

Salcombe Draft Neighbourhood Plan
(Regulation 15 Submission Version, December 2018)

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

December 2018

Draft SCREENING OPINION

SEA

Having taken all of the relevant policies of the draft Salcombe Neighbourhood Plan (Submission Version December 2018) into account, and assessed the potential environmental impact on designated sites and landscapes, it is the Council's opinion that a SEA is not required for the Neighbourhood Plan, due to the limited nature of development proposed and the continuity in land use. The full reasons for this conclusion are set out in the screening report in Appendix 1.

HRA

Due to the limited amount of development proposed, the Council considers that the Salcombe 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 South Hams District Council for the Salcombe Neighbourhood Plan (see Appendix 1). The statutory environmental bodies (Natural England, Historic England and Environment Agency) were consulted on September 24th 2018. The results of that consultation are set out in Appendix 4.

Having taken all of the relevant policies of the draft Salcombe Neighbourhood 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 Salcombe 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 no development being proposed in the Salcombe Neighbourhood Plan, the Council considers that the Salcombe 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.

Appendix 1

Salcombe 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 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, South Hams District Council agreed to undertake the screening process to determine whether the Salcombe Neighbourhood Plan is likely to have significant environmental effects, and consequently whether SEA is required.

1.2. Salcombe and environmental constraints in the Neighbourhood Plan Area

The Parish of Salcombe lies entirely with the South Devon AONB and the South Devon Heritage Coast. The Estuary, above which it sits, and its foreshore are designated as a SSSI. The SSSI is designated for a very rich and diverse intertidal and subtidal flora and invertebrate fauna, with certain communities being outstanding examples of their type in the North-east Atlantic. The Plan Area also contains parts of the Bolt Head to Bolt Tail SSSI, which is of high botanical value due to the presence of many rare or local flowering plants and lichens and is also important for its invertebrate fauna and for breeding birds; and is within close proximity to the Start Point to Plymouth Sound and Eddystone candidate Special Area of Conservation (SAC), which is notable for bedrock, inshore and offshore reefs

These designations (and candidate designation) present a significant restriction to the amount and type of development that could be accommodated within the Plan area.

Within the built up area there is a conservation area and numerous Listed Buildings. In addition commercial areas have a marine heritage.

The built up area has a high density, increasing the importance of urban greenspace and trees.

The town has a very high proportion of second homes and an acute shortage of Affordable Housing.

1.3. Salcombe Neighbourhood Plan

The Draft Salcombe 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 Salcombe as follows:

“A Salcombe where generations can prosper in both work and life within a friendly, welcoming and inclusive community: where development of land for employment and housing is achieved in harmony with the town’s character and the areas distinctive natural environment.”

The Plan contains fifteen policies as summarised in the table below.

Table 1. Summary of policies in the Plan

Policy	Summary of aims and key environmental effects
SALC Env1: Impact of Development on the South Devon AONB	Proposes to protect the AONB from the impacts of development.
SALC Env2: Protection of Green Infrastructure	Proposes to protect green infrastructure and wildlife corridors
SALC Env3: Local Separation	Seeks to maintain the separation of the settlements of Batson and Salcombe.
SALC Env4: Local Green Spaces	Allocates and protects Local Green Spaces
SALC Env5: Maintaining the Character of the Estuary	Seeks to protect the Estuary from the impacts of waterside development
SALC Env6: Locally Important Views	Seeks to protect locally important views from development

SALC Env7: Maintaining the Character and Density of Green Infrastructure	Seeks to protect green infrastructure from excessive development
SALC B1: Design Quality and Heritage Assets	Seeks to enhance design quality and protect heritage assets
SALC EM1: New Employment Land	Supports the mixed use development of land north of Shadycombe on Shadycombe Car Park (Joint Local Plan allocation: TTV 29 (20))
SALC EM2: Retention of Existing Employment Land in Salcombe	Seeks to retain land currently in employment use in that use
SALC T1: Transport Statement of Intent SALC T2: Car and Trailer Parking	Proposes undertaking an Integrated Transport Plan for Salcombe and identifies the parameters for that Plan Seeks to protect existing car and trailer parking spaces. Sets standards for car parking that should accompany new residential development
SALC H1: Affordable Housing	Supports the provision of affordable housing
SALC H2: Market Housing	Supports the provision of market housing and identifies the minimum provision of 30% affordable housing that should accompany such provision. Also supports the housing allocations made in the Joint Local Plan as follows:- <ul style="list-style-type: none"> i) TTV 29(19): Bonfire Hill (13 dwellings) ii) TTV 29(20): Shadycombe (mixed use 20 dwellings and 2000 sqm employment space) iii) TTV 29(21): West of West End Garage (20 dwellings) Allocations i) and ii) are included in the settlement boundary whilst iii) lies outside the settlement boundary (see Paragraph 2.1 for full explanation).
SALC H3: Principal Residence	Proposes a new market housing should be restricted to those who will be principal residents of such property
SALC H4: Exception Sites outside the Settlement Boundary	Supports exception sites subject to:- <ul style="list-style-type: none"> i) Promote affordable housing.

	ii) Protect visual and landscape amenity and the AONB
SALC HW1: Community Facilities	Seeks to prevent the loss of community facilities and public spaces. Seeks to encourage informal access and recreational facilities subject to their having no impact on the AONB

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 Salcombe 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, the Local Plan and the Joint Local Plan (JLP) recently subject of a Public Inquiry and awaiting a final decision. The Salcombe Neighbourhood Plan does not propose development in addition to or in contradiction to the Local Plan or the Joint 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 and the JLP, 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 Salcombe 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, the JLP and the National Planning Policy Framework (NPPF).
(d) environmental problems relevant to the plan or programme; and	NO	The Neighbourhood Plan Area contains parts of the Bolt Head to Bolt Tail and Salcombe to Kingsbridge Estuary SSSIs.

		<p>The Plan area also lies in close proximity to the Start Point to Plymouth Sound and Eddystone candidate Special Area of Conservation (SAC).</p> <p>There are also non statutory sites including Country Wildlife Sites, a Regionally Important Geological Site as well as Ancient and Semi Natural Woodland and other sites of wildlife interest and unconfirmed wildlife sites. The proposals contained in the Neighbourhood Plan would not cause environmental problems in relation to the above sites.</p>
(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. The Plan proposes no land allocations for development. The plan provides some mitigation through included policies, and if necessary in the future, further mitigation measures would be possible.
(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 town of Salcombe and neighbouring settlement of Batson as well as the rural area forming the remainder of the Salcombe Parish. The total resident population at the 2011 was 1909 whilst the geographic area covered by the Neighbourhood Plan is small.
(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	The plan seeks to apply policies that will have a positive effect on the value and the potential vulnerability of the plan area.

(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 and on the SSSIs.
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2.1 SEA Screening Opinion

The Salcombe Neighbourhood Plan does not identify areas of land for development. The Plan, however, expresses support for the land allocations included in the Joint Local Plan which are set out under the descriptions for Policy SALC H2 in Table 1. The Plan includes policies that are aimed at mitigating potential impacts of developing such sites that have not already obtained planning permission. The Plan is consistent with both adopted and emerging local policy. The Joint Local Plan allocations TTV29 (19) and TTV29 (20) are included within the settlement boundary which has been identified as the current Development Plan boundary set out in the adopted South Hams Local Plan (2011) since each of these sites were originally allocated in that latter Plan. TTV29 (21), a new JLP allocation, is not included in the settlement boundary. This addresses the issues raised in Natural England’s letter of response dated 17th December 2018 regarding JLP allocations. The issues raised by Natural England regarding the settlement boundary in the vicinity of Beadon Farmhouse are fully addresses in Appendix 3 attached to the Screening Opinion.

The suite of policies that have been devised to meet the Vision, Aims and Objectives, in terms of environmental effects, largely seek to mitigate any impacts that may arise from the Plan and ensure development that complies with it.

It is acknowledged that this emerging Neighbourhood Plan has been subject to a NPIERS “health check” which, subject to some proposed amendments (all of which were made in the latest Reg 15 version) considered the Plan to be “sound.” The purpose of this screening opinion is to consider what the likely effects of implementing the policies within the Neighbourhood Plan are, and not provide an opinion on the robustness of the policies to meet the aims and objectives of the Plan.

Policy SALC Env1 is the single most relevant policy in considering how the Plan will be implemented. Almost every policy looks to SALC Env1 to provide a basis for minimizing harm to the natural and built environment. This policy provides, alongside the umbrella of National and Local policy, sufficient protection against unacceptable impacts on the sensitive landscapes that make up the Plan area.

Having taken all of the relevant policies of the draft Salcombe 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

Salcombe 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 (Appropriate Assessment) is necessary.

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

SOUTH HAMS 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 associated with new development
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 recreational pressure - physical damage
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 Air pollution (associated with atmospheric nitrogen deposition from agriculture, industry, vehicles)	Increased recreational use – trampling and erosion/fires Air pollution associated with new 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 SPA increasing discharge of pollutants from waste water treatment works (non-toxic contamination)
Site Name & Designation	Qualifying Interests	Site vulnerabilities	Potential effects of plan
Start Point to Plymouth Sound and Eddystone SAC (Candidate SAC)	1170 Reefs Numerous areas of reef (in many forms) exist within the Prawle Point to East Rutts and Bigbury Bay to Plymouth Sound reefs The	Fishing and harvesting aquatic resources	None

	<p>site comprises coastal reef features associated with the extension of the exposed terrestrial geology out into the sublittoral zone and large areas of outcropping bedrock, boulders and cobbles in the offshore extents of the area. The reefs between Prawle Point and Salcombe appear similar in nature to that to the west of Salcombe (i.e., one of high topographic complexity). This large reef habitat comprises outcropping bedrock characterised by boulders and rocky gullies, fissures and crevices in the west of the area from Salcombe around the coast to Prawle Point. The inshore reefs here support large kelp forests and a variety of other algal species</p>		
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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 Neighbourhood Plan

The following table sets out criteria to assist with the screening process of policies and proposals within the 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 Plans 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. Salcombe 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
All Policies fall within this category	A-No negative effect				

3.1. Additions/revisions required to the Salcombe Neighbourhood Plan

The policies within the Salcombe Neighbourhood Plan do not have the potential to have a significant effect on any European Site since the Plan does not proposed the allocation of any development sites. Indeed those policies seek to closely manage development within a sensitive environment.

A full Appropriate Assessment of the Joint Local Plan was carried out and has been complete. Any mitigation necessary to offset the impacts of the JLP proposals, including JLP allocations made in the Salcombe Plan area, will be taken account of in the policies therein and will be addressed through planning process. The Salcombe Neighbourhood Plan adds a further bolster to those mitigations and, since the Plan does not include allocations over and above those made in the JLP, does not create further impacts that need be accounted for.

3.2. HRA CONCLUSION AND SCREENING OPINION

It is considered that the Salcombe Neighbourhood Plan will not have a significant effect on a European site and that therefore further assessment under the Habitats Regulations is not required.

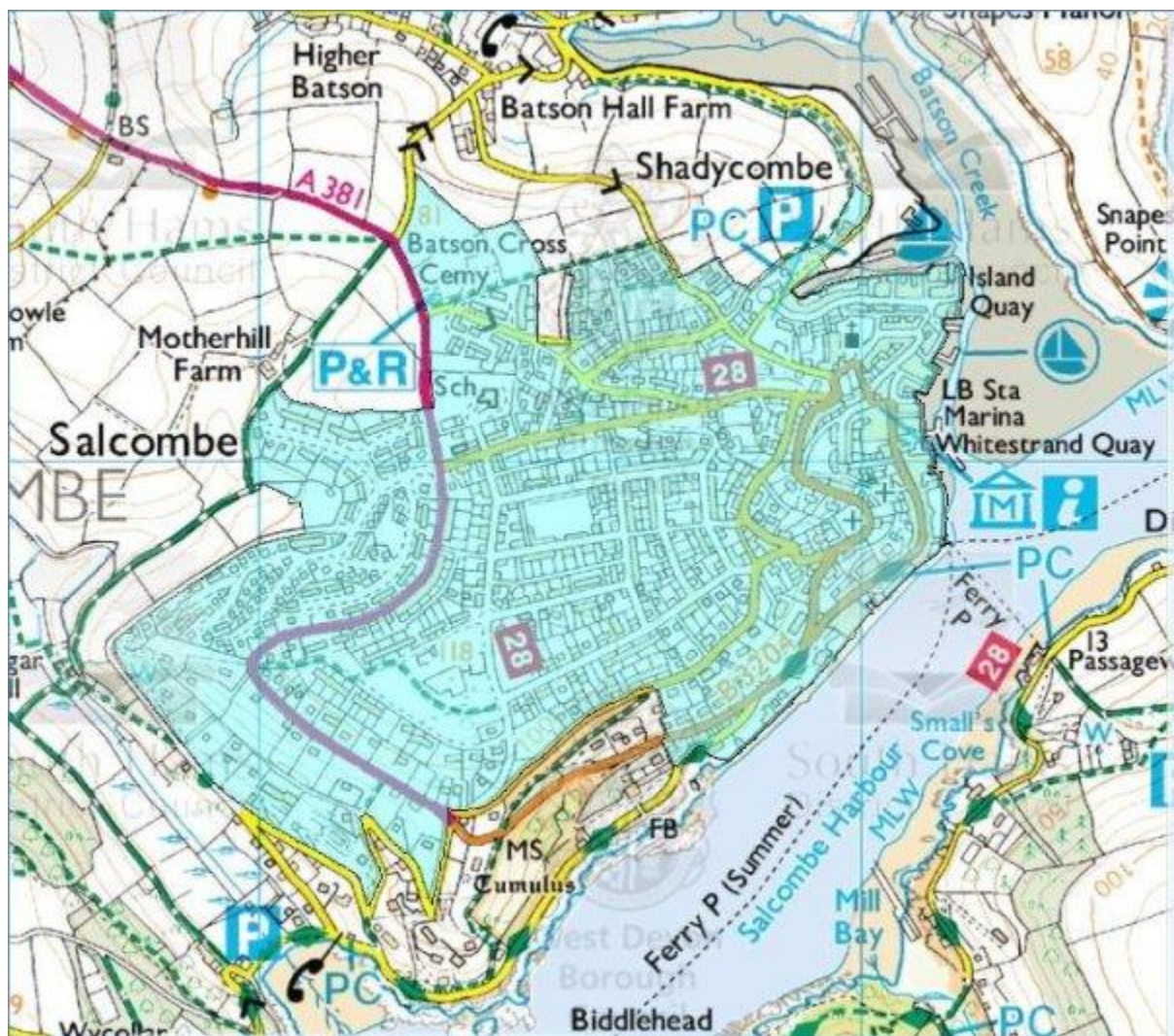
APPENDIX 3: SETTLEMENT BOUNDARY AT BEADON FARMHOUSE

FARMHOUSE

1. Planning Background: Salcombe Settlement Boundary at Beadon Farmhouse/Longfield Drive

The settlement boundary at Beadon Farmhouse/Longfield Drive (See Maps 1 and 2) was originally designated in the South Hams Local Plan (Adopted 1996). It was subsequently reaffirmed in the South Hams Local Plan (Adopted 2011). Until the Joint Local Plan is adopted (expected Spring 2019) it will remain the settlement boundary at this location.

Map 1: Settlement Boundary identified in the Salcombe Neighbourhood Plan



Map 2: Map illustrating the Beadon Farmhouse Location



2. Description of the Location

Beadon Farmhouse lies to the north of Beadon Road. That land, within the settlement boundary, lying in the curtilage of Beadon Farmhouse itself comprises the farmhouse with associated domestic garden area garages and outhouses. To the north of this area lies a triangular area of land to the south of the residential curtilages of Nos 11-15 Longfield Drive. It appears that the garden areas of these properties have encroached into this land (see Photographs Salcombe 002,003 and 004).

3. Landscape Characteristics of the Site

The site lies within the South Devon AONB. To the west land comprises rolling farmland typical of the AONB with the settlements of Lower Collaton and Malborough lying respectively some two and two and a half miles away (Landscape Character Type: 5A: Inland elevated undulating land).

The site lies in a valley with Beadon Farmhouse at its base. To the north is located Longfield Drive its garden curtilages occupying the valley side. The southern side of the valley rises away from Beadon Farmhouse and has been fully developed (Platt Close, Landmark Road and Beadon Drive) (See Photo Salcombe 014). To the east the land also rises and comprises built up area ((Beadon Road/Park Rise and Roud Berry Drive).

The land at this location is visually different and different in character from the rolling farmland to the west bearing the characteristics of domestic curtilage with associated garden development and non native planting.

4. Development Potential

The existing adopted settlement boundary at this location has been identified respecting the different landscape characteristics, latterly described. The site lies at the base of the valley and is surrounded by development located above the site and dominating it. Views from Salcombe are transitory being obscured by the many dwellinghouses that surround the site and landscape features (See Photo Salcombe 014). From the east this general location is visible from Lower Collaton and Malborough (See Photos Salcombe 019 and 021). Those views comprise rolling countryside punctuated by Salcombe's urban edge with development occupying the valley sides and higher ground. The site, largely lying at a lower level, is barely visible against this backdrop.

Despite the site's inclusion in the urban boundary since 1996 it has remained undeveloped. Whilst there is some limited opportunity for development this is constrained by site levels, access and existing landscape features. Furthermore, given the site's location at the base of a valley surrounded

by and dominated visually by existing development any effect on the landscape is not likely to constitute a significant impact. In any event Policy SALC Env I would require, if development were proposed, a full landscape appraisal (relevant extract from Policy SALC Env 1 below).

Extract from SALC Env 1

f) All proposals with the exception of minor alterations to existing dwellings within the Parish boundary must be accompanied by a landscape appraisal, a landscape plan and biodiversity action plan in line with the requirements of the Devon Biodiversity Partnership. All of which accurately defines the natural assets and constraints of a development site. The appraisal and plans shall be commensurate with the level of development proposed. This requirement does not remove any obligation to prepare a Strategic Environment Assessment on previously undeveloped land and compliance with the environmental aspects of the local validation process for Planning Applications as required by SHDC.¹

Appendix 4

Consultation

Consultation with the three Statutory Consultees was carried out initially on 25th September 2018. The responses are shown below:-

<p>Historic England</p>	<p>15th October 2018 by email</p>	<p>Dear Duncan</p> <p>Thank you for your SEA Screening consultation on the Salcombe Neighbourhood Plan.</p> <p>I can confirm that we have no objection to the view that an SEA is not required.</p> <p>I attach our response to the Regulation 14 consultation for information.</p> <p>Kind regards</p> <p>David</p> <p>David Stuart</p>
<p>Environment Agency</p>	<p>28th September 2018 – by email</p>	<p>Dear Duncan,</p> <p>Thank you for your consultation of 25 September 2018 providing us with the opportunity to comment in respect of the Salcombe Neighbourhood Plan SEA/HRA screening opinion.</p> <p>In general we consider that it is unlikely that neighbourhood plans will result in any significant environmental effects unless the plan allocates or encourages development over that set out in the Local Plan. Otherwise we consider that any potential for environmental effects from growth in the parish should already have been addressed through the Sustainability Appraisal (SA) which supported the Joint Local Plan.</p> <p>Please note, this is a standard response. If you consider the plan will result in significant environmental effects please re-consult us.</p> <p>Kind regards,</p> <p>Harriet Fuller Sustainable Places</p>
<p>Natural England</p>	<p>17th December 2018 – by email</p>	<p>Planning consultation: Revised Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening report for the Salcombe Neighbourhood Plan.</p>

		<p>Thank you for your consultation on the above dated 20 November 2018 and a further revised screening opinion supplied to us on 14 December 2018. The response in this letter is based on the latter screening opinion and the accompanying proposed submission draft Neighbourhood Plan dated December 2018.</p> <p>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.</p> <p>The Neighbourhood Plan sets out the adopted settlement boundary for Salcombe at figure 1B. This is the boundary set out in the adopted South Hams Local Plan 1996 and the South Hams Site Allocations Development Plan Document (DPD) 2011, both of which are currently extant. The settlement boundary is relevant to Neighbourhood Plan policy SAL H2 which supports market housing, subject to criteria, within that boundary. It is our understanding that the settlement boundary is to be retained beyond the life of the current South Hams Local Plan/DPD which will cease to have effect when superseded by the emerging Joint Plymouth and South West Devon Local Plan (JLP).</p> <p>The settlement boundary includes land allocated for development within the emerging JLP: allocation TTV 29.19 and TTV 29.20. These JLP allocations are shown in the Neighbourhood Plan at figures 18 and 16 respectively. The impact on the environment of developing these sites has already been addressed within the JLP and therefore does not need to be assessed separately by the Neighbourhood Plan unless these sites are not eventually included within the adopted JLP. The JLP is reaching the latter stages of the examination process and the proposed main modifications published in autumn 2018 by the Council do not propose that these sites be deleted.</p> <p>The SEA screening report states in Table 1 (against policy SALC H2) and section 2.1 that allocations TTV29.19 and TTV 29.20 are not included within the settlement boundary. This appears to be an error and should be corrected.</p> <p>The settlement boundary also includes two parcels of undeveloped land at Beadon Farmhouse/Longfield which fall within the AONB. The SEA screening assesses the landscape impact of developing these parcels of land (Appendix 3) and concludes that development here is not likely to constitute a significant impact. Page 2 of 2</p>
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		<p>We note that the revised HRA now addresses potential impacts on the Start Point to Plymouth Sound and Eddystone Special Area of Conservation.</p> <p>On the basis that the Neighbourhood Plan includes the settlement boundary as set out in Appendix 3 of the SEA screening report and figure 1B of the proposed submission draft Neighbourhood Plan dated December 2018 we are able to conclude that the Neighbourhood Plan is not likely to have significant effects on the environment. We can therefore concur with the final para in section 2.1 of the screening report, that a full SEA is not required. We are also able to concur with the final para of section 3.2 that the Neighbourhood Plan is not likely to have a significant effect on a European site.</p> <p>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.</p> <p>For any queries relating to the specific advice in this letter only please contact Carol Reeder on 0208 225 6245/07721 108902 or carol.reeder@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.</p> <p>Yours sincerely Carol Reeder Lead Adviser Sustainable Development Team – Devon, Cornwall & Isles of Scilly</p>
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