

## Scarcroft Neighbourhood Development Plan

### Leeds City Council and Scarcroft Parish Council joint response to Examiners Questions

This response has been jointly prepared by Leeds City Council and Scarcroft Parish Council.

- 1. Were the nine responses to the Regulation 16 Publicity, which were forwarded to me on 16 July 2018, received on or before the end of the Regulation 16 Publicity period, and can you confirm that no late responses have been received.***

The City Council confirms that the 9 representations to the Regulation 16 Publicity were received before the end of the Regulation 16 Publicity period (5pm on Monday 16<sup>th</sup> July 2018). The City Council also confirms that no late representations have been received.

- 2. Does the Parish Council wish to comment on any of the responses received. If so I would be pleased to receive comments, which should not include new evidence, no later than Friday 10 August. This invitation is extended to the Parish Council in accordance with best practice guidance for conducting neighbourhood plan examinations published by the Neighbourhood Planning Independent Examination Referral Service, although there is no obligation on the Parish Council to comment on the responses received. Any comments submitted in response to this invitation should be published on Leeds City Council's website.***

The Regulation 16 Representations were sent to the Parish Council following the close of the publicity period. The Parish Council haven't yet sent any comments to the Council on the responses received. We note that your deadline for Parish Council comments is Friday 10<sup>th</sup> August, if we receive any comments by the deadline we will forward them to you.

- 3. Has Leeds City Council undertaken an assessment of extant development plan policies in order to identify those which are considered to be 'strategic policies' within the meaning of paragraphs 075 and 076 of current national Planning Practice Guidance? If so it would be helpful if you could provide me with a schedule of 'strategic' policies that apply within the Scarcroft Neighbourhood Area.***

The policies in the Leeds Core Strategy are the strategic policies that cover the Scarcroft Neighbourhood Area.

- 4. I understand the Council is seeking legal advice in the light of the recent judgement concerning the interpretation of the EU Habitats Directive and its implications for screening plans and programmes. Can you please let me know when the Council expects to be in a position to decide whether the HRA screening undertaken in connection with the Scarcroft Neighbourhood Plan is legally compliant with the judgement, and if not what further work may be required to rectify this.***

We are preparing a revised HRA Screening for the Scarcroft NP. Once this is completed we will send this to Natural England and ask for them to respond within 10 days. If they do this, we would hope that this update to be done by mid-August.

- 5. Please confirm and provide evidence that the Regulation 5, 6 and 7 requirements have been satisfied, with relevant dates, as there is no remaining evidence on the City Council's website. I appreciate that Council websites are frequently***

***updated to avoid becoming overloaded with information so forgive me if I have missed a link to archived material.***

The Scarcroft Neighbourhood Area was originally designated in 2013 to match the then Scarcroft Parish Boundary. However, following a review of parish boundaries in 2014, the Council contacted those parishes and gave them a choice to apply for a revised neighbourhood area designation. As a result of this, Scarcroft and Bardsey-cum-Rigton Parish Councils together agreed that they would like the neighbourhood plan to cover the revised parish boundary. The following response details both the initial designation of Scarcroft Neighbourhood Area in 2012/13 and the subsequent re-designation of the Scarcroft Neighbourhood Area in 2016.

***Regulation 5: Application for designation of a neighbourhood area***

**2012 Application:** On 2<sup>nd</sup> July 2012 the Parish Council wrote to the Council and applied for the designation of Scarcroft Parish as a Neighbourhood Area (Appendix 1). This application accorded with Regulation 5.

**2016 Application:** On 9<sup>th</sup> March 2016 the Parish Council wrote to the Council and applied for the designation of Scarcroft Parish (in light of the revised parish boundary) as a Neighbourhood Area (Appendix 2). This application accorded with Regulation 5.

***Regulation 6: Publicising an area application***

**2012 Publicity:** Public consultation was undertaken for 6 weeks between 20<sup>th</sup> July 2012 and 31<sup>st</sup> August 2012. The application documents and a public notice was placed on the Council's website and a paper copy in Shadwell Library in accordance with Regulation 6. An advertisement was placed in Wetherby News on 20<sup>th</sup> July 2012 and the application was placed on the Council's website (Appendix 3).

**2016 Publicity:** Public consultation was undertaken for 6 weeks between 15<sup>th</sup> July 2016 and 26<sup>th</sup> August 2016. The application documents and a public notice was placed on the Council's website in accordance with Regulation 6. Site notices were made placed in the Neighbourhood Area and paper copies were made available at the Village Hall and at the Council's (former) base in the City Centre, the Leonardo Building and the application was placed on the Council's website (Appendix 4).

***Regulation 7: Publicising a designation of a neighbourhood area***

**2013 Designation:** Scarcroft Neighbourhood Area was designated on 31<sup>st</sup> January 2013 (Delegated Decision Notification attached at Appendix 5). This was published on the Council's website: <https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=39688>. The designation was also published on the Council's neighbourhood planning webpage.

**2016 Designation:** Scarcroft Neighbourhood Area was designated on 15<sup>th</sup> November 2016. (Delegated Decision Notification attached at Appendix 6). This was published on the Council's website: <https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=43892>. The designation was also published on the Council's neighbourhood planning webpage.

- Please provide evidence that relevant (Schedule1) Consultation Bodies were consulted at Regulation 14 stage by the Parish Council and that the same bodies were notified as part of the Regulation 16 Publicity by Leeds City Council.***

**Parish Council:**

The Parish Council wrote/emailed relevant Consultation Bodies at the Regulation 14 Stage on 17<sup>th</sup> July 2017. Details are provided below:

Notification Type	Name	Organisation
Email	Ian Mackay	Leeds City Council
Email	June Gallant	Bardsey-cum-Rigton Parish Council
Email		Thorner Parish Council
Email		Shadwell Parish Council
Email		The Coal Authority
Email		The Homes and Communities Agency
Email		Natural England
Email		The Environment Agency
Email		Historic England
Letter		Highways England
Letter		Yorkshire Water
Letter		York Consortium of Drainage Boards
Letter		BT
Letter		National Farmers' Union
Email		Country Land and Business Association Limited (CLA)
Letter		Ramblers' Association
Email	Mark Robins	Mexborough Estates
Email	Samantha Howe	GSC Grays
Email	David Marjoram	ELG Planning

Copies of the letter/email are available at Appendix 7.

#### Leeds City Council:

The Parish Council provided the Council a schedule of Consultation Bodies referred to in the Consultation Statement submitted in accordance with Regulation 15. The Council notified those Bodies either via email or by post in accordance with Regulation 16.

Notification emails were sent on Tuesday 5<sup>th</sup> June 2018 to:

Name	Organisation
June Gallant	Bardsey-cum-Rigton Parish Council
	Thorner Parish Council
	Shadwell Parish Council
	The Coal Authority
	The Environment Agency
	Natural England
	The Homes and Communities Agency
	Historic England
	Highways England
	Yorkshire Water
	The York Consortium of Drainage Boards
	BT
	Country Land and Business Association Limited (CLA)
Andrew Stephenson	National Farmers' Union
	Ramblers' Association
Mark Robins	Mexborough Estates
Samantha Howe	GSC Grays
David Marjoram	ELG Planning

Notification letters were sent on 5<sup>th</sup> June 2018 to:

<b>Name</b>	<b>Organisation</b>
Alex Jackson	
CG Pryce and P Pryce	
Kate Broadbank	Carter Jonas LLP
Peter Bacon	
RM Whitaker	

Copies of the Notification Email and Notification Letter are available at Appendix 8.

### **Appendices**

Appendix 1: 2012 Scarcroft NA Application (*Regulation 5*)

Appendix 2: 2016 Scarcroft NA Application (*Regulation 5*)

Appendix 3: 2012 Scarcroft NA Application Publicity Material (*Regulation 6*)

Appendix 4: 2016 Scarcroft NA Application Publicity Material (*Regulation 6*)

Appendix 5: 2012 Scarcroft NA Designation (*Regulation 7*)

Appendix 6: 2016 Scarcroft NA Designation (*Regulation 7*)

Appendix 7: Scarcroft Regulation 14 Pre-Submission Consultation Email and Letter

Appendix 8: Scarcroft Regulation 16 Notification Email and Letter