



Leeds
CITY COUNCIL

Site Allocations Plan Revised Publication Draft: Area Proposals for Outer North East

Habitats Regulations Assessment: Screening Determination for Outer North East

**Leeds Local Development Framework
Development Plan Document
September 2016**



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1. Introduction

- 1.1 A Habitats Regulations Assessment (HRA) Screening Assessment has previously been carried out (August 2015) to determine if the Policies and site allocations of the Publication draft Leeds Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan (AVLAAP) require an Appropriate Assessment, under the Habitats Regulations (Conservation of Habitats and Species Regulations 2010, SI no. 2010/490). This is required as a result of the need to comply with the European Habitats Directive.
- 1.2 Within this context and following public consultation on the SAP and AVLAAP Publication draft Plans (22nd September – 16th November 2015), a further Publication Plan stage consultation is necessary in relation revised proposals for the Outer North East (ONE) Housing Market Characteristic Area (HMCA). This is due to the withdrawal of the new settlement proposal at Headley Hall (MX2-33) by the landowner, shortly before the commencement of consultation in September 2015. Consequently, it has been necessary for the City Council to bring forward alternative proposals for the ONE HMCA, as a component of the overall Site Allocations Plan. This Habitats Regulations Assessment (HRA) Screening Assessment relates directly to the revised proposals for the ONE HMCA and should be considered as an Addendum to the HRA Screening Assessment prepared in August 2015.
- 1.3 Article 6.3 of the Habitats Directive 92/43/EEC, means that ‘Appropriate Assessments’ are required where plans or projects that are not directly related to the management of the site and are likely to significantly affect a European protected or Ramsar site, or Likely Significant Effects (LSE) cannot be ruled out, alone or in combination with other plans or projects. With regard to this HRA Screening Assessment, within the ONE HMCA there is only one European Designation relating to this area but located outside the Leeds Metropolitan District boundary (Kirk Deighton, Special Area of Conservation – SAC). The Conservation Objectives and Qualifying Features relating to this site, is included at Appendix 1.
- 1.4 The approach set out in the HRA Screening Assessment, reflects the LSE test within the Habitats Directive, the precautionary principle and effects in combination. The assessment of each plan’s effects on site integrity would be undertaken within the Appropriate Assessment if needed. The focus of this Screening Assessment Determination is restricted to assessing LSE, which is a ‘filter’ rather than a detailed assessment of effects on site integrity. Within this context, LSE can be defined as follows, “A likely significant effect (LSE) is any effect that may reasonably be predicted as a consequence of a plan or project that may affect the achievement of conservation objectives of the features for which the site was designed, but excluding trivial or inconsequential effects (de minimis)” (Source: Natural England).

2. European Designations, Conservation Objectives and Qualifying Features (relating to Leeds Metropolitan District)

2.1 Appendix 1 attached, sets out the European Designation, Conservation Objectives and Qualifying Features of potential relevance to the Revised SAP proposals for the ONE HMCA. This information relates to a single SAC site at Kirk Deighton.

2.2 Information on this site has been obtained from the Joint Nature Conservation Committee website and Natural England. This site has been designated at the European Level as a Special Area of Conservation (SAC). This means they have a very high level of conservation protection by virtue of their importance as key habitats of European significance.

2.4 Within this context, the European site considered by this HRA Screening Determination is:

- Kirk Deighton (SAC): This is approximately 4 ha in size and is located to the North of Wetherby – 500 metres north of Leeds MD.

3. Context: SAP & AVLAAP Scope and Objectives

3.1 The SAP and AVLAAP form part of the Local Development Framework or 'local plan' for Leeds. These Plans follow on and are set within the overall strategic context of the Leeds Core Strategy, which sets out an overall vision for the District to 2028. The Core Strategy was adopted by the City Council on 12th November 2014 (following independent examination, where the Plan was found to be sound) and identifies a series of strategic and thematic policies for Leeds incorporating priorities for regeneration, the scale and distribution of growth (Housing and Employment), environmental protection and enhancement (including Green space, Biodiversity and Green Infrastructure) and infrastructure delivery.

3.2 In meeting the requirements of the European Directive, the Core Strategy was subject to its own Habitats Regulation Assessment Screening Determination. This was subsequently agreed by Natural England. As part of this process, a number of Policies were strengthened (including Spatial Policy 1: Location of Development and G1: Green Infrastructure), to help mitigate any adverse nature conservation impacts upon Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). This approach was also considered to be sound by the Core Strategy Inspector.

4. Screening Assessment Determination

4.1 In providing an overall context for the Screening Assessment of the Kirk Deighton SAC, Plan 1 (included in Appendix 2) sets out the proposed SAP allocations presented as part of the September - November 2015 public consultation on the Publication Draft Plan. Plan 2 sets out the revised proposals for the ONE HMCA (to be subject to public consultation in September in 2016). These proposals are

detailed further in the schedule also included in Appendix 2. Whilst there are a number of changes, including to new residential allocation to the East of Wetherby (HG-266) and a new settlement proposal at Parlinton Estate, Aberford, these are some distance away from the Kirk Deighton SAC. It should be noted that the housing allocation (HG2-19), was originally included within the Publication draft SAP Autumn 2015 and has been incorporated into the revised proposals for ONE.

- 4.2 As emphasised in para. 1.3 above, the focus of this Screening Assessment Determination, is upon the identification of LSEs arising from proposed allocations associated with their proximity/likely impact upon European Designations/Conservation Objectives. In reflecting this approach, Appendix 3: via a summary Table sets out an assessment of potential likely significant effects (LSEs), for the Kirk Deighton SAC. This includes an assessment of the sensitivity of the site and potential threats to Conservation Objectives.
- 4.3 The identification of Potential LSEs has been informed by the Core Strategy HRA Screening Determination (previously approved by NE and subsequently found to be sound by the Core Strategy Inspector), further advice received from NE on the HRA Screening determination for the SAP and AVLAAP (August 2015) and the Kirk Deighton SAC Site Improvement Plan (included at Appendix 4).

Summary

- 4.4 The Screening Determination can be summarised as follows:

Kirk Deighton SAC

- Habitat fragmentation, water abstraction, increased acid & nitrogen deposition from transport are identified as Potential LSEs. The Plan includes a series of precautionary avoidance measures, including future GCN surveys and application of Local Transport Plan (LTP) and adopted Core Strategy Policies, which along with the location of the proposed allocation for development, means that there is no LSE at Kirk Deighton.

5. Assessment of Likely Significant Effects (LSEs) and Potential for In-combination Effects

- 5.1 An integral requirement of the HRA Screening Determination process, is to provide an Assessment of Likely Significant Effects (LSEs) and the Potential for In-combination Effects, with other plans and projects. Appendix 5 provides a summary Table an assessment of potential likely significant effects (LSEs) for the Leeds SAP Outer North East and potential for in combination effects. This in turn sets out, consideration of relevant Plans and Strategies, in relation to the Kirk Deighton SAC, prior to drawing conclusions on any In-combination Effects.

5.2 This Assessment has had regard to the preparation and status of development plans from neighbouring authorities. The overall conclusion drawn from this Assessment is that there are no in-combination effects, after consideration of relevant plans and strategies, regarding the occurrence of LSEs.

6. Conclusion

6.1 As outlined above, the preparation of the SAP and AVLAAP are set within the context of the adopted Core Strategy and the targets identified for the overall scale and distribution of growth across the District. As noted above, the Core Strategy was subject to a Habitats Regulation Assessment Screening and a number of Policies were strengthened (e.g. Spatial Policy 1: Location of Development) as a consequence of this process. The SAP and AVLAAP need to be in conformity with the Core Strategy and as a consequence, will need to reflect the policy requirements set out.

6.2 Due to the factors set out in para. 1.2 above, a further HRA Screening Assessment has been undertaken for the revised Publication draft proposals for the ONE HMCA. Consistent with the HRA Screening requirements, this assessment has focused upon the consideration of LSEs in relation to Conservation Objectives. These include the application of Core Strategy Policy requirements and sites requirements set out in the SAP (including the revised proposals for the ONE HMCA).

6.3 Based on this assessment and the coverage of LSEs, it is considered that an Appropriate Assessment under the Habitats Regulations (Conservation of Habitats and Species Regulations 2010, SI no. 2010/490) is not required in relation to the revised Publication draft proposals for the ONE HMCA. This is because it is considered that due to the physical proximity of the new site proposals do not give rise to any potential LSEs either alone or in-combination with other relevant Development Plan Documents (local plans). Mitigation mechanisms have already been established in the Policy framework provided in the adopted Development Plans, the Natural Resources and Waste Local Plan (2013) and the Core Strategy (2014).

APPENDICES

APPENDIX 1: EUROPEAN DESIGNATION, CONSERVATION OBJECTIVES & QUALIFYING FEATURES WHICH RELATE TO SITES IN THE ONE HMCA

European Site	European Conservation Objectives for SAC	Location Relative to Leeds	Qualifying Features
SPECIAL AREAS OF CONSERVATION (SAC)			
KIRK DEIGHTON	<p>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;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of qualifying species • The structure and function of the habitats of qualifying species • The supporting processes on which the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. 	Approx. 500 m north of Leeds District Boundary located within Harrogate Borough Council administrative area	<i>Triturus cristatus</i> ; Great crested newt

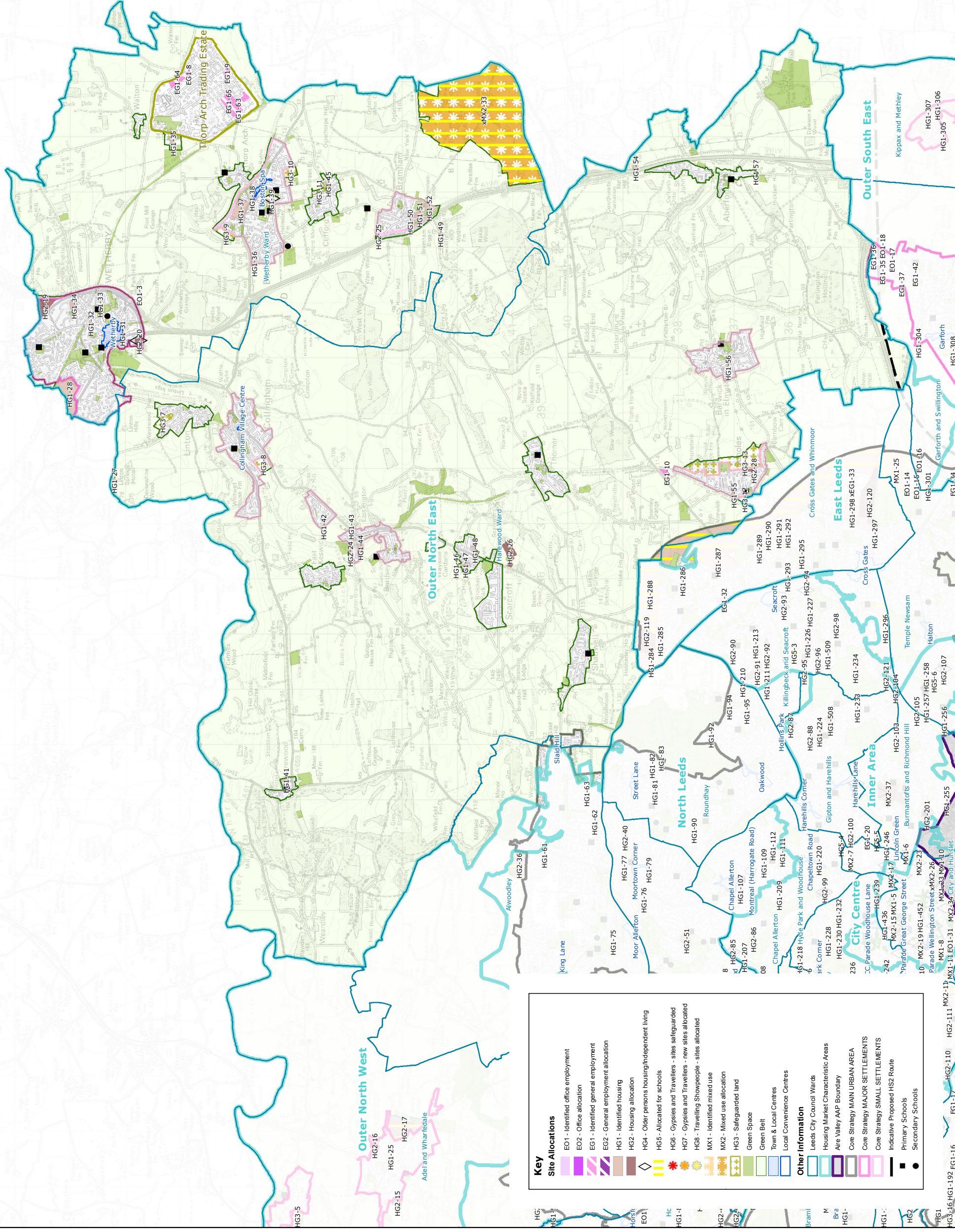
APPENDIX 2: REVISED PUBLICATION DRAFT PLAN PROPOSALS FOR THE ONE HMCA

Plan 1: Leeds SAP Outer North East Housing Market Characteristic Area (HMCA) Publication Draft 2015

Plan 2: Leeds SAP Revised Proposals for the Outer North East HMCA 2016

Revised Proposals for the Outer North East HMCA 2016: Summary Schedule of Changes to Housing Sites

Plan 1: Leeds SAP Outer North East Housing Market Characteristic Area (HMCA) Publication Draft 2015



Key

Site Allocations

- EO1 - Identified office employment
- EO2 - Office allocation
- EG1 - Identified general employment
- EG2 - General employment allocation
- HG1 - Identified housing
- HG2 - Housing allocation
- HG4 - Older persons housing/independent living
- HG5 - Allocated for schools
- HG6 - Gypsies and Travellers - sites safeguarded
- HG7 - Gypsies and Travellers - new sites allocated
- HG8 - Travelling Showpeople - sites allocated
- MX1 - Identified mixed use
- MX2 - Mixed use allocation
- HG3 - Safeguarded land
- Green Space
- Green Belt
- Town & Local Centres
- Local Convenience Centres

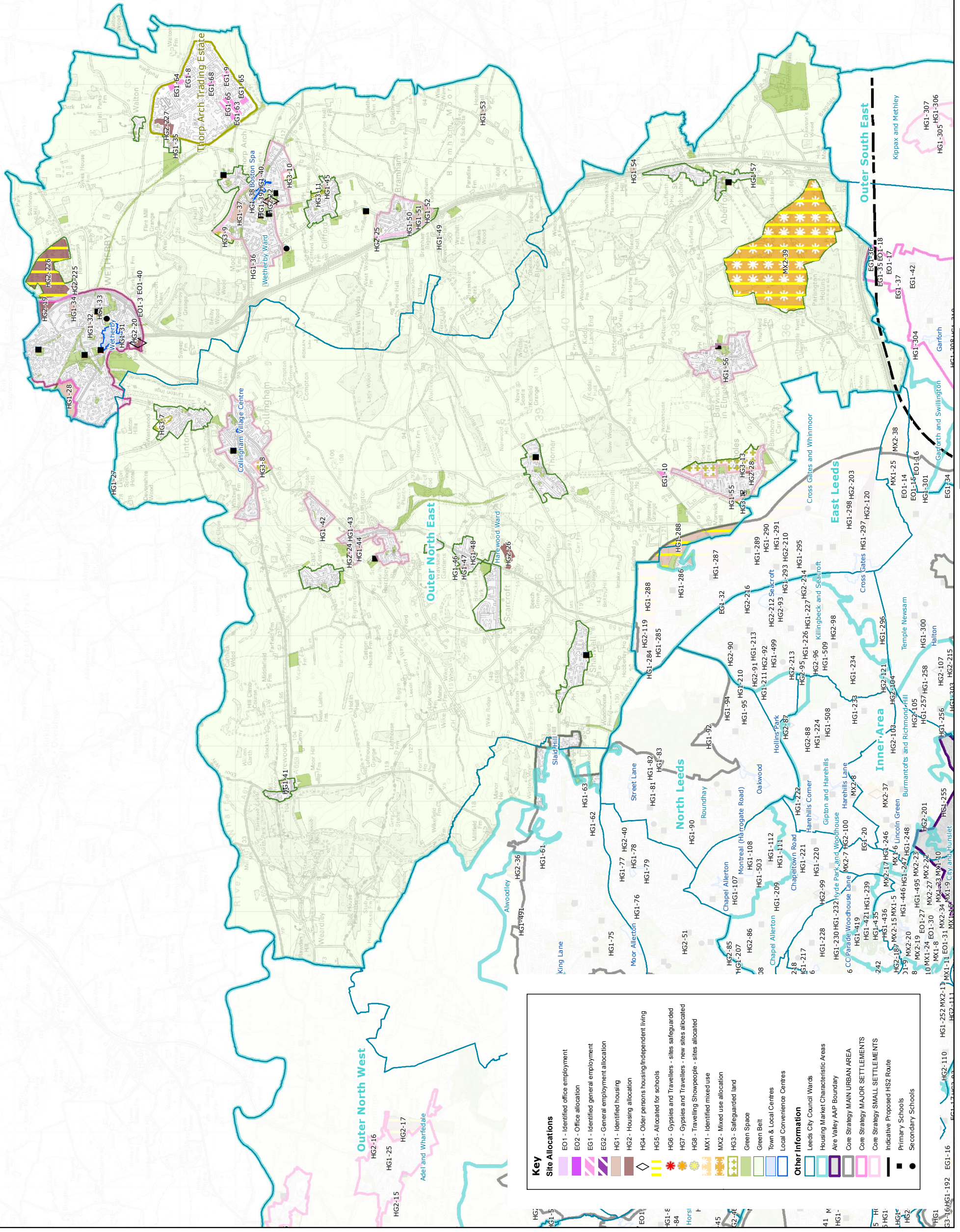
Other Information

- Leeds City Council Wards
- Housing Market Characteristic Areas
- Aire Valley AAP Boundary
- Core Strategy MAIN URBAN AREA
- Core Strategy MAJOR SETTLEMENTS
- Core Strategy SMALL SETTLEMENTS
- Indicative Proposed HS2 Route
- Primary Schools
- Secondary Schools



HMCA AREA
Outer North East

Plan 2: Leeds SAP Revised Proposals for the Outer North East HMCA 2016



Key	
	EO1 - Identified office employment
	EO2 - Office allocation
	EG1 - Identified general employment
	EG2 - General employment allocation
	HG1 - Identified housing
	HG2 - Housing allocation
	HG4 - Older persons housing/independent living
	HG5 - Allocated for schools
	HG6 - Gypsies and Travellers - sites safeguarded
	HG7 - Gypsies and Travellers - new sites allocated
	HG8 - Travelling Showpeople - sites allocated
	MX1 - Identified mixed use
	MX2 - Mixed use allocation
	HG3 - Safeguarded land
	Green Space
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Other Information	
	Leeds City Council Wards
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	Core Strategy MAJOR SETTLEMENTS
	Core Strategy SMALL SETTLEMENTS
	Indicative Proposed HS2 Route
	Primary Schools
	Secondary Schools

Revised Proposals for the Outer North East HMCA 2016: Summary Schedule of Changes to Housing Sites

Overview – Housing

HMCA target: 5000			Total	+/- target
	Identified sites total	Housing allocations		
Publication Draft Plan	1530	3437	4967	-33
Post Publication consultation	1491	3516	5007	+7

HG1 – Identified housing allocations

Changes to identified sites

Following the planning permission refresh (April 2016) the following changes to identified housing sites occurred:

Address	Plan ref	SHLAA ref	Capacity (New)	(+/-) Post Publication Draft
Churchfields, Boston Spa	HG1-37	777	153	-17
Village Farm, Harewood	HG1-41	757	8	-10
Linton Springs, Linton	HG1-27	787	7	-9
Spenn Common Lane, Bramham	HG1-53	3152	9	+9
Wetherby Health Centre, Wetherby	HG1-30	3186	0	-8
Raintree Lodge, Linton Road, Wetherby	HG1-29	793	0	-4
Total				-39 units

Overall these changes resulted in a net reduction of the identified sites capacity by 39 units to a total of 1491 units.

HG2 – Proposed housing allocations

Deleted allocations

Address	Plan ref	SHLAA ref	Publication Draft	Settlement	Green Belt	Site size (ha)	Capacity
Headley Hall, Bramham	MX2-33	3391	Allocated	New	Yes	276	3000
Total					- 276 ha		3000

Proposed new allocations

Address	Plan ref	SHLAA ref	Settlement	Green Belt	Site size (ha)	Capacity (Plan period)
Land to the north of HMP Wealstun	HG2-227	5300	Rural (TATE)	No	6.3	142
Land to the East of Wetherby	HG2-226	1233/215 4/3125	Wetherby	No	47.7	1080
Parlington Estate	MX2-39	5320	New	Yes	261.7	1850
Land at The Rowans, Wetherby	HG2-225	5285	Wetherby	No	0.6	18
Total						3516

The proposed site at the Parlington Estate has an overall capacity of up to 5000 dwellings with supporting uses. Up to 11.5 hectares of general employment land is also proposed within the mixed use allocation. It is envisaged that 1850 units could be delivered on site during the plan period given the likely lead-in times and build out rates.

Amendments to previous allocations (Publication Plan 2015)

HG2-20 (Mecure Hotel, Wetherby) – The site boundary has been extended to the west to incorporate a new SHLAA site submission (5263). The new capacity for the site is 86 units, an increase of 19 units.

HG2-22 & HG2-23 (Church Street, Boston Spa) – These two sites have been merged. The net capacity of the sites remains 36 units. The reference for the combined site is now HG2-22.

HG2-26 (Scarcroft Lodge, Scarcroft) – The capacity of the site has been reduced from 130 units to 100 units.

Other changes

Green Belt boundary - The Green Belt boundary has been amended in response to the proposed new allocations. In particular, the area of proposed new Green Belt to the north east of the area (formerly rural land), has been amended to reflect the proposed East of Wetherby housing allocation (HG2-226).

APPENDIX 3: ASSESSMENT OF LIKLEY SIGNIFICANT EFFECTS (LSEs) - EXCLUDING IN-COMBINATION EFFECTS

European Site	Potential Likely Significant Effect (LSE)	Sensitivity of site and threats to relevant Conservation Objectives	Mitigation incorporated into the DPD	Is there a risk of a Likely Significant Effect which cannot be Mitigated by applying the LDF ?
Kirk Deighton SAC	<p>Change in land management within the site</p> <p>Habitat fragmentation caused by loss of ponds and terrestrial habitat used by GCN metapopulation outside the site (within 500m of site boundary).</p>	<p>N/A</p> <p>Nearest allocation in Leeds (HG2-19) is 1.06km from SAC boundary (the new housing allocation HG2-226, as part of the revised proposals for ONE is 1.43km away from the SAC) and therefore it is reasonable to assume no impact on the metapopulation. A precautionary check of GCN records has not revealed any GCN between SAC boundary and any proposed allocations in Leeds</p>	<p>N/A</p> <p>N/A</p>	<p>N/A</p> <p>No LSE</p> <p>No LSE</p>

		(north and north-west of Wetherby). Habitat suitability of land between SAC and nearest two proposed allocations has revealed sub-optimal habitat and a number of main roads. The Revised Publication Draft proposals identifies a 47.59 ha site to the East of Wetherby (HG2-266). This is 1.43km from the SAC (and separated by a major motorway, the A1 – see Appendix 6). It is reasonable to assume that this will have no impact upon the metapopulation. Therefore no LSE.		
	Increased water abstraction from new dwellings or economic development.	Distance of 1.43km from site boundary and lack of hydrological connectivity to any proposed allocations - therefore no LSE.	N/A	N/A No LSE
	Increased acid and nitrogen deposition from transport or industrial sites giving rise to emissions	Distance of 1.43km from site boundary for housing and further for employment allocations - together with no road infrastructure connectivity proposed in direction of SAC site from any proposed allocations.	West Yorkshire Local Transport Plan (LTP3) - its 2nd key objective is "Low Carbon. To make substantial progress towards a low carbon, sustainable transport system for W Yorkshire, while recognising transport's contribution to national carbon reduction plans." Policies of the Local Transport Plan (LTP3) and Core Strategy are considered capable of	No LSE

				achieving suitable amounts of modal shift to more sustainable transport modes, combined with a reduction in travel (per capita).	
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APPENDIX 4: KIRK DEIGHTON SPECIAL AREA OF CONSERVATION (SAC) - SITE IMPROVEMENT PLAN

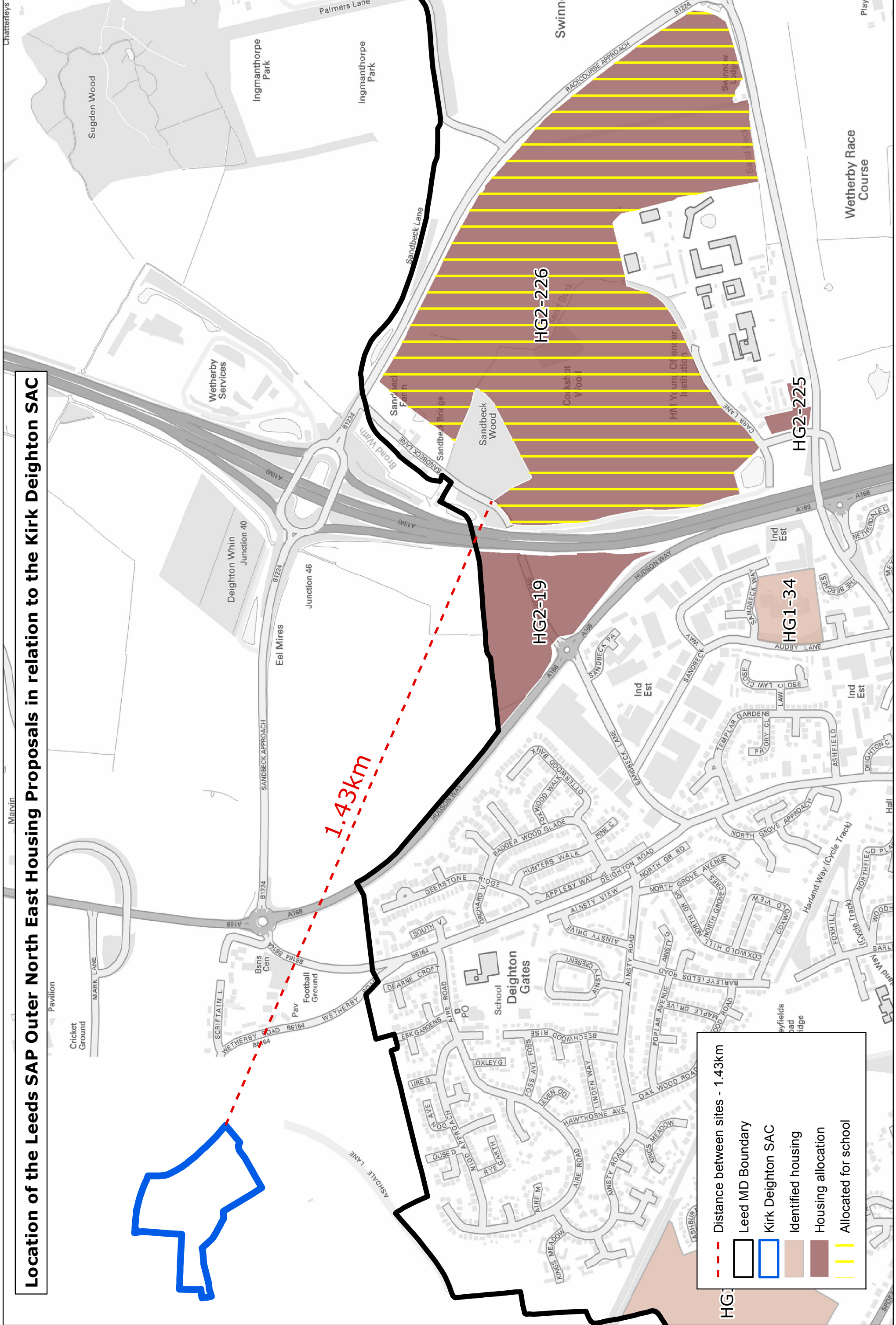
Priority and issue	Action No.	Action Wording	Relevance to land in Leeds District Boundary and HRA Screening Determination	Action for Allocated Sites as part of biodiversity enhancements
Change in Land management	1A	Restoration of the over-mature hedgerows within the SAC to improve commuting, hibernation, resting and foraging habitat for Great crested newts.	N/A	None
	1B	Aim to protect (through the planning process) terrestrial habitat and ponds outwith the SAC which are considered likely to support the metapopulation of Great crested newts linked to the SAC.	Protection of ponds and terrestrial habitat outside SAC – this is relevant (although to a low degree due to distance).	An ecological assessment has been incorporated into the site requirements for HG2-19. Any ponds and favourable terrestrial habitat in allocated sites near Leeds boundary will be retained. New ponds will be created where opportunities allow.
Habitat Fragmentation	2A	Conduct a survey to identify great crested newt breeding/feeding ponds outwith the SAC which are likely to support newts from the SAC's metapopulation. This will add to our understanding of the habitat requirements of the SAC great crested newt population.	N/A	None – but surveys of allocated sites near Leeds boundary will include GCNs
	2B	Once the metapopulation investigation data is available consider the need for new pond/s, suitable for breeding great crested newts, within the SAC, working with the Environment Agency who will act in an advisory role.	N/A	An ecological assessment has been incorporated into the site requirements for HG2-19. None – but opportunities for wildlife ponds designed for amphibians will be considered for allocated sites near Leeds boundary

APPENDIX 5: ASSESSMENT OF POTENTIAL LIKELY SIGNIFICANT EFFECTS (LSEs) FOR LEEDS SAP OUTER NORTH EAST AND POTENTIAL FOR IN COMBINATION EFFECTS

EUROPEAN SITE	Potential Likely Significant Effect (LSE). taken from: <ul style="list-style-type: none"> • Core Strategy HRA Screening Determination (previously approved by NE) • NE letter 28th August 2015 • Site Improvement Plan for Kirk Deighton SAC 	After consideration of Mitigation incorporated into the DPD will Leeds SAP for Outer North East (ONE) result in any LSEs ?	Relevant Plans, Strategies etc. (other than Leeds) for Potential In-Combination Effects.	In Combination Effect -after consideration of Relevant Plans, Strategies etc. (other than Leeds) will any LSEs occur ?
Kirk Deighton SAC				
	Change in land management within the site	No	Harrogate District Council emerging Local Plan	No - no impact from allocations in Leeds
	Habitat fragmentation caused by loss of ponds and terrestrial habitat used by GCN metapopulation outside the site (within 500m of site boundary)	No	Harrogate District Council emerging Local Plan	No - no impact from allocations in Leeds
	Increased water abstraction from new dwellings or economic development	No	Harrogate District Council emerging Local Plan	No - no impact from allocations in Leeds
	Increased acid and nitrogen deposition from transport or industrial sites giving rise to emissions	No	Harrogate District Council emerging Local Plan	No - no impact from allocations in Leeds

**APPENDIX 6: LOCATION OF THE LEEDS SAP ONE HOUSING REVISED PROPOSALS 2016 (EXTRACT) IN RELATION TO THE
KIRK DEIGHTON SAC**

Location of the Leeds SAP Outer North East Housing Proposals in relation to the Kirk Deighton SAC



	Distance between sites - 1.43km
	Leed MD Boundary
	Kirk Deighton SAC
	Identified housing
	Housing allocation
	Allocated for school

For more information, please contact:

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