

North Tawton Draft Neighbourhood Plan

(Pre-Submission version 15.05.17)

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

27/06/2017

SCREENING OPINION

SEA

Having taken all of the relevant policies of the draft North Tawton Neighbourhood Plan (Pre-Submission version 15.05.17) into account, and assessed the potential environmental impact on designated sites and landscapes, it is the Council's opinion that a full SEA is not required for the Neighbourhood Plan, due to the lack of development site allocations and the criteria set out for development to mitigate against possible environmental impacts. The full reasons for this conclusion are set out in the screening report in Appendix 1.

The Council has therefore determined under regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 that the plan is unlikely to have significant environmental effects and that a full strategic environmental assessment is not required.

HRA

Due to the lack of development site allocations and the lack of any European Sites in the vicinity of the Neighbourhood Plan Area, the Council considers that the North Tawton Neighbourhood Plan will not have a significant effect on a European site and that therefore further assessment under the Habitats Regulations is not required. The full reasons are set out in Appendix 2 of this report.

Summary

SEA

This statement has been produced to comply with Regulation 15(1) e (ii) of the Neighbourhood Planning (General) (Amendment) Regulations 2015.

A neighbourhood plan is required to meet a number of basic conditions, one of which being it must not breach, and must be otherwise compatible with EU and Human Rights obligations. This requires neighbourhood plans to fully consider the requirements of the SEA regulations which transpose the EU's SEA Directive into law and which requires those making plans that could impact on the environment to consider whether they are likely to have a significant effect or not.

A Strategic Environmental Assessment (SEA) Screening Opinion was prepared by West Devon District Council for the North Tawton Neighbourhood Plan (see Appendix 1). The statutory environmental bodies (Natural England, Historic England and Environment Agency) were consulted on 26/05/2017.

Having taken all of the relevant policies of the draft plan into account, and assessed the potential environmental impact on designated sites and landscapes, it is the Council's opinion that a full SEA is not required for the North Tawton Neighbourhood Plan. The reasons for this conclusion are set out in the screening report in Appendix 1.

HRA

The legislative basis for the **Habitats Regulations Assessment (HRA)** is EU Habitats Directive Article 6(3) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

The 'Natura 2000 network' (more commonly referred to as 'European Sites') of sites are designated for the importance of habitats, species and birds (under the 'Habitats Directive' for Special Areas of Conservation, and the 'Birds Directive' for Special Protection Areas). The designation of European Sites was intended to provide legal protection for this flora and fauna of a European importance, requiring their maintenance or restoration in a favourable condition.

The process of HRA encompasses the requirements of the Habitats Directive and Habitats Regulations, and includes a decision on whether the plan (including Neighbourhood Plans) should be subject to appraisal. The 'screening' process is used to consider whether the plan would be likely to have significant effects on a European Sites, and if so whether an 'appropriate assessment' is necessary.

Due to the lack of development site allocations and the lack of any European Sites in the vicinity of the Neighbourhood Plan Area, the Council considers that the North Tawton Neighbourhood Plan will not have a significant effect on a European site and that therefore further assessment under the Habitats Regulations is not required. The full reasons are set out in Appendix 2 of this report.

Consultation

Consultation responses were received from two statutory consultees, their conclusions are listed below with additional comments in Appendix 3.

Natural England:

Natural England agrees with the conclusion of the SEA screening report that a Strategic Environmental Assessment would not be required. We consider that, based on the material supplied with the consultation, in so far as our strategic environmental interests are concerned, significant environmental effects resulting from the neighbourhood plan are unlikely.

We also agree with the report's conclusions that the North Tawton Neighbourhood Plan would not be likely to result in a significant effect on any European site either alone or in combination and therefore no further assessment work under the Habitats Regulations would be required.

Historic England:

I can confirm that we have no objection to the view that an SEA will not be required for this neighbourhood plan. The Plan does not allocate sites for development and we agree that policies for the protection and enhancement of the historic environment in the Plan and elsewhere locally and nationally can adequately ensure that no significant environmental effects (ie harm) need occur.

Appendix 1

North Tawton Neighbourhood Plan

Strategic Environmental Assessment Screening Opinion

1.1 - Strategic Environmental Assessment (SEA) Process

The need for environmental assessment of plans and programmes is set out in the EU Directive 2001/42/EC, this was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 or SEA Regulations. The Localism Act 2011 requires neighbourhood plans to comply with EU legislation, although not all neighbourhood plans will require full environmental assessment, depending on what they propose and what effect this might have on the environment.

The Neighbourhood Planning Regulations (General) 2012 as amended in January 2015 require qualifying bodies to submit to the LPA with their neighbourhood plan either a SEA report or a statement of reasons as to why this has not been necessary (Regulation 15(1)e). The latter will only be appropriate where the neighbourhood plan has been assessed using the criteria referred to in Regulation 9 (1) of the Environmental Assessment of Plans and Programmes Regulations 2004; and where this assessment has shown that the neighbourhood plan is plan proposal is unlikely to have significant environmental effects. The 'Regulation 9' criteria are set out in Schedule 1 as follows:

1. The characteristics of plans and programmes, having regard, in particular, to—
 - (a) 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;
 - (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - (d) environmental problems relevant to the plan or programme; and
 - (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—
 - (a) the probability, duration, frequency and reversibility of the effects;
 - (b) the cumulative nature of the effects;
 - (c) the transboundary nature of the effects;
 - (d) the risks to human health or the environment (for example, due to accidents);
 - (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - (f) the value and vulnerability of the area likely to be affected due to—
 - (i) special natural characteristics or cultural heritage;
 - (ii) exceeded environmental quality standards or limit values; or
 - (iii) intensive land-use; and
 - (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

As part of its duty to support neighbourhood plans, West Devon District Council agreed to undertake the screening process to determine whether the North Tawton Neighbourhood Plan is likely to have significant environmental effects, and consequently whether SEA is required.

1.2. North Tawton and environmental constraints in the Neighbourhood Plan Area

The Neighbourhood Plan Area covers North Tawton Parish in West Devon Borough, Devon. North Tawton is a largely rural parish with a population of just over 2000, situated some seven miles north of Dartmoor National Park. The Plymouth & South West Devon Joint Local Plan (JLP) identifies the small town of North Tawton within the 'Smaller Towns and Key Villages' tier of rural settlements in which housing sites are allocated to help deliver the strategic housing needs of the Borough over the plan period.

North Tawton Parish contains a Site of Special Scientific Interest at Staddon Moor, described as 'a species-rich remnant of Culm Grassland supporting well-developed and highly representative communities typical of this threatened and declining habitat'. Much of the parish lies within the SSSI Impact Risk Zone. There are areas of designated Ancient Woodland in the north of the parish at Western Copse, Rook Wood and Woodland Copse.

The River Taw runs south-north through the western side of the parish and close to the western edge of the town with a number of streams and tributaries feeding the river through the parish. Two streams, broadly running west-east, feed the River Yeo in the south-east and north-east corners of the parish with part of the south-eastern boundary of the parish being formed by the river. There are some areas at risk from flooding (Flood Zone 2 and 3) which broadly follow the line of the rivers and their tributaries. Agricultural land in the parish is a range of quality grades of 2 (very good), 3 (good to moderate) and 4 (poor). There are over a dozen historic scheduled monuments within the Parish and numerous listed buildings many of which are in the town.

1.3. North Tawton Neighbourhood Plan

The North Tawton Draft Neighbourhood Plan (the Plan) sets out policies and approaches which will add local detail to policies within the Joint Local Plan.

The Plan sets out a Vision for the Neighbourhood Area as follows:

The thriving North Tawton community - together with its surrounding areas - prides itself in its friendly community spirit and in its commercial and social facilities which meet the residents' day to day needs. We aim to balance new development with the conservation of our historic, rural character and want to ensure that any planned changes in the town contribute to its sustainability and viability in the years to come.

The Plan objectives are as follows:

Conserving Our Historic and Natural Environment

1. To maintain and enhance the physical appearance of the town in its rural surroundings and help to secure the surrounding countryside, as much as possible, in its present essentially rural state.
2. To ensure that the heritage assets of the parish of North Tawton are protected and conserved for the benefit of the community, as they contribute both character to the town, and significant value to the quality of life for this, and future, generations.

Community Life

3. To provide a safe and healthy place in which individuals and families can thrive where community facilities and services are supported, enhanced and maintained.

The Economy: Employment and Business

4. To provide a greater level and variety of employment within the town.
5. To welcome and support measures which maintain and improve the effectiveness and vibrancy of the town's retail and business centre, ensuring a thriving town.
6. To support the safeguarding of existing public transport and promote better links with other towns and areas - especially those of Exeter and Okehampton.

Housing

7. To support as closely as possible the views expressed by the town's residents through the social engagement process.
8. To support housing development that sustains the population of the town at a level that helps maintains shops, jobs and services sufficient to enable North Tawton to thrive as a place in which to live.
9. To ensure the provision of a sufficient number, type, range and tenure of housing of a good standard that meets the needs of different groups of people. To wherever possible promote independent living for people of all ages and conditions.
10. To ensure that the design of any new development reflects and respects the distinctive character of the town and its surroundings.

Infrastructure

11. To support a sustainable health provision within the town which enhances healthy living for individuals and families and meets the needs of local residents.
12. To ensure that 106 agreements consider the impact of new developments on the needs of the Pre-school, Primary and Secondary age children in the town providing appropriate financial support.
13. To support the provision of improved car parking within the town.

Energy & Environment

14. To help the town move towards a more sustainable future, especially in relation to renewable energy and to help it play its part in National and Regional initiatives towards greater sustainability.
15. To provide the basis for tangible community benefits from energy projects within

the parish.

16. To support a reduction in carbon emission which contributes to improvements in energy conservation, particularly in housing, employment and the provision of goods and services that enhance sustainable living.

17. To aid the reduction of fuel poverty.

The Plan contains policies as summarised in the table below.

Table 1. Summary of policies in the Plan

Policy	Summary of aims and key environmental effects
Policy CH1 - Local Green Space Designation	Designates nine areas as Local Green Spaces, protects inappropriate development on these sites and against their loss as amenity space.
Policy CH2 - Design, Heritage and the Built Environment	To ensure that new development is sympathetic to the traditional and historic built character and landscape of the parish, and heritage assets protected, development proposals will only be supported where they are of high quality design, enhance visual amenity of the setting and minimise any adverse visual impact on local character and neighbouring properties.
Policy CH3 Important Amenity Views & Landscape Character	Seeks to protect the local landscape setting and special character of North Tawton and important views towards the town and from the surrounding open countryside.
Policy CO1 - Protecting Community Facilities from Loss	Seeks to protect identified community facilities from loss.
Policy CO2 - Replacement, improved and additional play, sports and recreation facilities	Provides criteria for the replacement or upgrading of play, sport and recreation facilities.
Policy CO3 - Priority Local Infrastructure and Projects	Sets out priorities for S106 or CIL funds.
Policy E1 - Local Employment Land	Sets out criteria for development on existing, committed and JLP allocated employment sites, including environmental criteria.
Policy E2 - Mixed Use	Encourages proposals for the mixed use of development sites.
Policy E3 - Live-Work Units	Encourages proposals for Live-Work units and sets out development criteria, including measures to protect the environment.
Policy E4 - Maintaining the Retail & Business Offer	Identifies a business and retail centre for North Tawton town and protects against change of use to non-retail or non-business in that area.
Policy E5 Transport & Parking	Protects against the loss of existing parking

Policy E7 - Safe Walking & Cycling Routes from The Barton & Batheway into the town	Supports the creation of a safe off-road cycle and footpath from The Barton & Batheway and sets out development criteria.
Policy HO1 – New Dwellings	Sets out development criteria for new development, including environmental criteria.
Policy HO2 – Affordable Housing	Requires development to provide affordable housing in line with the JLP. Requires proposals for affordable housing to demonstrate how they meet relevant requirements set out in the North Tawton Design Statement; and, how they meet local needs for dwelling sizes and type.
Policy HO3 - Occupancy of Affordable Housing	Restricts occupancy of the affordable housing to a person(s) with a local connection.
Policy HO4 – Retaining Affordable Housing for the Local Community	Encourages community housing schemes such as CLTs
Policy HO5 – Private Rear Amenity Space (Gardens)	Requires new housing developments to include appropriate gardens.
Policy HO6 - Residential, Supported Care and Sheltered Homes	Supports the development of accommodation for the elderly
Policy HO7 - Parking in Residential Development	Requires new developments to provide adequate parking.
Policy HO8 - Small Scale Self-build Housing	Supports small scale self build
Policy IN1 - New Medical Practice	Development proposals for the provision of a fit for purpose Health Care facility within the town will be supported.
Policy IN2 - Development and the Implications for Education	Requires education needs to be considered in new development
Policy IN3 – Development and the Implications for Car Parking Provision	Development proposals should demonstrate that they have considered implications arising from the demand for car parking provision in North Tawton.
Policy EE1 – New Housing development and Energy	Housing development proposals should provide 20% of the home’s post construction energy requirement from onsite generation from low carbon technologies.
Policy EE2 – Individual and Community Energy Schemes	Small scale energy schemes are supported subject to certain environmental criteria.
Policy EE3 – Commercial Energy Installations	Commercial energy schemes are supported where they are in accordance with EE2 and also provide community benefit.
Policy EE 4 – Sustainability and Housing	New housing built in North Tawton within the period up to and including 2034 will only be supported if it is constructed to Passivhaus standards.

2.0. SEA Screening and Statement of Reasons

Table 2 below provides the screening determination of the need to carry out a full Strategic Environmental Assessment for the North Tawton Neighbourhood Plan, including a statement of reasons for why this has not been considered necessary. The statutory consultees consisting of Natural England, Historic England and the Environment Agency will be consulted to ask for their comments.

Table 2: SEA screening

Criteria	Significant environmental effect?	Reason
1. The characteristics of plans and programmes, having regard, in particular, to—		
(a) 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;	NO	The broader policy framework is set by the NPPF and the Local Plan. The North Tawton Neighbourhood Plan does not propose significant new development in addition to or in contradiction to the Local Plan.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	NO	Neighbourhood plans should be taken into account by other proposed plans, including the Local Plan, but there are no plans or programmes that need to be in conformity with it. The Plan will therefore not significantly influence other plans and programmes.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	NO	The policies in the North Tawton Neighbourhood Plan are not considered likely to have a significant environmental impact on the integration of environmental considerations. Any development proposed will be in accordance with environmental protection policies of the adopted Local Plan and the National Planning Policy Framework (NPPF).
(d) environmental problems relevant to the plan or programme; and	NO	The Neighbourhood Plan area contains the Staddon Moor SSSI, but the nature of the proposals in the Neighbourhood Plan are not considered likely to have significant effects on the SSSI. See the screening opinion below for more detail.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	NO	The Neighbourhood Plan is not relevant as a plan for implementing EC legislation.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—		
(a) the probability, duration, frequency and reversibility of the effects;	NO	Any effects are considered to be minimal. Policies in the Plan that support new

		development also set out environmental criteria that would mitigate against the development.
(b) the cumulative nature of the effects;	NO	The effects from the Plan as a whole are not considered to be significantly greater than those from any individual policy.
(c) the transboundary nature of the effects;		The Plan will not have any transboundary effects.
(d) the risks to human health or the environment (for example, due to accidents);	NO	There are considered to be no risks to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	NO	The Neighbourhood Plan area covers the parish of North Tawton. The population of the Neighbourhood Area is approximately 2,000. This is considered to be a small area in terms of wider environmental effects.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	NO	As discussed, the only vulnerable area which may be effected is considered to be the SSSI, and any effects are likely to be minimal.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	NO	As above. In addition, the Plan contains policies which are likely to have a positive effect on the environment generally.

2.1 SEA Screening Opinion

The North Tawton Neighbourhood Plan does not allocate any development sites, but instead provides criteria based policies to help guide development that is likely to come forward under the policies set out in the Joint Local Plan. The environmental impact of all Joint Local Plan policies have been assessed as part of the plan production process.

The criteria set out for development in the North Tawton Neighbourhood Plan are likely to prove beneficial in terms of mitigating against any possible environmental impacts. Where development is actively encouraged, criteria are given to ensure that there will be no adverse impacts. For example in Policy E3 – Live Work Units, the criteria require that the development has no adverse impact on flood risk or:

- a. the character of the built environment;
- b. the character of the natural environment and setting;
- c. residential amenity;
- d. traffic generation;
- e. noise; and,
- f. light pollution.

The Neighbourhood Plan Area does contain potentially sensitive areas including an SSSI, a concentration of listed buildings and scheduled monuments, and a conservation area within North Tawton town. However,

no development is proposed that is likely to have any effect on the Staddon Moor SSSI, while the Neighbourhood Plan is likely to guard against any possible impacts on the built environment arising from development proposed in the Joint Local Plan. Policies CH2 and CH3 in particular address design quality in relation to existing heritage assets in North Tawton.

HRA screening has been carried out which concluded that the North Tawton Neighbourhood Plan will have no unacceptable impacts on any European designated sites

Having taken all of the relevant policies of the draft North Tawton Neighbourhood Plan into account, and assessed the potential environmental impact on designated sites and landscapes, this screening opinion has concluded that a full SEA is not required.

Appendix 2

North Tawton Neighbourhood Plan Habitats Regulations Assessment: Screening

1.0. The HRA process

The legislative basis for the **Habitats Regulations Assessment (HRA)** is EU Habitats Directive Article 6(3) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

The 'Natura 2000 network' (more commonly referred to as 'European Sites') of sites are designated for the importance of habitats, species and birds (under the 'Habitats Directive' for Special Areas of Conservation, and the 'Birds Directive' for Special Protection Areas). The designation of European Sites was intended to provide legal protection for this flora and fauna of a European importance, requiring their maintenance or restoration in a favourable condition.

With respect to this HRA, all of the following designations, to which the HRA process applies, are referred to as 'European sites':

- **Special Areas of Conservation (SACs)** special protection to flora, fauna and habitats
- **Special Protection Areas (SPAs)** are areas of land, water or sea of international importance for the breeding, feeding, wintering or the migration of rare, vulnerable or migratory species of birds
- **Ramsar sites**, identified through the Convention on Wetlands of International Importance
- **Proposed and candidate SPAs and SACs (pSPA, cSPA, pSAC, cSAC)** that are being considered for designation

1.1. The HRA screening process for neighbourhood plans

There are particular requirements for plans and projects set out within the European Directives (and transposed into domestic legislation in England by the 'Habitats Regulations').

The process of HRA encompasses the requirements of the Habitats Directive and Habitats Regulations, and includes a decision on whether the plan (including Neighbourhood Plans) should be subject to appraisal. The 'screening' process is used to consider whether the plan would be likely to have significant effects on a European Sites, and if so whether further assessment is necessary.

Straightforward mitigation measures can be included at this screening stage, which may rule out the likelihood of significant effects. If likely significant effects remain after straightforward mitigation measures are applied, the HRA process should proceed to a second stage which is called an 'Appropriate Assessment.'

An Appropriate Assessment will consider the implications for the European Site in view of the conservation objectives (generally to restore or maintain the features which led to the designation of the site), and consider whether the plan could affect the integrity of the site. More detailed mitigation measures may be considered at this stage. A plan should only be agreed once the competent authority has established that the plan will not adversely affect the integrity of the European Sites.

With respect to Neighbourhood Plans, the Neighbourhood Planning (General) Regulations 2012 require a submitted neighbourhood plan to include a statement explaining how the proposed Neighbourhood Plan meets the basic conditions set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990. One of the basic conditions requires Neighbourhood Plans to be compatible with EU obligations and to demonstrate that it is not likely to have a significant effect on a European Site.

The Habitats Regulations do not prescribe a specific methodology for undertaking or reporting the appraisal of plans, however there is guidance within various documents and the following are most relevant:

- ODPM Circular 06/2005
- *The Habitats Regulations Assessment of Local Development Document (David Tyldesley and Associates for Natural England – final draft 2009)*
- *Habitats Regulations Appraisal of Plans, Guidance for Plan-Making bodies in Scotland (David Tyldesley and Associates, 2012).*

As this Neighbourhood Plan is not directly connected with or necessary for the management of a European site for nature conservation purposes it must proceed through the HRA screening process.

2.0. Selecting European sites that should be considered in the HRA screening

The decision about which European Sites should be considered in the Appraisal is based upon the checklist below (*adapted from Figure 2 of HRA of Plans, David Tyldesley and Associates, 2012*).

- Sites within the plan area
- Sites upstream or downstream of the plan area in the case of river or estuary
- Wetland sites with relevant hydrological links to land within the plan area
- Sites which have significant ecological links with land in the plan area (e.g. migratory birds/mobile species)
- Sites which may receive increased recreational pressure from the plan
- Sites that may be used for water abstraction
- Sites that could be affected by discharge of effluent from waste water treatment
- Sites that could be affected by significant increases in emissions from traffic

EUROPEAN SITES THAT COULD POTENTIALLY BE AFFECTED BY THE NORTH TAWTON NEIGHBOURHOOD PLAN

WEST DEVON EUROPEAN SITES			
Site Name & Designation	Qualifying Interests	Site vulnerabilities	Potential effects of plan
Dartmoor SAC	Northern Atlantic wet heath with <i>Erica tetralix</i> European dry heath Blanket bog Old sessile oak woodlands <i>Ilex</i> and <i>Blechnum</i> in the British Isles Southern damselfly <i>Coenagrion mercuriale</i> Otter <i>Lutra lutra</i> Atlantic salmon <i>Salmo salar</i>	Visitor and recreational pressure including accidental and deliberate burning, trampling and erosion particularly of blanket bog, disturbance of otters by activity on/near rivers Nutrient/acid deposition causing habitat loss Water quality – effect on Atlantic salmon and Otter	Increased recreational pressure resulting from new development Air pollution resulting from new development Increased water abstraction reducing river flow
Plymouth Sound and Estuaries SAC	Sandbanks which are slightly covered by sea water all the time Estuaries Mudflats and sandflats not covered by seawater at low tide Large shallow inlets and bays Reefs Atlantic salt meadows Shore dock Allis shad	Increased pressure for recreational moorings and facilities, port development, dredging Sensitivity to oil pollution Allis shad vulnerable to noise, vibration and degraded water quality	Increased physical damage from visitor and recreational pressure on shoreline habitats associated with new development Increased recreational use and potential for oil pollution and disturbance of allis shad Waterside development including coastal defences, boat ramps, pontoons
South Dartmoor Woods SAC	Old sessile oak woodlands <i>Ilex</i> and <i>Blechnum</i> in the British Isles European dry heath	Visitor and recreational pressures Nutrient/acid deposition causing habitat loss	Increased recreational use – trampling and erosion/fires Air pollution associated with development
Tamar Estuaries Complex SPA	Internationally important populations of Avocet and Little Egret	Disturbance to Avocet and Little Egret Habitat loss – water quality, acid and nitrate deposition in important wetland areas	Increased recreational pressure associated with development – visual and noise disturbance of Avocet and Little Egret Additional housing in vicinity of cSAC increasing discharge of pollutants from waste water treatment works (non-toxic contamination)
Culm Grasslands SAC	Northern Atlantic wet heaths <i>Molinia</i> meadows Marsh Fritillary butterfly	The grassland is a result of human activity, and to survive it must continue to be managed. Traditional methods depend on rough summer grazing, selective burning and topping and no application of fertilizers. As this is not generally considered economic, agri-environment schemes are used to promote continuation of traditional management. The scheme has achieved a 95% uptake rate with owner-occupiers (Source – Natura 2000 Data Form, JNCC, 2011).	Development causing direct physical loss or damage of culm grassland inside SAC or beyond boundaries reducing potential for linked habitat across landscape. Loss or damage of habitat (through development) used by Marsh Fritillary nearby to Culm Grassland

2.1. Conservation Objectives

Natural England publish Conservation Objectives for each European site. Conservation Objectives are intended to assist competent authorities with meeting their obligations under the Habitats Regulations, providing a framework to inform HRA, in particular the Appropriate Assessment stage of HRA.

Where Conservation Objectives are met for the Qualifying Species, the site is considered to exhibit a high degree of integrity and to be achieving a Favourable Conservation Status for that species or habitat.

With regards to the European sites, natural habitats and/or species for which the site has been designated (the Qualifying Features):

- *Avoid deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained or restored as appropriate and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.*
- *Subject to natural change, to maintain or restore:*
 - *The extent and distribution of qualifying natural habitats and habitats of qualifying species;*
 - *The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species;*
 - *The supporting processes on which qualifying natural habitats and habitats of qualifying species rely;*
 - *The populations of qualifying species;*
 - *The distribution of qualifying species within the site.*

2.2 Criteria with which to screen the North Tawton Neighbourhood Plan

The following table sets out criteria to assist with the screening process of policies and proposals within the North Tawton Neighbourhood Plan to consider their potential effects on European Sites. Policies and proposals that fall within categories A and B are considered not to have an effect on a European Site and are not considered further within the HRA process. Policies and proposals that fall within categories C and D are considered further, including an in-combination consideration. If straightforward mitigation measures cannot be applied to avoid any significant effects, then any remaining policies and proposals that would be likely to have a significant effect on a European site, either alone or in combination must be taken forward to an Appropriate Assessment.

Category A: No negative effect	
A1	Options / policies that will not themselves lead to development e.g. because they relate to design or other qualitative criteria for development, or they are not a land use planning policy.
A2	Options / policies intended to protect the natural environment, including biodiversity.
A3	Options / policies intended to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any negative effect on a European Site .
A4	Options / policies that positively steer development away from European sites and associated sensitive areas.
A5	Options / policies that would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European Sites and associated sensitive areas.
Category B: No significant effect	

B	An option or policy or proposal that could have an effect but would not be likely to have a significant (negative) effect because the effects are trivial or 'de minimis', even if combined with other effects.
Category C: Likely significant effect alone	
C1	The option, policy or proposal could directly affect a European site because it provides for, or steers, a quantity or type of development onto a European site, or adjacent to it.
C2	The option, policy or proposal could indirectly affect a European site e.g. because it provides for, or steers, a quantity or type of development that may be very close to it, or ecologically, hydrologically or physically connected to it or it may increase disturbance as a result of increased recreational pressures.
C3	Proposals for a magnitude of development that, no matter where it was located, the development would be likely to have a significant effect on a European site.
C4	An option, or policy that makes provision for a quantity / type of development (and may indicate one or more broad locations e.g. a particular part of the plan area), but the effects are uncertain because the detailed location of the development is to be selected following consideration of options in a later, more specific plan . The consideration of options in the later plan will assess potential effects on European Sites, but because the development could possibly affect a European site a significant effect cannot be ruled out on the basis of objective information.
C5	Options, policies or proposals for developments or infrastructure projects that could block options or alternatives for the provision of other development or projects in the future, which will be required in the public interest, that may lead to adverse effects on European sites, which would otherwise be avoided.
C6	Options, policies or proposals which depend on how the policies etc are implemented in due course, for example, through the development management process. There is a theoretical possibility that if implemented in one or more particular ways, the proposal could possibly have a significant effect on a European site.
C7	Any other options, policies or proposals that would be vulnerable to failure under the Habitats Regulations at project assessment stage; to include them in the plan would be regarded by the EC as 'faulty planning.'
C8	Any other proposal that may have an adverse effect on a European site, which might try to pass the tests of the Habitats Regulations at project assessment stage by arguing that the plan provides the imperative reasons of overriding public interest to justify its consent despite a negative assessment.
Category D: Likely Significant effect in combination	
D1	The option, policy or proposal alone would not be likely to have significant effects but if its effects are combined with the effects of other policies or proposals provided for or coordinated by Our Plan the cumulative effects would be likely to be significant.
D2	Options, policies or proposals that alone would not be likely to have significant effects but if their effects are combined with the effects of other plans or projects , and possibly the effects of other developments provided for in Our Plan as well, the combined effects would be likely to be significant.
D3	Options or proposals that are, or could be, part of a programme or sequence of development delivered over a period, where the implementation of the early stages would not have a significant effect on European sites, but which would dictate the nature, scale, duration, location, timing of the whole project, the later stages of which could have an adverse effect on such sites.

3.0. North Tawton Neighbourhood Plan screening

Table 1: HRA Screening

Policy/Proposal	Category (A,B,C,D)	Reason for category (unless clear)	Potential impacts on European sites	European sites affected	Mitigation required
CH1 CH2 CH3 CO1 CO2 CO3 E1 E4 E5 HO1 HO2 HO3 HO4 HO5 HO7 IN2 EE1 EE 4	A1	Policy will not lead to development itself, and does not specify quantum of development, instead relating to qualitative criteria for development			
CO2 E2 E3 E7 HO6 HO8 IN1 EE2 EE3	B	No likely significant effect			

3.1. Additions/revisions required to the North Tawton Neighbourhood Plan

No additions or revisions necessary.

3.2. HRA CONCLUSION AND SCREENING OPINION

There are no European sites within or close to the Neighbourhood Area and in addition the development supported by the plan is very limited given that no sites are allocated. It is considered that the North Tawton Neighbourhood Plan will not have a significant effect on a European site and that therefore further assessment under the Habitats Regulations is not required.

Appendix 3

Date: 07 June 2017
Our ref: 216656
Your ref:



BY EMAIL ONLY

Mandy Goddard
Neighbourhood Planning Officer
South Hams District Council & West Devon Borough Council

mandy.goddard@swdevon.gov.uk

Customer Services
Hombeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mandy

Planning consultation: North Tawton Neighbourhood Plan SEA/HRA screening (West Devon)

Thank you for your consultation on the above dated 26 May 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We welcome the emerging North Tawton Neighbourhood Plan.

Natural England agrees with the conclusion of the SEA screening report that a Strategic Environmental Assessment would not be required. We consider that, based on the material supplied with the consultation, in so far as our strategic environmental interests are concerned, significant environmental effects resulting from the neighbourhood plan are unlikely.

We also agree with the report's conclusions that the North Tawton Neighbourhood Plan would not be likely to result in a significant effect on any European site either alone or in combination and therefore no further assessment work under the Habitats Regulations would be required.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Corine Dyke on 02080 268177 / 07717 888537 or corine.dyke@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Corine Dyke
Lead Adviser
Sustainable Development Team – Devon, Cornwall & Isles of Scilly

Wed 21/06/2017 16:51

Stuart, David David.Stuart@HistoricEngland.org.uk

North Tawton Neighbourhood Plan SEA/HRA screening

To: Mandy Goddard Mandy.Goddard@swdevon.gov.uk ; SW-Neighbourhood Planning
NeighbourhoodPlan@swdevon.gov.uk

Dear Mandy

Thank you for your consultation below. Our apologies for not responding before now.

I can confirm that we have no objection to the view that an SEA will not be required for this neighbourhood plan. The Plan does not allocate sites for development and we agree that policies for the protection and enhancement of the historic environment in the Plan and elsewhere locally and nationally can adequately ensure that no significant environmental effects (ie harm) need occur.

We do note that Policy HO1 (p41) advocates a housing density of 30 dwellings per hectare on average based on a review of housing developments built in the area over the last ten years. Not all sites will necessarily lend themselves to such a density, especially where consideration of historic character and heritage assets applies, and it will be important to have flexibility on a site by site basis while confident that the density can be achieved overall. This is where those safeguards alluded to above will become important.

Otherwise, we are impressed by the scope and depth of coverage of the Plan, and that the protection of the area's historic character and its heritage assets form a key Objective (p14). We are also pleased to see that an understanding of the area's local distinctiveness has informed specific measures such as the protection of views (policy CH2, p19).

Overall therefore there are only one or two incidental issues upon which we feel the need to comment and should the Plan proceed on this basis we would likely be inclined to defer to the discretion of your authority at future consultation stages.

Kind regards

David

David Stuart | Historic Places Adviser South West
Direct Line: 0117 975 0680 | Mobile: 0797 924 0316

Historic England | 29 Queen Square | Bristol | BS1 4ND