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BY EMAIL ONLY

Dear Heather

Planning consultation: HRA Screening for Linton Neighbourhood Plan

Thank you for your consultation on the above dated 07 January 2015.

Habitats Regulations Assessment

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

In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012, a neighbourhood plan cannot be made if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out. Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites. This will be particularly important if a neighbourhood plan is to progress **before** a local plan has been adopted and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan.

Natural England note that Kirk Deighton Special Area of Conservation (SAC) lies around 2km from the Plan area. Kirk Deighton is a European Wildlife Site (also commonly referred to as a Natura 2000 site) which is afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended. Considering the nature and scale of the Plan as well as the sensitivities and location of the SAC in relation to the Plan area, Natural England do not consider that the Plan is likely to affect Kirk Deighton SAC. However we advise that Leeds City Council, as the competent authority in this case, are responsible for making the judgement as to whether the Plan is likely to have significant effects on Kirk Deighton SAC and other European Wildlife Sites and should seek their own legal advice on the application of the Habitats Regulations and ecological expertise on potential effects on European Wildlife sites.

For any queries relating to the specific advice in this letter please contact Merlin Ash on 0300 060 4271 or via email at merlin.ash@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to



consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Merlin Ash
Yorkshire and Northern Lincolnshire Team
Natural England