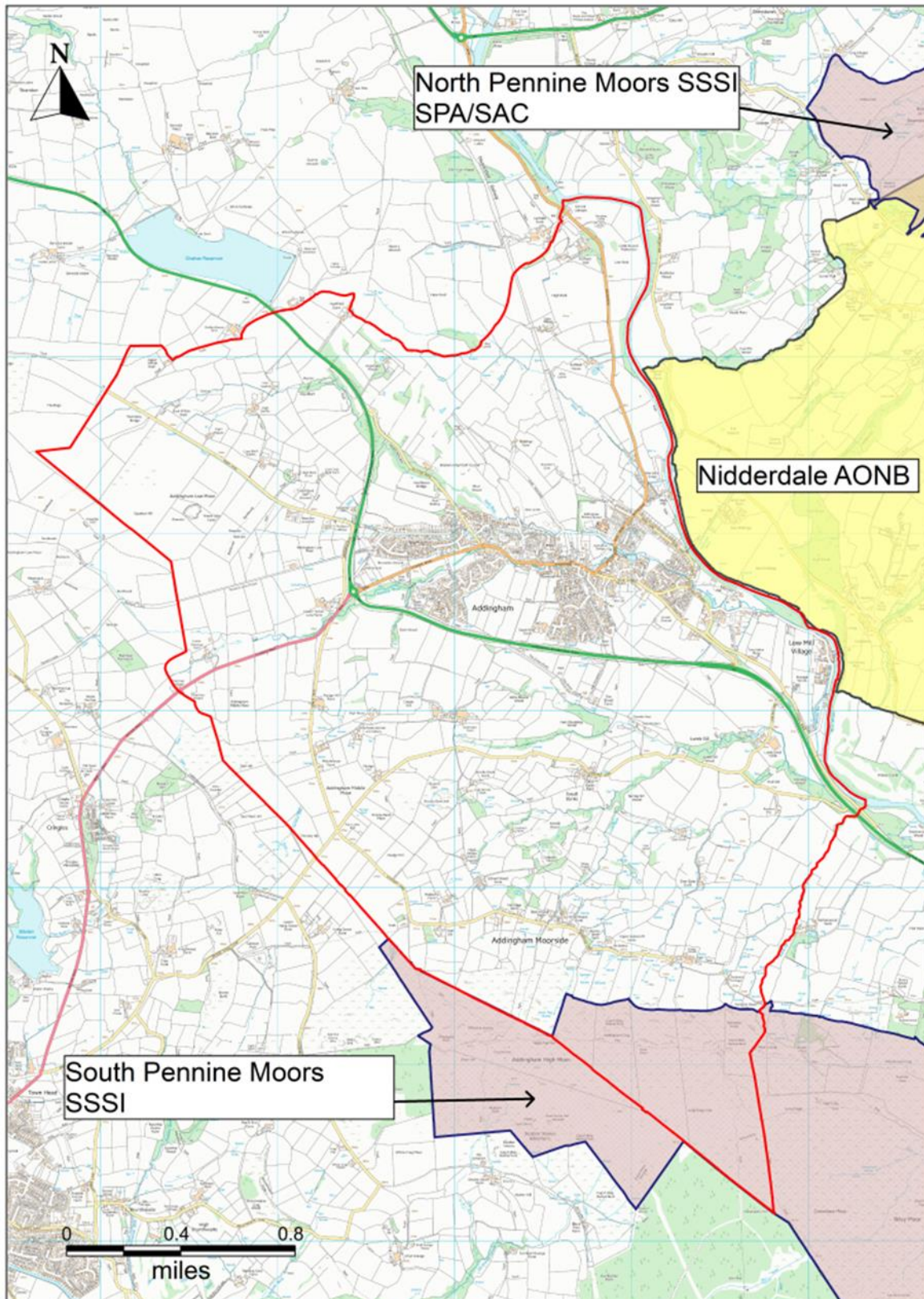
Criteria for determining the likely significance of effects	Is the Addingham NDP likely to have a significant environmental effect?	Justification for Screening Assessment
landscapes which have a recognised national, Community or International protection status.		The Addingham Neighbourhood Development Plan is unlikely to adversely affect the value and vulnerability of the area in relation to its natural or cultural heritage.

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

5.6 The main reasons for this conclusion are:

- The Addingham Neighbourhood Development Plan supports the implementation of policies in the adopted Bradford Replacement Unitary Development Plan and Bradford Local Plan Core Strategy which have already been subject to SEA through the Sustainability Appraisals and assessed as having no significant environmental effects. The three new housing site allocations. Considered in version 1 of this screening, which was considered not to need full SEA or Appropriate Assessment, confirmed following consultation with the statutory bodies, have now been deleted.
- The Addingham Neighbourhood Development Plan is a lower tier plan in the hierarchy of planning documents for the area, and therefore has limited influence on other plans or programmes
- The Plan is concerned with development at the neighbourhood level. Its impacts are therefore unlikely to be strategic
- Through its policies, the Addingham Neighbourhood Development Plan seeks to avoid or minimise negative environmental effects on a range of natural and built environment assets and resources

Figure 3. SSSIs, Special Protection Areas, Special Area of Conservation and AONB (OS Licence Number 0100058229)



6.0 HRA Screening

- 6.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential impacts against the conservation objectives of Natura 2000 wildlife sites. This assessment must determine whether a plan would adversely affect, or is likely to affect, the integrity of a site(s) in terms of its nature conservation objectives.
- 6.2 Under Criterion 4 of Table 1: Assessing the Need for SEA, it was concluded that the Neighbourhood Plan may have an impact upon internationally designated sites and as such a 'case by case' assessment is required.
- 6.3 The HRA process is generally divided into three stages. The initial stage of the process is the screening stage and determines if there are any likely significant effects or risk of significant effects possible as a result of the implementation of the plan. If there are significant effects the plan will need to undertake an Appropriate Assessment. The screening process should provide a description of the plan (see earlier) and an identification of the Natura 2000 sites which may be affected by the plan and assess the significance of any possible effects on the identified sites.
- 6.4 Part of the following Natura 2000 site lies partly within Addingham neighbourhood plan area, Figure 3.

South Pennine Moors Phase 2 Special Protection Area (SPA)

- 6.5 The South Pennine Moors were designated as SPA in two phases in 1996 and 1997 and were further extended in 2000. It covers extensive expanses of semi-natural moorland habitat including upland heath and blanket mire.
- 6.6 The SPA is of European importance for several upland breeding bird species, including birds of prey and waders, notably the following species listed in Annex 1 of the Directive:
- Merlin (at least 4.3% of the breeding population of Great Britain)
 - Golden plover
- 6.7 It also supports internationally important breeding populations of regularly occurring migratory species, including common sandpiper, twite, common snipe, curlew, short-eared owl and dunlin, wheatear, whinchat, redshank, ring ouzel and lapwing.
- 6.8 Both merlin and golden plover feed upon farmland or in-bye land on the edge of the moors that is outside of the SPA boundary. This is considered important to the long-term conservation of the SPA population of these birds.

South Pennine Moors Special Area of Conservation (SAC)

- 6.9 The South Pennine Moors SAC was selected for its representation of three Annex 1 habitat types (European dry heaths, blanket bogs, and old sessile oak woodlands) while a further two were subsequently identified as being present as qualifying features within the SAC (Northern Atlantic wet heaths, and Transition mires and quaking bogs).
- 6.10 The Bradford Local Plan Core Strategy was subject to Habitats Regulations Assessment.
- 6.11 In terms of the Special Protection Area, this Assessment concluded that the recreational impacts and urban edge effects from housing proposed in the Local Plan Core Strategy risks reducing Annex 1 and migratory bird populations, habitat viability and range within the South Pennine Moors Phase 2 SPA. The release of greenfield sites for development (of any type) could result in a loss of supporting habitat for SPA birds, particularly within around 2.5km of the SPA boundary. No sites are allocated in the Addingham Neighbourhood Development Plan.
- 6.12 However, it is considered that the Local Plan Core Strategy establishes a reasonable and pragmatic strategic approach to reducing the risk of adverse effects in Policy SC8, which enables the HRA to demonstrate that adverse effects are capable of being avoided and/or mitigated. Work to continue towards implementing these measures will be undertaken during preparation of the Allocations DPD to ensure that:
- (a) Delivery and funding mechanisms are established through a Supplementary Planning Document to ensure that additional recreational sites are brought forward to divert recreational pressures away from the European sites, coupled with strategic access management and monitoring measures; and
 - (b) Greenfield sites to be released for development (of any type) do not include areas of important supporting habitat regularly used by foraging SPA birds, and that a sufficiently robust network of offsite foraging habitats continues to exist.
- 6.13 Taking into account the strategic approach to reducing and managing the identified risks, and the potential for more detailed assessment in a lower tier plan (the Allocations DPD), it can be concluded that the Core Strategy will not result in adverse effects on the ecological integrity of the South Pennine Moors Phase 2 SPA as a result of these impacts.
- 6.14 Traffic-related atmospheric pollution could affect the extent, structure and composition of the habitats of Annex 1 and migratory bird species. There is currently insufficient data to make a fuller assessment. It is envisaged that more detailed traffic modelling will be undertaken during the pre-allocations testing stage which will precede development of the Allocations DPD, to ensure that traffic growth

resulting from new development does not add significantly to levels of traffic and atmospheric pollution on roads within 200m of the European sites.

- 6.15 In relation to the South Pennine Moors Special Area of Conservation, the Assessment concludes that there is a risk of loss of Annex 1 habitat extent, structure and function due to increased recreational use and consequent erosion and trampling, an increased threat of fire and risks from the consequences of fly-tipping and invasion of alien species, as well as changes induced by deposition of atmospheric pollutants.
- 6.16 However, it is considered that the Local Plan Core Strategy establishes a reasonable and pragmatic strategic approach to reducing the risk of adverse effects in Policy SC8, which enables the HRA to demonstrate that adverse effects are capable of being avoided and/or mitigated. Taking into account the strategic approach to reducing and managing the identified risks, and the potential for more detailed assessment in a lower tier plan (the Allocations DPD), it can be concluded that the Local Plan Core Strategy will not result in adverse effects on the ecological integrity of the South Pennine Moors SAC as a result of these impacts.
- 6.17 Strategic Core Policy SC8: Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and Their Zone of Influence is clearly critical to the assessment of the impact of risks to the South Pennine Moors SPA/SAC. As set out in the Proposed Modifications, this states that:

Strategic Core Policy (SC8): Protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zone of influence

In this Policy:

- Zone A is land up to 400m from the South Pennine Moors Special Protection Area ("SPA") and South Pennine Moors Special Area of Conservation ("SAC") boundary;
- Zone B is land up to 2.5km from the SPA and SAC boundary; and.
- Zone C is land up to 7km from the SPA and SAC boundary.

Subject to the derogation tests of Article 6(4) of the Habitats Directive, in all Zones development will not be permitted where it would be likely to lead, directly or indirectly, to an adverse effect (either alone or in combination with other plans or projects), which cannot be effectively mitigated, upon the integrity of the SPA or the SAC.

In conducting the above assessment the following approach will apply:

In Zone A no development involving a net increase in dwellings would be permitted unless, as an exception, the development and/or its use would not have an adverse effect upon the integrity of the SPA or SAC.

In Zone B it will be considered, based on such evidence as may be reasonably required, whether land proposed for development affects foraging habitat for qualifying species of the SPA.

In Zone C, in respect of residential developments that result in a net increase of one or more dwellings, it will be considered how recreational pressure on the SPA or SAC, that such development might cause, will be effectively mitigated. The mitigation may be:

- (i) such that the developer elects to offer, either on-site and / or deliverable outside the boundary of the development site, such as the provision of accessible natural greenspace and/or other appropriate measures; or
- (ii) in the form of a financial contribution from the developer to:
 1. The provision of additional natural greenspace and appropriate facilities to deflect pressure from moorland habitats and the long-term maintenance and management of that greenspace.
 2. The implementation of access management measures, which may include further provision of wardens, in order to reduce the impact of visitors
 3. A programme of habitat management and manipulation and subsequent monitoring and review of measures.

To mitigate impacts on the SPA and SAC due to the increase in population, an SPD will set out a mechanism for the calculation of the financial contributions, by reference to development types, the level of predicted recreational impact on the SPA or SAC, and the measures upon which such contributions will be spent.

- 6.18 The Habitat Regulations Assessment concludes that, taking into account the range of avoidance and mitigation measures incorporated into this strategic plan, it can be concluded that the Local Plan Core Strategy will not result in adverse effects on the ecological integrity of the South Pennine Moors SAC and South Pennine Moors Phase 2 SPA. The Local Plan Core Strategy can therefore be considered compliant with the Habitats Regulations in respect of these sites.
- 6.19 The Addingham Neighbourhood Development Plan is considered to be in general conformity with the Local Plan Core Strategy and no longer seeks to allocate sites for housing development.

- 6.20 All of the neighbourhood plan sites lie within Zone B of the SPA/SAC zones of influence the sites being between 800m and 1,200 from the SPA/SAC. Based on Local Plan Core Strategy Policy SC8 it would be necessary for appropriate evidence to be provided that land proposed for development does not affect the foraging habitat of qualifying species of the SPA. The Addingham Neighbourhood Development Plan no longer allocates sites.
- 6.21 Based on Local Plan Core Strategy Policy EN2:

Policy EN2: Biodiversity and Geodiversity

The North and South Pennine Moors SPAs and SACs

A. Any development that would be likely to have a significant effect on a European Site either alone or in combination with other plans or projects will be subject to assessment under the Habitat Regulations at project application stage. If it cannot be ascertained that there will be no adverse effects on site integrity then the project will have to be refused unless the derogation tests of Article 6(4) Habitats Directive can be met.

Such an assessment is no longer considered necessary the Addingham Neighbourhood Development Plan no longer allocates sites.

North Pennine Moors Special Protection Area/Special Area of Conservation

- 6.22 Some 1.2 Kilometres from the Addingham neighbourhood area at its nearest point is the North Pennine Moors Special Protection Area/Special Area of Conservation, Figure 3.
- 6.23 The North Pennine Moors SPA is situated in Cumbria, County Durham, Northumberland and North Yorkshire and includes parts of the moorland massif between the Tyne Gap (Hexham) and the Ribble-Aire corridor (Skipton). It encompasses extensive tracts of semi-natural moorland habitats. The site is of European importance for several upland breeding species, including birds of prey and waders. The southern end of the SPA is within 10 km of the South Pennine Moors SPA which supports a similar assemblage of upland breeding species. North Pennine Moors subsumes Moor House SPA, a site subject to separate classification.
- 6.23 This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:
- Golden Plover
 - Hen Harrier
 - Merlin

- Peregrine

This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:

- Curlew
- Dunlin

- 6.24 Figure 4 shows the SSSI Impact Risk Zones for assessing planning applications for impacts on SSSIs/SACs/SPAs. The Addingham Neighbourhood Development does not allocate sites an Appropriate Assessment is considered not to be required.

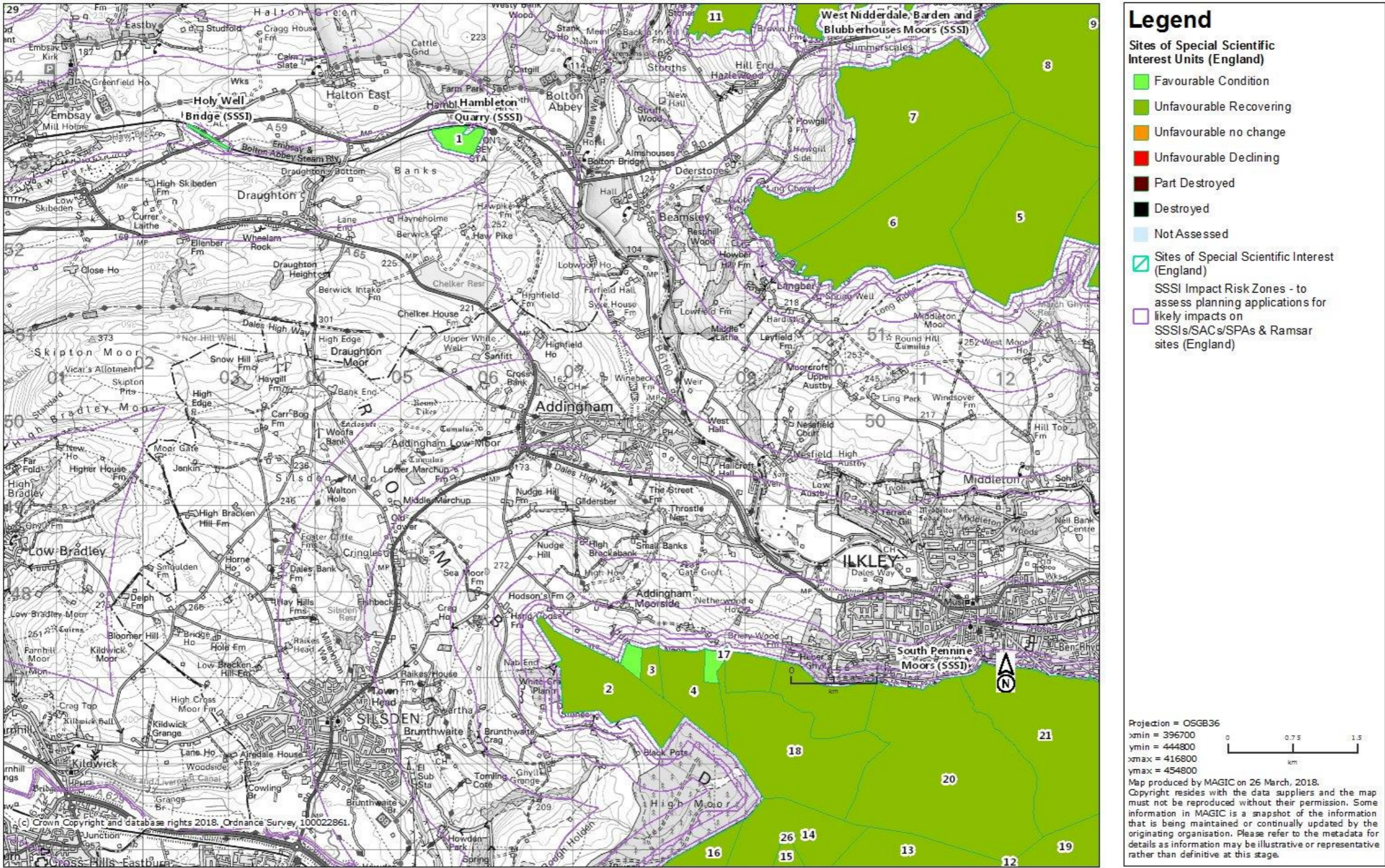
People over Wind

- 6.25 In April 2018 a judgment was been handed down by the European Court, Case C-232/17 *People Over Wind and Peter Sweetman versus Coillte Teoranta*, henceforth “People Over Wind”. This concerns how screenings such as this take into account any impact on protected European sites, such as the South Pennine Moors
- 6.26 This judgement has ruled that “it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on the site”. The Addingham NDP does not allocate sites and, therefore, does not take account of such mitigation measures. The ANDP screening complies with the principles established in the judgment.

Figure 4. SSSI Impact Risk Zones

MAGIC

Magic Map



7.0 Conclusions of the Screening Assessments

- 7.1 This report sets out the assessment of the need for the Addingham Neighbourhood Development Plan to be subject to Strategic Environmental Assessment as required by the SEA Directive and Appropriate Assessment as required by the Habitats Directive.
- 7.2 The assessment of both of these requirements was originally undertaken on the Preferred Option Draft Neighbourhood Plan which was published in March 2018. This screening was consulted on with Environment Agency, Historic England and Natural England (Appendix 1). The bodies advised full SEA and Appropriate Assessment was not required. This screening has been prepared for the updated Regulation 14 Draft Addingham Neighbourhood Development Plan. This version of the plan no longer seeks to allocate sites for housing development. Two of the three bodies confirm that full SEA and Appropriate Assessment are not required (Appendix 2).

Strategic Environmental Assessment (SEA)

- 7.3 In relation to the requirement for the Addingham Neighbourhood Development Plan to be subject to Strategic Environmental Assessment, it is concluded in the assessment undertaken in Section 5 of this report that the Plan in its current form is unlikely to have significant environmental effects and therefore SEA will not be required.

Habitat Regulations Assessment (HRA)

- 7.4 In terms of the requirement for the Addingham Neighbourhood Development Plan to be subject to Habitat Regulations Assessment, the appraisal set out in Section 6 of this report concludes that an Appropriate Assessment is not required.
- 7.5 If the content of the Neighbourhood Plan is significantly changed there may be the need for a further screening exercise to be undertaken on any modified version of the Neighbourhood Plan.

Appendix 1. Consultation Responses to March 2018 Screening

Environment Agency

Dennison, Claire <claire.dennison@environment-agency.gov.uk>
to Michael ▾

14 May ★

Our comments:-

Strategic Environmental Assessment

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.

We have no further comments to make in this instance.

Kind Regards

Claire Dennison
Sustainable Places Planning Advisor

Date: 15 May 2018
Our ref: 243093



Michael Wellock
Kirkwells - town planning and sustainable development consultants
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BY EMAIL ONLY

Dear Michael Wellock

Planning consultation: Addingham Neighbourhood Development Plan SEA/HRA Screening

Thank you for your consultation on the above dated 29 March 2018 which was received by Natural England on the same date.

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

Natural England welcomes the Strategic Environmental Assessment and Habitats Regulations Assessment screening assessments provided and broadly agrees with the conclusions. We note that the reference to policy SC8 of the Bradford Core Strategy in relation to the assessment of potential impacts from plan allocations on the South Pennine Moors Special Area of Conservation and South Pennine Moors Phase 2 Special Protection Area with regards to recreational disturbance and loss of functionally linked land for Special Protection Area birds. We advise that you consider including specific reference to Bradford Core Strategy policy SC8 in the Neighbourhood Plan in relation to the allocations and the reasons for this as set out in the Habitats Regulations Assessment Screening.

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

For any queries relating to the specific advice in this letter please contact Merlin Ash at merlin.ash@naturalengland.org.uk, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Merlin Ash
Yorkshire and Northern Lincolnshire Area Team
Natural England



Historic England

YORKSHIRE

Mr. Michael Wellock,
Kirkcubells,
Lancashire Digital Technology Centre,
Bancroft Road,
Burnley,
Lancashire,
BB10 2TP

Our ref: PL00860982
Your ref:

Telephone 01904 601 879
Mobile 0755 719 0988

18 April 2018

Dear Mr. Wellock,
**Addingham Neighbourhood Plan Preferred Options Draft
Strategic Environmental Assessment Screening Opinion Consultation**

We write in response to your e-mail of Thursday 29 March 2018, seeking a Screening Opinion for the Addingham Neighbourhood Plan Preferred Option Consultation Draft, March 2018. 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 Addingham Neighbourhood Plan Preferred Options draft and associated documents.

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 the conclusion of the conclusion of the Addingham Neighbourhood Plan SEA and HRA Screening Report v.1, March 2018, set out on pg. 18, para. 5.5, that the preparation of a Strategic Environmental Assessment is not required.

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



Historic England, 31 Tanner Row, York YO1 6RP
Telephone 01904 60 1948 #HistoricEngland.org.uk

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



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

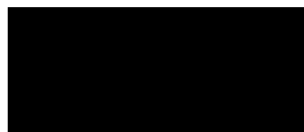
We would be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

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

We look forward to receiving an invitation to comment upon the Addingham Neighbourhood Plan Preferred Options draft in due course.

Thank you in anticipation.

Yours sincerely



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

Appendix 2. Consultation Responses to July 2018 Screening

RE: Addingham Neighbourhood Development Plan Consultation and Revised SEA/HRA

Ash, Merlin (NE) <Merlin.Ash@naturalengland.org.uk>
to me, clerk@addingham-pc.gov.uk

Fri 17 Aug, 16:16

Dear Michael Wellock,

Thank you for consulting Natural England on the updated Addingham Neighbourhood Plan. Natural England notes the changes made to the plan and assessments and has no further concerns. We welcome the updated references to Bradford Policy CS8 in paragraphs 4.20 regarding biodiversity and 7.4 concerning Policy ANDP1 New Housing Development within Addingham Village which addresses the comments made in our letter dated 15 May 2018 (our ref 243093). We also b chapter 4 of the plan which identifies key issues pertaining to our strategic environmental interests and objective 3 to conserve and enhance the area's natural environment. However we have no detailed comments to make.

If you have any further questions please do not hesitate to contact me.

Yours sincerely,

Merlin

Merlin Ash
Lead Adviser
Yorkshire and Northern Lincolnshire Team
Natural England
Foss House, 1-2 Peasholme Green, York, YO1 7PX
Tel: 02080 266382



Mr. Michael Wellock,
Kirkwells,
Lancashire Digital Technology Centre,
Bancroft Road,
Burnley,
Lancashire,
BB10 2TP

Our ref: PL00360982
Your ref:

Telephone 01904 601 879
Mobile 0755 719 0988

24 August 2018

Dear Mr. Wellock,
**Addingham Neighbourhood Plan Preferred Options Draft
Strategic Environmental Assessment Screening Opinion Consultation**

We write in response to your e-mail of Friday 13 July 2018, seeking a Screening Opinion for the revised Addingham Neighbourhood Plan Preferred Option Consultation Draft, March 2018. 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 Addingham Neighbourhood Plan Preferred Options draft and associated documents.

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 the conclusion of the Addingham Neighbourhood Plan SEA and HRA Screening Report v.2, July 2018, set out on pg. 17, para. 5.5, that the preparation of a Strategic Environmental Assessment is not required.

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



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

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



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

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

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

We look forward to receiving an invitation to comment upon the Addingham Neighbourhood Plan Preferred Options draft in due course.

Thank you in anticipation.

Yours sincerely



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



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Telephone 01904 60 1948 HistoricEngland.org.uk

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



Inbox x

Michael

Our comment

Kind regards

Claire Dennison

Sustainable Plac

Fri 5 Oct, 14:42 (11 d

Kirkwells

The Planning People

For more information on the contents of this document contact:

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