

## **Annex 5: Sustainability Appraisal, Strategic Environmental Assessment and Habitat Regulation Assessment**

A5.1 The Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) will be an integral part of ensuring the soundness of the Local Plan. Section 39 of The Planning and Compulsory Purchase Act 2004 requires planning documents to be prepared in accordance with the achievement of sustainable development. In addition to this, Local Planning Authorities must also comply with the European SEA Directive (2001/42/EC), which requires assessment of any plans or programmes which are likely to have a significant environmental effect. This Directive was incorporated into English Law by virtue of the SEA Regulations 2004. Given the linkages between the requirements for SA and SEA, the SA for the Local Plan will incorporate the requirements of the SEA Directive.

A5.2 The SA/SEA is an iterative process of understanding the likely significant effects on economic, social and environmental sustainable development objectives through assessment of the emerging policies in the plan via a programme of:

- Scoping of the Sustainability Issues and relevant objective for York;
- Assessment of policy options/alternatives;
- Assessment of the Preferred Policy Options
- Assessment of the Submission policy;
- Consultation in tandem with all stages of the Local Plan.

A5.3 The SA/SEA is able to make recommendations for a more sustainable approach where applicable and is responsible for documenting this audit trail of decision-making.

A5.4 The Habitat Regulation Assessment (HRA) is a statutory requirement set out by the European Directive for the Conservation of Natural Habitats and Wild Flora and Fauna (92/43/EEC). It sets out a legal framework for the protection for habitats and species of European importance and requires the maintenance or restoration of species and habitats of interest in the EU in favourable conditions. It is implemented through the assessment of likely impacts on the integrity of a network of sites called 'Natura 2000 sites', which includes Special protection Areas, Special Sites of Conservations and Offshore Marine Sites.

A5.5 The emerging Local Plan for York will be subject to an HRA at key stages of the plan's development to assess and determine whether the policies in the Plan will have a significant effect on the integrity of the Natura 2000 network within 15km of the York Authority boundary. The assessment it will also determine whether the resulting impacts will need mitigating to ensure no significant impacts to the sites which contravene the regulations are incurred.