

Malton and Norton Neighbourhood Plan

Strategic Environmental Assessment Screening Report

8 August 2019

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1. Introduction
- 1.1 The purpose of this document is to help determine whether or not the draft Malton and Norton Neighbourhood Plan (NP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (referred to from this point onwards in this report as the SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (referred to from this point onwards in this report as the SEA Regulations).
- 1.2 The Malton and Norton Town Councils, together with the local planning authority, Ryedale District Council, as qualifying bodies under the SEA Regulations, are required to consult the statutory bodies, the Environment Agency, Natural England and English Heritage prior to reaching a screening determination. This report has been prepared on behalf of Malton and Norton Town Councils by Modicum Planning Ltd. The purpose of the report is to provide a basis for consultation with the statutory consultees and to assist with the reaching of a screening determination.

Introduction to the Malton and Norton Neighbourhood Plan

- 1.3 Work on the Neighbourhood Plan initially began in 2011. The plan area was however designated relatively recently on 19 February 2019. The plan boundary is available to view at www.ryedaleplan.org.uk/neighbourhood-plans/401-malton-and-norton-neighbourhood-plan
- 1.4 The NP covers the year up to 2027.
- 1.5 The NP is made up of the following chapters:
 - Chapter 1: Introduction
 - Chapter 2: Malton and Norton Yesterday and Today, describes the two towns and key issues
 - Chapter 3: Vision and Objectives for the area up to year 2027.
 - Chapter 4: 41 Planning Policies divided into eleven key themes
 - Chapter 5: Community actions. Non planning policies accompanying the plan policies and proposals
 - Chapter 6: Monitoring chapter
- 1.6 The Vision underpinning the plan is as follows:

Malton and Norton boast a rich heritage and culture, from their historical origins and archaeological and architectural legacy to their surviving traditional horse racing and food-based industries. These are the bedrocks on which our future vision for the towns are based.

As such, by the end of the plan period in 2027, our three conservation areas will be better understood, their assets better protected as a result, and their appearance and character enhanced by new development and other improvements in keeping with their key elements and features. This enlightened approach to development and design will also be reflected in the wider Neighbourhood Area.

The local food and horse-racing industries which are so much a part of the towns and their hinterland will be confirmed in their status and have developed further within a climate of promotion and encouragement.

The tourism which is vital to our towns will have continued to grow powered by the twin engines of heritage and culture.

The River Derwent, separating the two towns and running through the heart of the area is the other jewel in our crown but also the potential thorn in our sides! It is rich ecologically, and acknowledged as such by a European wildlife designation, while providing an important leisure resource for all. Conversely, it carries an ever present flood risk, acts as a barrier to movement between the towns and through the very thing that makes it so special (its wildlife) poses challenges to more productive and positive use. The town councils' vision is of a Derwent that floods less (or not at all), remains ecologically rich but which yields up its potential for sympathetic riverside enhancements and the positive use of under-utilised riverside land. The hope too is that new river crossings will have been created, allowing for much improved road, cycling and pedestrian links between Malton and Norton and, through them and other highway improvements, the alleviation of traffic congestion and air pollution in our town centres.

At root, we want the people in our towns to be able to freely enjoy an abundance of simple pleasures in a well-supported and fully serviced community. We aspire to culturally rich and vibrant leisure opportunities, including improvement of existing services and the development of new facilities and wellness activities.

We look forward to enjoying two towns which have enjoyed appropriate housing and employment growth and opportunity, within the context of an even higher quality environment, consistent with their status as Ryedale's principal towns.

1.7 Underpinning this vision, the plan defines the following eleven objectives:

- To protect and improve the local environment and particularly the ecological quality of the river corridor.
- To cut congestion and improve air quality.
- To improve connectivity between Malton and Norton.
- To improve access to the river for the community.
- To build upon local distinctiveness in order to enhance the visual quality and appearance of the towns.
- To protect heritage assets.
- To encourage regeneration and redevelopment of vacant plots.
- To capitalise on the history and culture of Malton and Norton to develop the tourism industry.
- To build upon the economic strengths of the towns and address deficiencies in the economy.
- To protect and improve community services and facilities.
- To encourage housing provision that meets local needs.

1.8 The NP includes the 41 planning policies. These policies are listed in Table 1 below alongside a description as to what each policy does.

Table 1: What each NP planning policy does		
Policy Name and Reference	What does this policy do?	
Transport Policies		
1	TM1: Protection and Enhancement of Pedestrian, Cycle and Bridleway Networks	<p>Protects the integrity of the existing footpath, cycleway and bridleway network.</p> <p>Seeks improvements to the network and identifies seven locations where improvements would be specifically welcome. This includes a location TM1-1 Former Disused Railway Track. The policy recognises the sensitivity of this location in terms of biodiversity and clarifies any acceptability of proposals is subject to satisfying the requirements of Local Plan Strategy Policy SP14: Biodiversity.</p> <p>Seeks to contributions to new provision from development likely to increase pedestrian footfall and/or cycle horse rider usage within the network. Policy suggest ways in which developers can enhance the user experience.</p>
2	TM2: New Pedestrian and Cycle River/Railway Crossing	Resists proposals which would prevent the provision of new pedestrian and cycle crossings of the River Derwent and/or the York/Scarborough Railway at three specific locations.
3	TM3: New Vehicular River/Railway Crossing	Resists proposals which would prevent the provision of new road crossings of the River Derwent and/or the York/Scarborough Railway at two specific locations.
4	TM4: Highway Improvement Scheme	<p>Identifies five locations which present opportunities for highway improvements. Policy resists development which would prevent the improvements from coming forward.</p> <p>Requires developers to make provision of transport infrastructure necessitated through the development proposal.</p>
5	TM5: County Bridge Level Crossing	Supports development proposals which would deliver specific (a list of 5) highway management improvements at the County Bridge Level Crossing
6	TM6: Traffic Management Plans	Encourages developers of major development proposals a traffic management plan as part of Construction Management Plan
The River Corridor		
7	RC1: Malton and Norton River Corridor Development	<p>Identifies a list of recreational enhancement works which would be supported in the River Corridor. The list is:</p> <ul style="list-style-type: none"> - A new picnic area - Improved riverside seating - Fishing platforms/pegs - Boat moorings - Bandstand facilities to host performances and entertainment - Enhanced footpath, cycleway and bridleway provision - Café/refreshment facilities - Appropriate change of use or redevelopment of existing buildings within the corridor

Table 1: What each NP planning policy does		
Policy Name and Reference		What does this policy do?
		The policy highlights the environmental sensitivity of the River Corridor and specifies that the acceptability of any proposal is subject to satisfying requirements of Local Plan Strategy Policy SP14: Biodiversity.
8	RC2: Regeneration of Land North and South of County Bridge	Supports development-related regeneration on land to the north and south of County Bridge (site is identified on the Proposals Map). Policy does not designate it for development but provides five criteria should the site be accepted for development via the Local Plan (or otherwise e.g. via an outline planning application) and be compliant with Policy SP14 of the Local Plan Strategy Policy.
The Environment		
9	E1: Protection of Local Green Space	Identifies seven open spaces as Local Green Spaces (protects them as open spaces).
10	E2: Enhancement of Local Green Space	Supports, in principle, development which would result in 'appropriate enhancements' to the Local Green Spaces subject to compliance with other policies in the plan.
11	E3: Open space in new development	Encourages developers to provide equipped children's play space and public open space as part of new development
12	E4: Green Infrastructure	Specifies that development proposals should not harm the function of six different areas of green infrastructure: <ul style="list-style-type: none"> - The Derwent Corridor - The Howardian Hills - The Rye Corridor - The Mill Beck Corridor - The Driffild-Thirsk Disused Railway Line - Westfield Way, Priorpot Beck
13	E5: Gateways	Requires development at the settlement gateways to respect key views
14	E6: Development affecting the Malton AQMA	Requires proposals in or around the Malton AQMA to mitigate potential adverse impacts e.g. provision of electric charging infrastructure and provision of green infrastructure
Community Facilities		
15	CF1: Norton's Swimming Pool	Supports in principle the upgrading of Norton Swimming Pool
16	CF2: Malton Community Sports Centre	Supports in principle the development of the community sports centre to provide additional capacity or improved leisure facilities. Due to the location of the sports centre, the policy includes a caveat clarifying the acceptability of any such development is subject to satisfying the requirements of Local Plan Strategy Policy SP14 in respect of biodiversity sites statutorily protected by international legislation.
17	CF3: Medical Centre Development	Supports the development of a new doctor's surgery or medical centre within the built-up are of either Malton or Norton
Tourism and Culture		

Table 1: What each NP planning policy does		
Policy Name and Reference		What does this policy do?
18	TC1: New Museums and Visitor Facilities	Supports in principle new or extended facilities
19	TC2: Orchard Fields	Identifies Orchard Fields as an opportunity for development of visitor facilities. Specifies a requirement to consider known or potential archaeological remains. Requires the submission of a heritage statement alongside any proposal.
20	TC3: Hotel Development	Supports in principle a new hotel along the A64 close to Malton and Norton or within a central location to the two towns.
21	TC4: Wentworth Street	Encourages the development of a new hotel with public car park at a specific site along Wentworth Street.
The Horse Racing Industry		
22	HRI1: Protection of Horse Racing Stables	Safeguards existing horse racing stables. Allows for change of use/redevelopment in certain cases.
23	HRI2: Horse Racing Zones and Development	Resists development within a designated horse racing zone (also designated by the plan) which would adversely affect the horse racing zone (e.g in terms of safety of pedestrians, horses etc)
24	HR13: Improved Accessibility to the Horse Racing Industry	Specifies that development within the vicinity of the racing stables, gallops or horse walking routes, will be expected to contribute to (the network) where the development would affect this footpah, cycleway or bridleway network. Policy lists seven locations where improvements are sought.
25	HRI4: Horse Racing Museum	Supports in principle the development of a horse racing museum.
Heritage and Design		
26	HD1: Development and Design – Conservation Areas	Provides design principles for proposals coming forward in the three conservation areas (Malton Town Centre, Norton on Derwent and Malton Old Town).
27	HD2: Development and Design – Area Wide Principles	Provides area-wide principles to be complied with.
28	HD3: Shop Fronts	Provides principles for proposals affecting or creating shop fronts
29	HD4: Malton Town Centre Conservation Area – Enhancement	Identifies specific sites in the Malton Town Centre Conservation Area where enhancements are sought.
30	HD5: Public Realm Improvements within Malton Town Centre Conservation Areas	Supports, in principle, proposals which would lead to public realm improvements. Identifies two locations where public realm improvements are particularly welcomed.
31	HD6: Norton-on-Derwent Conservation Area Enhancement	Identifies specific sites in the Norton-on-Derwent Conservation Area where enhancements are sought.
32	HD7: Public Realm Improvements within the Norton-on-Derwent Conservation Area	Supports, in principle, proposals which would lead to public realm improvements. Identifies five locations where public realm improvements are particularly welcomed.

Table 1: What each NP planning policy does		
Policy Name and Reference		What does this policy do?
33	HD8: Malton Old Town Conservation Area – Enhancement	Identifies specific sites in the Malton Old Town Centre Conservation Area where enhancements are sought.
34	HD9: Public Realm Improvements within the Malton Old Town Conservation Area	Supports, in principle, proposals which would lead to public realm improvements.
35	HD10: Area-wide public realm Improvements	Supports, in principle, proposals which would lead to public realm improvements
36	HD11: Archaeology	Policy specifies required survey and evaluation procedures for proposals involving disturbance of existing ground levels
37	H1: Housing Mix	A housing mix policy
38	EM1: Encouragement of Local Employment Sectors	Supports in principle uses generating new employment.
Malton Specific Policies		
39	M1: Wentworth Street Car Park	Protects existing car parking provision at Wentworth Street car park.
40	M2: Malton Market Place	Protects existing car parking provision at Malton Market Place.
Norton Specific Policies		
41	N1: Land to the Rear of Commercial Street	Supports regeneration at land to the rear of Commercial Street (site is identified on the Proposals Map). Policy does not designate it for development but supports it in the event that it is accepted via the Local Plan or otherwise (e.g. via an outline planning application) and is compliant with Policy SP14 of the Local Plan Strategy Policy.

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 of 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 (see Table 2 below) intended as a guide to the circumstances where the SEA directive applies to plans and programmes. This is reproduced below:
- 2.3 Some plans and programmes automatically require to be subject to a strategic environmental assessment. This includes Local Plans for instance. Other plans only require to be subject to strategic environmental assessment if they have been screened in following an assessment for likely significant environmental effects.
- 2.4 Tables 2 and 3 below help us to conclude that environmental assessment of the Malton and Norton Neighbourhood Plan is only required if it is screened in following an initial assessment of likely significant effects on the environment.

Table 2: Extract (Figure 2) from The Government publication "A Practical Guide to the Strategic Environmental Assessment Directive" (ODPM 2005)

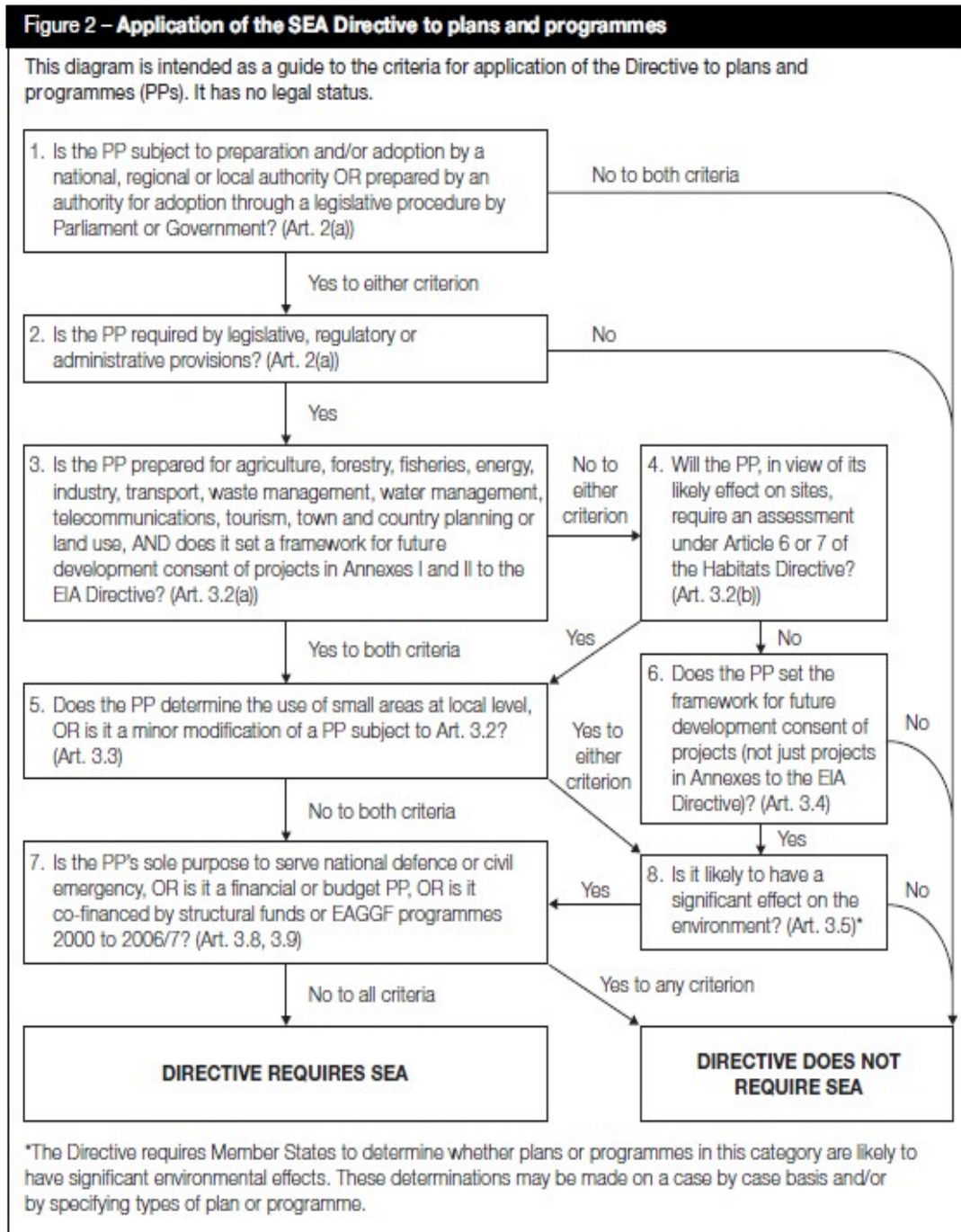


Table 3: how the SEA Directive applies to the Malton and Norton Neighbourhood Plan

Stage	Response	Outcome	Comment
1. Is the NP 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 NP is allowed under The Town and Country Planning Act 1990 as amended by the Localism Act 2011. The NP is being prepared by Malton and Norton Town Councils (as the "relevant body") and will be "made" by Ryedale District Council as the local authority. The preparation of NPs is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 and The Neighbourhood Planning (referendums) Regulations 2012
2. Is the NP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	Go to question 3	Whilst the Neighbourhood 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 NP 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 Plan is prepared for town and country planning and land uses. Whilst the policies would be applicable, alongside the Local Plan, to any projects coming forward in Annexes I and II to the EIA Directive (see Appendix 2 for list) the intention of the NP is not to facilitate the delivery of such projects and the NP does not provide such a framework.
	No to either	Go to question 4	
4. Will the NP, in view of its likely	Yes	Go to	HRA screening confirms that

Table 3: how the SEA Directive applies to the Malton and Norton Neighbourhood Plan			
Stage	Response	Outcome	Comment
effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No	Go to question 5 Go to question 6.	the NP will not require appropriate assessment.
5. Does the NP 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	A Neighbourhood Plan covers a considerable area including the two towns of Malton and Norton.
	No to both	Go to question 7.	
6. Does the NP 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 Plan is to be used for determining future planning applications.
	No	Does not require SEA	
7. Is the NP'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	

3 Screening the NP against the criteria for determining the likely significance of effects on the environment

3.1 When determining whether a Neighbourhood Plan (NP) has a likely significant effect on the environment, the SEA Regulations require that the criteria set out in Schedule 1 of the SEA Regulations be considered. These are the criteria “for determining the likely significance of effects on the environment”. These criteria are split into two categories:

- i) those relating to the characteristics of the plan and
- ii) those relating to the characteristics of the effects and area likely to be affected.

These are set out as follows:

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

3.2 In order to identify any likely significant environmental effects, Table 4 below considers the characteristics of the Malton and Norton NP and Table 5 considers the characteristics of the effects and the plan area likely to be affected.

Table 4: Criteria for determining the likely significance of environmental effects – Plan Characteristics	
Plan Characteristics	Malton and Norton NP
<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>The Malton and Norton NP will, once made, form part of the statutory development plan for the civil parishes of Malton and Norton. Malton and Norton are the principal towns in Ryedale District.</p> <p>The plan addresses local issues specific to Malton and Norton. In order to meet the basic conditions (which will be tested at an examination into the Neighbourhood Plan), the NP needs to be in broad conformity with the strategic policies in the adopted development plan prepared by Ryedale District Council. This currently comprises the</p> <ul style="list-style-type: none"> Ryedale Plan Local Plan Strategy adopted in September 2013 Ryedale Plan Local Sites Document adopted in June 2019 Helmsley Plan adopted in 2015 Saved policies in the Yorkshire and Humber Regional Spatial Strategy to 2026 The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013 <p>Of the above, only the Ryedale Plan Local Plan Strategy 2013 and the Ryedale Plan Local Sites document 2019 are applicable to the Malton and Norton NP area.</p> <p>The Ryedale Plan Local Sites Document allocates two sites in the plan area as follows:</p> <ul style="list-style-type: none"> Land to the east of Beverley Road (600 homes on a site of 24.29 hectares). This is in the south east of Norton on Derwent. Land at old Maltongate (60 homes on a 1.44 hectare site). This is in Malton. <p>The Ryedale Plan Local Sites Document has been subject to a strategic environmental assessment.</p> <p>The Ryedale Plan Local Plan Strategy 2013 intends that Malton and Norton play a more strategic role for the District and in terms of their relationship with York. The Plan seeks to rebalance the twin towns by placing a greater focus on locating new development at Malton and releasing greenfield sites around Malton. In addition the Plan identifies as an aspiration to bring forward a large brownfield site the ‘Woolgrowers, Yorkshire Fertilisers site’ (although this does not appear in the 2019 local sites plan). The Local Plan Strategy also refers to other brownfield sites within the Malton and Norton Rail/River corridor that are currently</p>

Table 4: Criteria for determining the likely significance of environmental effects – Plan Characteristics	
Plan Characteristics	Malton and Norton NP
	<p>underused or which are vacant or derelict. The plan states <i>“they detract from the appearance of the towns and their redevelopment would provide an excellent opportunity to reinforce the physical and visual links between Malton and Norton.”</i></p> <p>Policy SP1 – General Location of Development and Settlement Hierarchy includes a settlement hierarchy where Malton and Norton are the primary focus of the districts growth Sites are allocated via the later adopted document, the Ryedale Plan Local Sites Document.</p> <p>Following Policy SP1, the Plan includes a section called ‘Guiding Development at the Towns’. In this section This plan identifies as opportunities for growth. <i>“Redevelopment of underused Town Centre/ edge of centre sites and rail/river corridor sites subject to flood risk, providing the opportunity to repair and improve the built fabric of the towns including, the Woolgrowers Site, Railway Street/Norton Road areas”</i></p> <p>Table 1 in this report provides an overview of the scope of the Malton and Norton planning policies. The planning policies are focused on shaping the nature in which development comes forward. There are no policies which allocate specific sites for development. However, there are a number of policies which relate to specific sites:</p> <ul style="list-style-type: none"> • Policy TM1 seeks improvements in pedestrian, cycle and bridleway network including a site of the Disused Railway Line which runs through the River Derwent SSSI/SAC. Importantly this site is also identified on the adopted Local Plan Proposals Map and is linked to Local Plan Strategy Policy SP10 which supports <i>“The use of former railway lines and tracks for recreational purposes (including walking, cycling and horse riding) or for potential public transport use should the opportunity arise in the longer term. Development which may prejudice the ability for former railway lines/tracks to be used or reused for these purposes will not be supported”.</i> • Policies TM2 and TM3: supports the provision of new river crossings (by road, pedestrian, cycles and horseriders) and specifically resists proposals which would prejudice the delivery of such crossings.

Table 4: Criteria for determining the likely significance of environmental effects – Plan Characteristics	
Plan Characteristics	Malton and Norton NP
	<ul style="list-style-type: none"> • Policy RC1: Malton and Norton River Corridor supports specific recreational enhancement works within the river corridor. The policy is clear that the acceptability of any proposal must satisfy Local Plan requirements set out in Policy SP14: Biodiversity. • Policy RC2: Regeneration of Land North and South of County Bridge. Here development-related regeneration is supported. The land appears to be adjacent or overlap with the River Derwent SAC/SSS area. • Policy NC1: Land to the Rear of Commercial Street. This also identifies the site as a regeneration opportunity. This site is within built up environment south of the River Derwent SAC/SSSI. <p>Importantly, whilst all the above site-specific policies identify sites on maps where regeneration, enhancements and transport infrastructure would be supported, they are aspirational policies only. No work is demonstrated on the availability of land for development, the viability or deliverability of any development. The implementation of any development would be dependent on a number of other factors including the acceptability of the proposal in biodiversity terms when assessed against Policy SP14 of the Local Plan Strategy.</p> <p>Other site-specific policies include:</p> <ul style="list-style-type: none"> • Policy E1: Identifies eight open spaces and gives them Local Green Space designation • Policy E4: identifies specific sites suitable for green infrastructure enhancement works.
<ul style="list-style-type: none"> • the degree to which the plan or programme influences other plans and programmes including those in a hierarchy 	The Neighbourhood Plan will be the lowest tier in the plan hierarchy in Ryedale District
<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 	Before being made, the plan will be tested against basic conditions as part of an independent examination. This includes a requirement for the plan to contribute towards the achievement of sustainable development. In addition, the plan must not be in breach of

Table 4: Criteria for determining the likely significance of environmental effects – Plan Characteristics	
Plan Characteristics	Malton and Norton NP
development	EU obligations and otherwise be compatible with them. This includes legislation relating to strategic environmental assessment and the protection of European sites.
<ul style="list-style-type: none"> environmental problems relevant to the plan or programme 	<p>Chapter 2 of the NP highlights key issues being:</p> <ul style="list-style-type: none"> threat to heritage in the plan area arising from rapid growth, weak development planning and a lack of traffic management <p>Environmental issues or priorities in the plan area applicable to the plan are summarised below.</p> <p>Biodiversity:</p> <ul style="list-style-type: none"> The River Derwent Special Area of Conservation runs through the plan area; it runs along the boundary between the two civil parishes of Malton and Norton. See Figure 1 below. The River Derwent Special Site of Scientific Interest run through the plan area: it runs along the boundary between the two civil parishes of Malton and Norton. See Figure 2 below. The Howardian Hills Area of Outstanding Natural Beauty lies adjacent to the NP area, to the west in the neighbouring parish of Broughton. See Figure 3. <p>Population</p> <ul style="list-style-type: none"> No specific issues. Population in Norton on Derwent as at 2011 Census =7,387 (nomisweb.co.uk). Population in Malton as at 2011 Census = 4,888 (nomisweb.co.uk). <p>Human Health</p> <ul style="list-style-type: none"> No specific issues applicable to the plan <p>Fauna</p> <ul style="list-style-type: none"> No specific problems identified relevant to the plan. Following species present in both Malton and Norton on Derwent civil parishes as recorded at magic.gov.uk (28 July 2019): 1) Corn Bunting, Curlew and Lapwing (all priority species for CS Targeting and grassland assemblage farmland birds) 2) Grey Partridge, tree sparrow and yellow wagtail (grassland assemblage farmland birds)s Curley (priority species for CS Targeting and grassland assemblage farmland bird), Lapwing; Grassland

Table 4: Criteria for determining the likely significance of environmental effects – Plan Characteristics	
Plan Characteristics	Malton and Norton NP
	<p>Assemblage Farmland Birds. Bats: one recorded granted European species application in Malton</p> <p>Flora</p> <ul style="list-style-type: none"> No specific problems identified relevant to the plan. As recorded at www.magic.gov.uk (28 July 2019) the Civil parish of Malton includes coastal and floodplain grazing marsh along the River Rye on the northern boundary, an area of good quality semi improved grassland in the north east and small area of woodpasture and parkland. Civil parish of Norton on Derwent includes an area coastal and floodplain grazing marsh in the north east. Both civil parishes include an area of lowland Fen along the River Derwent SSSI covering a small area in both civil parishes just to the south of Sheepfoot Hill, areas of deciduous woodland, areas of broadleaved woodland and areas of young trees, small areas of traditional orchards. <p>Soil</p> <ul style="list-style-type: none"> No specific problems identified relevant to the plan. <p>Water</p> <ul style="list-style-type: none"> No specific problems identified relevant to the plan. <p>Air</p> <ul style="list-style-type: none"> There is the Malton Air Quality Management Area. This was established by Ryedale District Council in 2009 to reduce ambient levels of nitrogen dioxide in Malton. The area designated is the junction of Yorkersgate and Castlegate and extends approximately 400 metres along the roads in four directions from this junction. The community aspirations section of the plan includes aspirations to ban HGVs over 7.5 tones in the area on the level crossing, by pass signage to discourage driving through the two towns and provision of a shuttle bus network between the town centre and the Eden camp complex. Planning policy E6 in the draft NP look specifically at the managing the impact of proposals which may impact on this air quality management area. <p>Climatic factors</p>

Table 4: Criteria for determining the likely significance of environmental effects – Plan Characteristics	
Plan Characteristics	Malton and Norton NP
	<ul style="list-style-type: none"> The River Derwent corridor and surrounding land falls within fluvial flood zone 3. This applies to corridors of land running south from the River Derwent in the town of Norton (e.g. Mill Beck Corridor and Priorpot Beck). Flooding incidents have occurred in the two towns in the past. <p>Material Assets</p> <ul style="list-style-type: none"> No specific problems identified relevant to the plan <p>Cultural Heritage</p> <ul style="list-style-type: none"> The plan area includes many heritage assets which are recognised and protected in the plan. The plan area includes three conservation areas (Malton Town Centre, Norton-on-Derwent and Malton Old Town). Policy HD1 in the draft NP focuses on managing development in these conservation areas with an overall view to ensuring development that conserves or enhances the conservation areas. The community aspirations chapter includes an aspiration to introduce Article 4 Directions across the three conservation areas to remove some permitted development rights, aspirations to refurbish six listed K6 telephone kiosks, initiative improved street signage with a view to securing more sympathetic street signage, appropriate to the appearance of the conservation area, aspirations to review all 3 conservation area (the update of the appraisal of Malton town centre and the production of appraisals for Norton-on-Derwent and Malton Old Town conservation areas. As recognised in Chapter 4.7 of the NP, there are records of extensive archaeological remains from the pre-historic, Romano-British, Medieval and Post-Medieval periods. Planning policy HD11 in the NP seeks to ensure these remains are taken fully into account as development comes forward. <p>Landscape</p> <ul style="list-style-type: none"> An area adjacent to the plan area in the north west is the Howardian Hills Area of Outstanding Natural Beauty. This area does not abut the settlements in the towns and there are no proposals for development near to this area. The Ryedale Local Plan Sites Document adopted in June 2019 includes areas of Visually Important Undeveloped Areas in the plan area – see policy SD16. This applies to:

Table 4: Criteria for determining the likely significance of environmental effects – Plan Characteristics	
Plan Characteristics	Malton and Norton NP
	<ul style="list-style-type: none"> - Land at Folliot Ward Close, Middlecave Road, Malton - Land to the north of Peasey Hills, - Land between Welham Road and Langton Road, Norton - Land north of Westgate Lane, Old Malton <p>The effect of this is applying a designation that exists via the Local Plan Strategy in Policy SP16 (Design) of that document.</p> <ul style="list-style-type: none"> • Applicable designations in the Ryedale Local Plan 2002 also still exist: Area of High Landscape Value in the south of Norton on Derwent known as The Wolds Area of High Landscape Value • The NP does propose designation of seven Local Green Spaces. These includes areas that fall within Visually Important Undeveloped Areas: Lady Spring Wood and River Walk to Malton, North East of Castlegate, adjacent to the Old Lodge Hotel and Orchard Fields, East of Castlegate, north of Commercial Street, Norton, between railway line and River Derwent, Orchard Fields adjacent to Old Maltongate, the Old Lodge and Lady Spring Wood, Mill Beck Corridor adjacent to Lakeside and Welham Road housing, Orchard Fields/Old Malton Recreation Land,
<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). 	<ul style="list-style-type: none"> • The Neighbourhood Plan is not a requirement of the EU legislation or directly linked to it.

Table 5: Criteria for determining the likely significance of environmental effects: Characteristics of the effects and of the area likely to be affected

Effects	
<ul style="list-style-type: none"> Summary of effects 	<p>A number of the draft planning policies are likely to have some minor positive effect on landscape and biodiversity. This includes:</p> <ul style="list-style-type: none"> Policy E1: Protection of Local Green Space which proposes Local Green Space designation to a range of open spaces, some of which are already identified through the Ryedale Local Plan as having landscape value. Policy E4: Green Infrastructure which specifies that development proposals should not harm six different areas including areas designated as important for landscape value and biodiversity value. 1) Derwent Corridor, 2)The Howardian Hills 3) The Rye Corridor 4) the Mill Beck Corridor 5) the Driffeld Thirsk Disused Railway Line 6) Westfield Way, Priorpot Beck The Heritage and Design Policies seeking to conserve and enhance heritage assets. <p>There are a number of other sites specific policies (see Table 1 and Table 3 above). Two of these have a need for particularly consideration in terms of possible adverse impact on the River Derwent SSSI and River Derwent SAC. These are NI: land to the rear of Commercial Street and RC2: Regeneration of Land North and South of County Bridge. They support regeneration at locations which are in or close to the River Derwent SAC/SSSI. Land to the rear of Commercial Street is within a built-up area south of the River Derwent SAC/SSSI and land identified as RC2 cross the River at a point outside the extent of the River Derwent SSSI but where the River Derwent SAC appears to pass through. The policies do not allocate the sites for development but support it in the event that any proposal is compatible with Policy SP14 of the Local Plan Strategy Policy. These policies are aspirational; no work has been undertaken on deliverability and viability of any scheme. The implementation of any proposal would be depending on a number of factors including the acceptability of any proposal when assessed against Policy SP14 of the Local Plan Strategy with regards to biodiversity.</p> <p>Policy SP14 of the Local Plan Strategy Policy does not specifically refer to cases where proposals may impact on a European site but reads:</p> <p><i>"In considering proposals for development – Proposals which would have an adverse effect on any site or species protected under international or national legislation will be considered in the context of the statutory protection which is afforded to them."</i> Supporting paragraph 7. 15 however assumes that existing legislation is in place to cover such scenarios: <i>"Stretches of the River Derwent are protected under</i></p>

Table 5: Criteria for determining the likely significance of environmental effects: Characteristics of the effects and of the area likely to be affected

Effects	
	<p><i>international law as a Special Area of Conservation and 32 Sites of Special Scientific Interest have been designated as areas of national interest by virtue of their flora, fauna or geological importance”.</i></p> <p>A key question for the purpose of the SEA screening is whether or not the policy RC2: Regeneration of Land North and South of County Bridge would actually trigger an increased likelihood of development at this site and if so, would this then trigger likely significant effects. The effect of the policy wording is to support regeneration at this site and therefore could lead to consideration of this development opportunity, but the policy does not facilitate any development and flags up the need to consider biodiversity impacts of any scheme. Specifically, the policy is explicit in stating it does not itself establish <i>the principle of any such development</i>, implying such a principle must be established via other means such as through the Local Plan or consideration of any scheme against the Local Plan policies. On this basis, the policy can be considered as not triggering any additional development.</p> <p>The intent of the policy is further clarified in the supporting text which recognises the status of the River Derwent SAC and SSSI in a way which the policy text does not.</p> <p><i>“The river corridor provides opportunities for enhancements to improve the general setting of the two towns and their relationship. However, the river corridor is heavily constrained by its SAC designation and by flood risk. Any projects or development would need to take full account of the ecological value of the river corridor, as reflected in its SAC and SSSI status.”</i></p> <p><i>“The Neighbourhood Plan policy approach is also in tune with the Local Plan Strategy, which aspires to the redevelopment of underused river corridor sites subject to flood risk, as an opportunity to improve the built fabric of the towns. It also conforms with Policy SP14 (Biodiversity) in respect of seeking to conserve, restore and enhance biodiversity through any development affecting the river corridor, and doing so within the context of the statutory protection of the river and its European SAC (Special Area of Conservation) designation as set out in that policy. It similarly recognises the need for policies to work within the context of the flood risk management and air quality provisions set out in Policy SP17 (Managing Air Quality, Land and Water Resources).”</i></p>

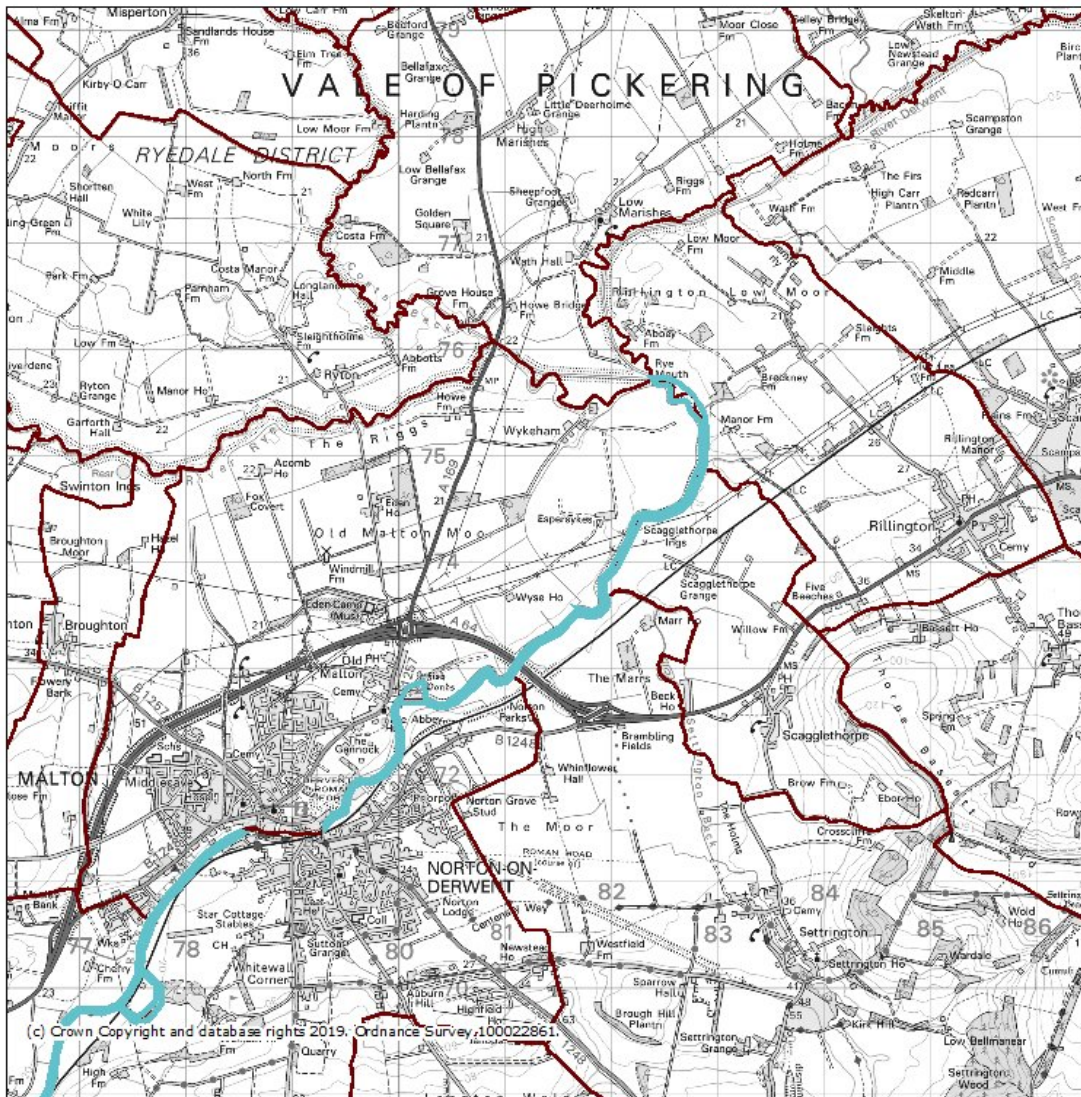
Table 5: Criteria for determining the likely significance of environmental effects: Characteristics of the effects and of the area likely to be affected	
Effects	
	<p><i>"The scale of the enhancement works in mind are considered to be minor and so are felt unlikely to impact on the quality of the SAC/SSSI. It is however fully recognised that assessments need to be undertaken to evaluate the possible impacts for disturbance to protected habitats and species"</i></p> <p>The last of these paragraphs indicates that any enhancement works are intended to be minor. Whilst a shortcoming that the word 'minor' is not clarified in the policy text, this paragraph is important. The last paragraph also implies that any proposals would need to be assessed for its possible impact for disturbance to protected habitats and species (although for avoidance of doubt the sentence could improve in accuracy if it read "... that assessments, <i>at planning application stage</i>, need to be undertaken".</p> <p>Also of relevance is the assertion made in the supporting text that the aspirations set out in RC2 to attract riverside regeneration at a location sensitive in biodiversity terms is compatible with the adopted Local Plan Strategy <i>"The Neighbourhood Plan policy approach is also in tune with the Local Plan Strategy, which aspires to the redevelopment of underused river corridor sites subject to flood risk, as an opportunity to improve the built fabric of the towns."</i> It is true, the Local Plan Strategy does highlight in paragraph 3.16 the existence of Brownfield sites in the Malton and Norton Rail/River corridor that are currently underused or which are vacant or derelict. It asserts their redevelopment would provide for excellent opportunity to reinforce physical and visual links between Malton and Norton. However, the Local Plan Strategy and the Local Sites Plan do not allocate any such riverside sites for development.</p>
<ul style="list-style-type: none"> • the probability, duration, frequency and reversibility of the effects 	Effects identified above are unlikely since the policies themselves do not delivery or trigger development. Were development to be triggered off the back of these policies, the effects would be managed since the intention of the policy (as described in the supporting text) clarifies that any development must be consistent with the River Derwent SAC and SSSI status.
<ul style="list-style-type: none"> • the cumulative nature of the effects 	There are two policies which could (but unlikely) have an adverse impact on River Derwent SAC and SSSI.
<ul style="list-style-type: none"> • the transboundary nature of the effects 	No international transboundary effects.
<ul style="list-style-type: none"> • the risks to human health or the environment (for example, due to accidents) 	No identified risks to human health.

Table 5: Criteria for determining the likely significance of environmental effects: Characteristics of the effects and of the area likely to be affected	
Effects	
<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) 	Any effects would be small (since the policy states that any development must be compatible with Local Plan Strategy Policy SP14 and the intention of the policy states any development must be consistent with the River Derwent SAC and SSSI status. But, there is a small chance the River could be affected. Effects would be small, effects may however be distributed spatially due to the river network and habitat in the waterway.
<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; or intensive land use 	High biodiversity value attributed to River Derwent SAC and SSSI.
<ul style="list-style-type: none"> the effects on areas or landscapes which have a recognised national, community or international protection status 	No impacts on nationally recognised landscapes e.g. the Howardian Hills AONB

Figure 1: Extract from Magic Map showing the extent of the River Derwent SAC and its path through the plan area.

MAGiC

Magic Map



Legend

□ Parishes (GB)

0 1.5 3
km

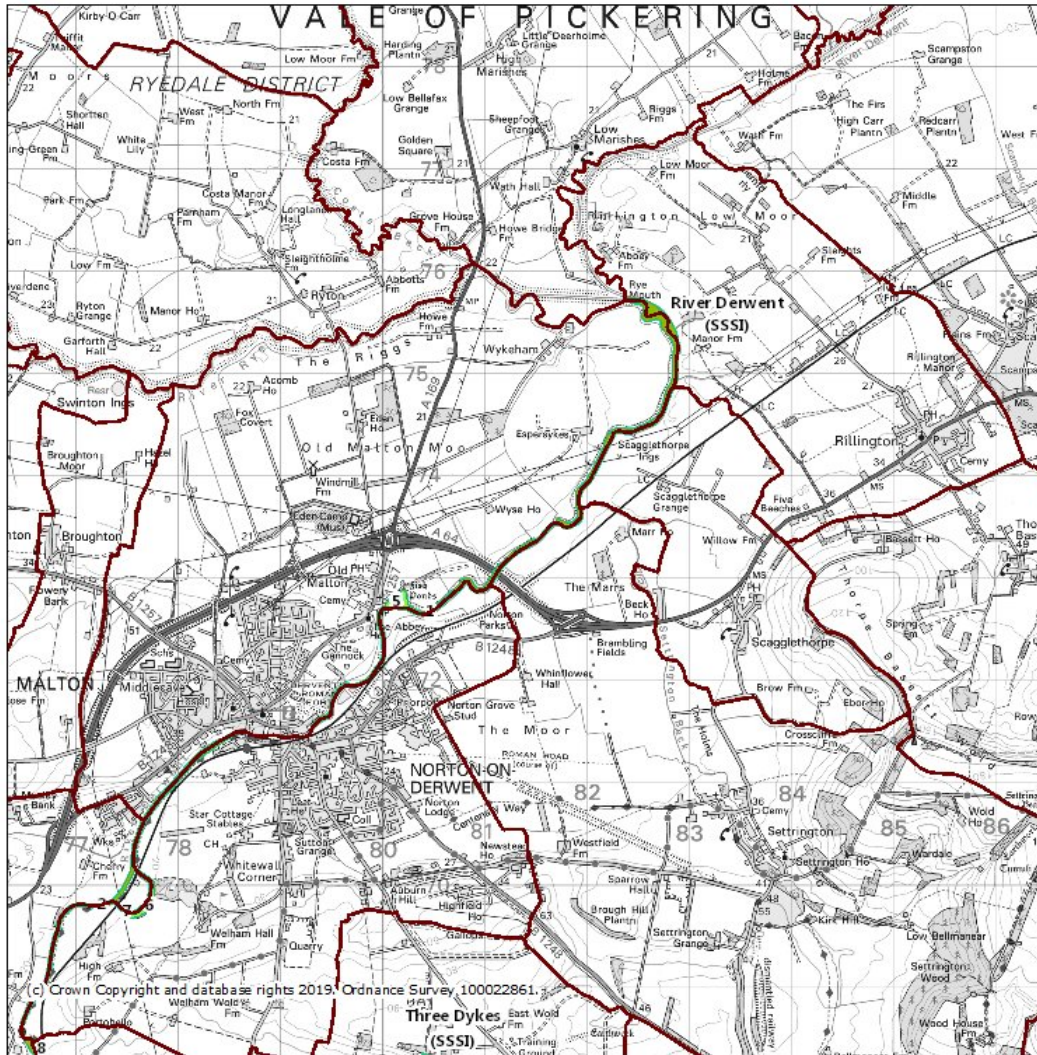
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 ymax = 480700

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Figure 2: Extract from Magic Map showing the extent of the River Derwent SSSI and its path through the plan area.

MAGiC

Magic Map

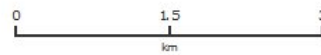


Legend

Parishes (GB)

Sites of Special Scientific Interest Units (England)

- Favourable Condition
- Unfavourable Recovering
- Unfavourable no change
- Unfavourable Declining
- Part Destroyed
- Destroyed
- Not Assessed
- Sites of Special Scientific Interest (England)



Projection = OSGB36

xmin = 468400

ymin = 466800

xmax = 494400

ymax = 480100

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Figure 3: Extract from Magic Map showing the extent of the Howardian Hills Area of Outstanding Natural Beauty (to the west in neighbouring parish of Broughton (see red hatching))

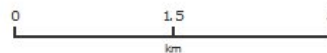
MAGiC

Magic Map



Legend

- Parishes (GB)
- Areas of Outstanding Natural Beauty (England)



Projection = OSGB36

xmin = 468600

ymin = 465000

xmax = 494600

ymax = 478300

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4. SEA Screening Preliminary Conclusions

4.1 As a result of the assessment in Section 3, no likely significant environmental effects resulting from the Malton and Norton NP have been identified. The key reasons for this are:

- Whilst parts of the NP area are vulnerable in terms of biodiversity (River Derwent SAC and SSSI – see Figures 1 and 2), landscape (See Figure 3) and in relation to flood risk (see Environment Agency flood maps which show the River Derwent Corridor as falling within Flood Zone 3, the plan does not allocate sites for development.
- The policies are focused on shaping and influencing development when planning applications are brought forwards and from this point of view a range of minor positive effects could occur particularly in relation to the historic environment.
- There are a number of site-specific policies which highlight specific locations where certain types of investment would be supported. This includes sites which are in or close to areas which are sensitive in biodiversity or flood risk terms. However, in the main, the type of development being supported is minor public enhancement initiatives such as provision of picnic benches, boat moorings etc.
- There is one specific policy which deserves particular attention. This is Policy RC2: Regeneration of Land North and South of County bridge. Again, the policy does not allocate the site for development and neither does it accept or establish the principle of development. The policy is carefully worded to state *“in the event that the principle of development on this site is accepted via the Local Plan or otherwise, relative to the requirements of Local Plan Strategy Policy SP14”*, the policy sets out specific criteria which will be also be sought as part of a proposal (being found as acceptable through a mechanism other than through the Neighbourhood Plan). The policy is an aspirational one where the deliverability of the policy is dependent on a range of other factors not demonstrated (viability or deliverability or availability of land). Whilst not explicitly clear in the policy wording, the supporting text to the policy is clear in stating *“any projects or development would need to take full account of the ecological value of the river corridor, as reflected in its SAC and SSSI status. In addition, flood risk is a recognised issue, especially in light of forecasting models that are expected to inform future decisions concerning development opportunities.”*

4.2 This is a preliminary SEA screening conclusion, prior to consultation with the statutory consultees.