



**Abbotskerswell (Submission (Regulation 16)) Neighbourhood
Development Plan Strategic Environmental Assessment Screening
Report (SEA) and Habitat Regulation Assessment (HRA)**

Prepared by Teignbridge District Council On behalf of Abbotskerswell Parish Council

February 2017

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1. Introduction & Pre-submission (Regulation 14) Background

- 1.1 This screening report is used to determine whether or not the contents of the Abbotskerswell Submission (Reg 16) Neighbourhood Development Plan (NDP) require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The designated Abbotskerswell Neighbourhood Development Plan Area follows the Abbotskerswell Parish Boundary exactly.
- 1.3 The purpose of the Abbotskerswell Neighbourhood Development Plan is to reflect the aspirations of the community to ensure the plan delivers a well-balanced community and sustainable development.
- 1.4 The Draft Abbotskerswell Neighbourhood Development Plan specifically considers the following:
 - Safeguard and enhance the natural environment with particular focus on bat strategic flyways and biodiversity sites
 - Avoid and where possible mitigate against damage to Devon Banks and hedgerows
 - Identifies and safeguards Local Green Spaces
 - Seeks measures to avoid an increase in flood risk
 - Seeks high quality design and development which minimises its impact on landscape character and the local built environment
 - Preserves and enhances heritage assets
 - Seeks affordable housing which meets local needs and directs off-site affordable housing contributions
 - Requires a mix of planting and replacement planting for the local plans site allocation which crosses into the parish
 - Supports custom build dwellings which are of a high quality design and mitigate adverse impacts on amenity and the environment
 - Seeks the provision of additional off-road parking provision
 - Supports improved traffic management schemes
 - Seeks to maintain and enhance walking and cycling routes and support the provision of new routes
 - Supports new employment provision in the rural area
 - Identifies and safeguards community facilities and supports the provision of new facilities.

1.5 The vision and objectives of the Abbotskerswell Submission Neighbourhood Development Plan (January 2017) are based upon the key issues raised by local people through a series of consultation events. They have been summarised and refined by the Steering group preparing the plan to form the basis of the Neighbourhood Development Plan for Abbotskerswell.

1.6 The vision is:

“To keep the Parish’s strong sense of community and wellbeing and its excellent environment and, in particular, to ensure that the parish (in the long term):

- *Safeguards the natural environment and rurality of the parish*
- *Retains the distinction between the rural settlement of Abbotskerswell Village and the adjacent urban area*
- *Encourages and promotes a flourishing local economy*
- *Supports measured, realistic, timely and sustainable development to meet identified community needs*
- *Pursues policies and introduces affordable measures which have a positive effect on the environment”*

1.7 The Aims and Objectives by chapter are:

Natural Environment

Aim 1: Protect, maintain and, where feasible, enhance our unique natural environment and its biodiversity in order to sustain the rural environment which makes our parish a special place to live.

Objective 1.1: Support proposals that do not impact adversely the unique environment of Abbotskerswell Parish.

Objective 1.2: Support development that has low impact on our landscape and environmental assets and, in particular, safeguarding our unique biodiversity, especially in regard to protected species.

Aim 2: Protect, maintain and, where feasible, enhance the current level of public access to the countryside in our Parish.

Objective 2.1: Explore with landowners the feasibility of adopting one or more of the identified local biodiversity sites as Green Spaces.

Aim 3: Ease the level of surface flooding in the Parish, particularly around Department for Environment, Food and Rural Affairs (DEFRA) identified flood alert areas.

Objective 3.1: Support development where it does not exacerbate existing surface water flooding.

Objective 3.2: Encourage additional planting which can have a positive impact on run-off from agricultural and open land.

Objective 3.3: Ensure development adheres to requirements for sustainable drainage systems (SUDs).

Objective 3.4: Future building and land use must incorporate flood prevention proposals, particularly for known flood risk areas in the Parish.

Built and Historic Environment

Aim 4: Protect the special character of the buildings and settlement areas in Abbotskerswell (with particular reference to the village's Conservation Area) and establish standards to help ensure high quality design.

Objective 4.1: Reaffirm the existing development envelope and conservation area.

Objective 4.2: New or rebuild dwellings, extensions or other building works should blend in with neighbouring and nearby dwellings.

Objective 4.3: Promote the use of nearby existing mineral resources in local development.

Objective 4.4: Dwellings must be in a sustainable location and of a suitable design which respects the essential characteristics of our landscape, natural environment and built character of the village.

Population and Housing

Aim 5: Support new small scale housing development in sustainable locations

Objective 5.1: Proposals for affordable housing will be supported where they meet the identified local need.

Objective 5.2: Review the current housing needs with the Parish Council and regularly set a baseline for affordable housing.

Objective 5.3: Assimilate the impact of TDC's Local Plan's stated intent to develop NA3 Wolborough and identify, in collaboration with TDC and Newton Abbot Town Council (NATC), any NA3 issues which may impact on the well-being of the parish, its residents and its biodiversity.

Objective 5.4: Support in principle proposals for one-off self build projects by local residents as a possible method for providing a more affordable new house.

Transport and Accessibility

Aim 6: Improve safe and easy accessibility in and around the village and surrounding hamlets and farms.

Objective 6.1: Improve parking in the village, where possible.

Objective 6.2: Consider measures to improve safe road usage.

Objective 6.3: Investigate off road parking opportunities and parking restrictions.

Objective 6.4: Reappraise heavy goods vehicle access to the village.

Objective 6.5: Restrict HGV access through narrow lanes.

Aim 7: Protect, maintain and (where feasible) enhance the current level of public access to the countryside in our parish and encourage people to use the countryside more frequently.

Objective 7.1: Improve footpath accessibility.

Objective 7.2: Facilitate greater and safer use of bicycles in the Parish.

Economy and Employment

Aim 8: Support the rural business economy.

Objective 8.1: Support micro/small scale, business development adjacent to village envelope or adjacent to nearby hamlets and which have low adverse visual or environmental impact.

Community Facilities and Assets

Aim 9: Protect, maintain and enhance open spaces, recreational areas and community facilities and assets.

Objective 9.1: Identify and protect locally valued community assets (facilities and spaces).

Objective 9.2: Support existing community assets (facilities and spaces) and improve where possible.

- 1.8 The Abbotskerswell Submission Neighbourhood Development Plan (February 2017) includes the following policies and proposals:

Policies

NE1: Development and the Natural Environment

NE2: Devon Banks/Hedgerows

NE3: Local Green Spaces (Biodiversity)

NE4: Local Flooding

BHE1: High Quality Design in Abbotskerswell

PH1: Local Needs Housing/ Affordable Housing in Abbotskerswell

PH2: Minimising the Impact of Local Plan Allocation NA3 Wolborough

PH3: Custom Build Dwellings

TA1: Off-road parking

TA2: Traffic Management

TA3: Improving Safe Pedestrian and Cycle Accessibility

TA4: Safe Access to and from New Development at Abbotskerswell Village

EE1: Supporting Micro and Small Enterprises

CF1: Community Facilities, Green Spaces and Assets

1.9 Background- Pre-submission Abbotskerswell Neighbourhood Plan (Sept 2016)

1.10 The Pre-submission Abbotskerswell Neighbourhood plan was subject to an SEA screening determination and Habitats Regulation Assessment in September 2016.

1.11 The SEA screening outcome determined there would unlikely be any significant effects arising from the pre-submission neighbourhood plan.

1.12 The HRA determined there was a potential for a likely significant effect, via five policies. However with proposed policy wording amendments in future versions of the plan the next HRA should be able to conclude no LSE.

1.13 Natural England, Historic England and the Environment Agency were consulted on the SEA determination with Natural England and Historic England both providing responses (appendix 5a & 5b).

1.14 Historic England stated:

"I can confirm that we have no objection to the opinion that an SEA will not be required."

1.15 Natural England stated:

"It is noted that the HRA for the above plan concludes that unless changes to the wording of five policies are made, the plan has the potential for a 'Likely Significant Effect' (LSE) on the South Hams Special Area of Conservation (SAC). Natural England agrees with this conclusion.

Natural England also agrees with the conclusion that a LSE could be avoided if appropriate changes to the wording of the affected policies are incorporated in a revised version of the plan. However it is Natural England's advice that a conclusion of no LSE on the South Hams SAC cannot be reached until these changes to the wording of the plan have been made."

With regards to the conclusion regarding the Strategic Environmental Assessment, provided the necessary changes discussed above are made, Natural England Agrees with the conclusions that there are unlikely to be significant environmental effects arising from the Neighbourhood Plan."

1.16 No response was received from the Environment Agency.

- 1.17 The submission version of the plan has included all the policy wording amendments suggested by the previous HRA to ensure No Likely Significant Effects. The plan has also removed its only planning proposal to implement four cycle and pedestrian routes, thereby reducing any potential impact on the environment further.
- 1.18 The Submission Abbotskerswell neighbourhood plan has made other minor amendments to the text and these have been considered in this updated SEA screening determination and Habitats Regulation Assessment.

2. Legislative Background

- 2.1 The legislation set out below outlines the regulations that require the need for this screening exercise. Section 4, provides a screening assessment of the likely significant environmental effects of the NDP and the need for a full SEA.
- 2.2 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.3 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 makes provision in relation to the Habitats Directive. The Directive requires that any plan or project, likely to have a significant effect on a European site, must be subject to an appropriate assessment. To achieve this, paragraph 1 prescribes a basic condition that making of a neighbourhood development plan is not likely to have a significant effect on a European site or a European offshore marine site. Paragraphs 2 to 5 of the Schedule amend the Conservation of Habitats and Species Regulations 2010 so as to apply its provisions to Neighbourhood Orders and Neighbourhood Development Plans.
- 2.4 Schedule 3 of the Neighbourhood Planning (General) Regulations 2012 (as amended) makes provision in relation to the Environmental Impact Assessment (EIA) Directive. The Directive requires that EIA development must be subject to a development consent process. To enable this, Schedule 3 prescribes a basic condition that applies where development which is the subject of a proposal for a Neighbourhood Development Plan is of a type caught by the EIA Directive, and applies to the relevant provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011(3) (the EIA Regulations) with appropriate modifications (Regulation 33 and paragraphs 1 to 4 and 6 of Schedule 3). Paragraphs 5 and 7 to 13 of the Schedule correct errors in the EIA Regulations.
- 2.5 This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed in light of the Strategic Environmental Assessment and Habitats Regulations Assessment undertaken for the Local Plan 2013-2033.

3. Criteria for determining the likely significant effects

Criteria for determining the likely significant effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:

1. The Characteristics of neighbourhood plans (“plan”) having regard, in particular, to

- The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- The degree to which the plan influences other plans and programmes including those in a hierarchy,
- The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development,
- Environmental problems relevant to the plan,
- The relevance of the plan for the implementation of Community legislation on the environment (e.g. 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:

- The probability, duration, frequency and reversibility of the effects,
- The cumulative nature of the effects,
- The trans boundary nature of the effects,
- The risk to human health or the environment (e.g. due to accidents),
- The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).

The value and vulnerability of the area likely to be affected due to:

- Special natural characteristics or cultural heritage,
- Exceeded environmental quality standards or limit values,
- Intensive land-use,
- The effects on areas or landscapes which have a recognised national, community or international protection status.

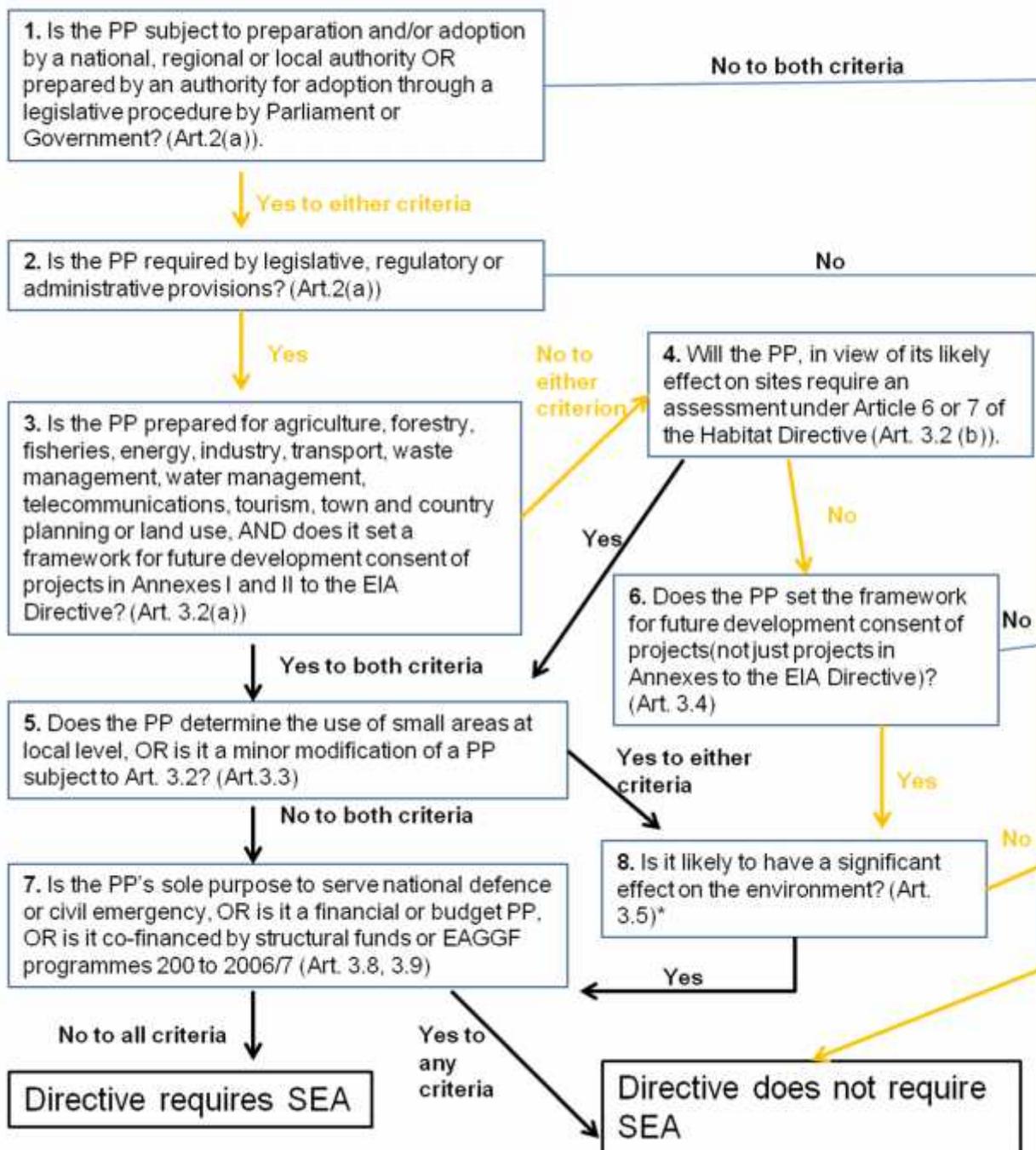
Source Annex II of SEA Directive 2001/42/EC

4. Application of the SEA Directive to Plans and Programmes

Application of the SEA Directive to Plans and Programmes

This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PP's). It has no legal status.

The orange arrow denotes the process of assessment for the Abbotskerswell NDP.



* The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme .

5. Screening Assessment

Table 1: Establishing the Need for SEA

The table below shows the assessment of whether the Abbotskerswell Neighbourhood Development Plan will require a full SEA. The questions below are drawn from the diagram above which sets out how the SEA Directive should be applied.

Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The preparation and adoption of the Abbotskerswell Neighbourhood Development Plan is enabled under the Town and County Planning Act 1990 (TCPA 1990) as amended by the Localism Act 2011. The NDP has been prepared by Abbotskerswell Parish Council (as the 'relevant body') and will be 'made' by Teignbridge District Council as the Local Authority. The preparation of the NDP is subject to the following regulations: The Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (Referendums) Regulations 2012.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	Whilst the NDP is not a requirement and is optional under the provisions of the TCPA 1990 (as amended by the Localism Act 2011), it will if 'made', form part of the development plan for the District. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether an SEA is required under the Directive.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N	Whilst the NDP covers a range of land use issues, it does not set the framework for future development consents of projects in Annexes I and II to the EIA Directive (see appendix 6 for list).
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N	Abbotskerswell Parish contains Strategic Flyway Corridors of the South Hams Special Area of Conservation (SAC), designated for its Greater Horseshoe Bat population. Other European wildlife sites are located within or near Teignbridge District which must also be assessed for their impact including: <ul style="list-style-type: none"> • Exe Estuary Special Protection Area (SPA)

		<ul style="list-style-type: none"> • Ramsar site and European Marine site • Dawlish Warren Special Area of Conservation (SAC) • East Devon Pebblebed Heaths SPA and SAC • Dartmoor SAC • South Dartmoor Woods SAC, and • Lyme Bay to Torbay Candidate (see appendix ? for mapped sites) <p>The Habitat Regulations Assessment undertaken by Teignbridge District Council (see appendix 8) has assessed the neighbourhood plans policies and proposal for their potential effect on Natura 2000 sites listed above. It determined the submission plan is not likely to have a significance effect on a European wildlife site, when implemented in conjunction with the Teignbridge Local Plan 2013-2033 and the latest edition of the South Hams SAC Planning Guidance.</p> <p>The Neighbourhood plan policies stand alongside the Local Plan 2013-2033, which has, in its entirety, been assessed for its environmental effects in the Strategic Environmental Assessment and Habitat Regulations Assessment.</p>
<p>5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)</p>	<p>Y</p>	<p>The Abbotskerswell Neighbourhood Development Plan will determine the use of sites/small areas at a local level but does not include any specific development proposals.</p>
<p>6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)</p>	<p>Y</p>	<p>The NDP includes 14 policies which are to be used for determining future applications in conjunction with the Teignbridge Local Plan (2013-2033).</p>
<p>7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)</p>	<p>N</p>	<p>N/a</p>

8. Is it likely to have a significant effect on the environment? (Art. 3.5)	N	No likely significant effects upon the environment have been identified. See appendix 1 for the assessment of the likely significance of effects on the environment.
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5.1 Screening Outcome

5.1.1 As a result of the assessment in Section 4, it is unlikely there will be any significant effects arising from the Submission (Reg 16) Abbotskerswell Neighbourhood Development Plan that were not covered in the Strategic Environmental Assessment and Habitats Regulation Assessment of the Teignbridge District Local Plan 2013-2033. As such it is the opinion of Teignbridge District Planning Authority that the Submission (Regulation 16) Abbotskerswell Neighbourhood Development Plan does not require a full SEA to be undertaken.

Appendix 1

Assessment of the likely significance of effects on the Environment

1. Characteristics of the Plan, having regard to:	
<p>(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;</p>	<p>The Abbotskerswell NDP would, if made, form part of the statutory development plan and as such would contribute to the framework for future development consent of projects. However the plan will sit within the wider framework set by the National Planning Policy Framework and the strategic policies of the Teignbridge District Local Plan 2013-2033. The policies and proposals being considered in the NDP are deemed to be in general conformity with the adopted Local Plan.</p>
<p>(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;</p>	<p>A Neighbourhood Development Plan must be in conformity with the Local Plan for the District. It does not influence other plans.</p>
<p>(c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</p>	<p>National policy requires a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making, including the Abbotskerswell NDP. A basic condition of the Abbotskerswell NDP is to contribute to the achievement of sustainable development and would not form part of the development plan without meeting this requirement. This requirement is considered to minimise the likelihood of significant effects on the environment.</p> <p>In addition, the Abbotskerswell Neighbourhood Plan does not allocate for development or proposals.</p>
<p>(d) Environmental problems relevant to the plan or programme; and</p>	<p>Flood Zones 2 and 3 span parts of the Abbotskerswell Parish (see appendix 3). Flooding is addressed directly by policy NE4 which supports measures to reduce the risk of flooding and requires development not to increase flood risk, particularly in identified areas of known flooding.</p> <p>Any policy or proposal relating to flooding is required to conform to local plan policy EN4: Flood Risk and NDP policy NE4 also links into this local plan policy.</p>

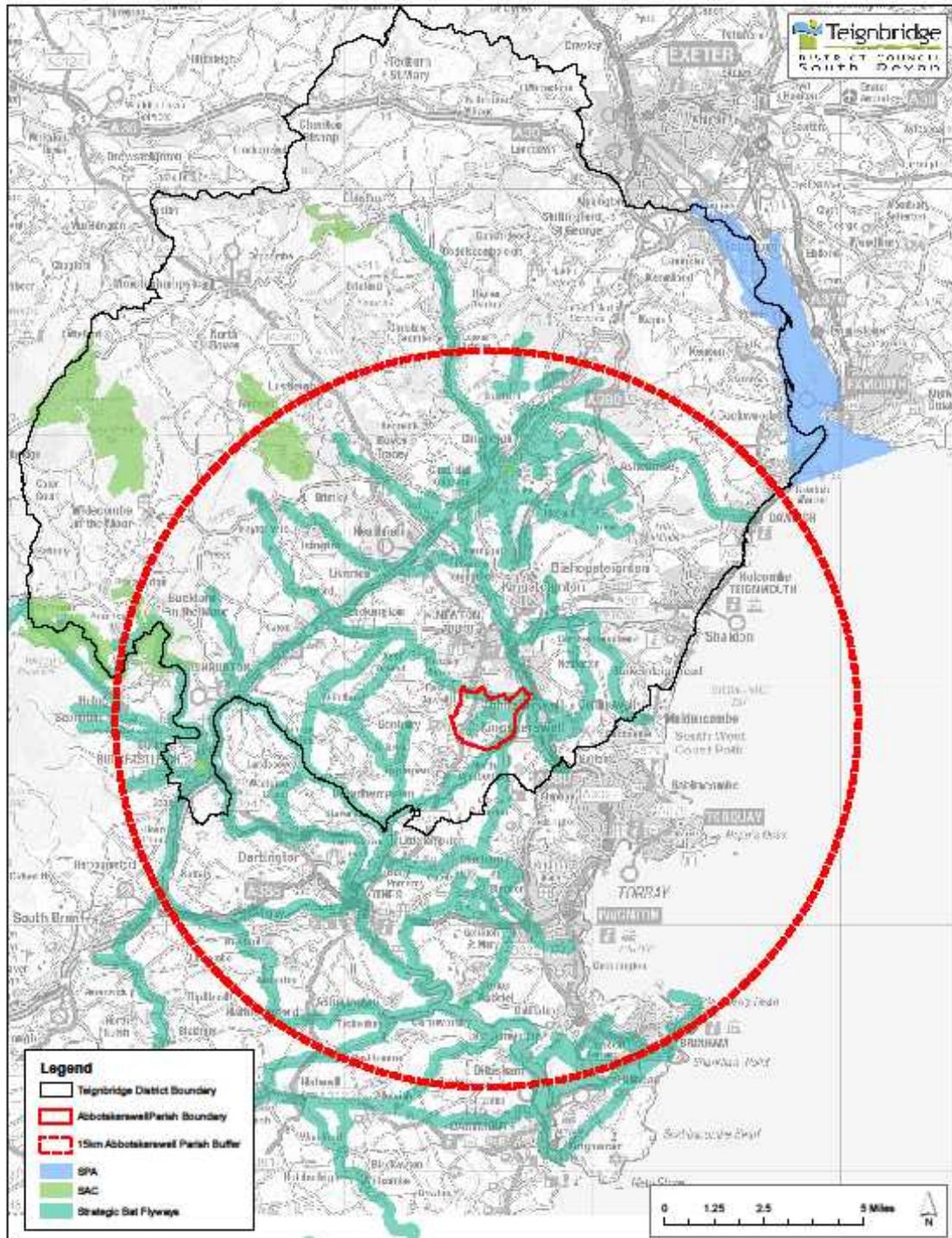
<p>(e) The relevance of the plan or programme for the implementation of Community legislation on the environment for example plans and programmes linked to waste management or water protection.</p>	<p>The Abbotskerswell NDP has to be in general conformity with the Teignbridge Local Plan. The Teignbridge Local Plan has been subject to an SEA and HRA and has regard to European Community legislation on the environment. In addition the policies and proposals of the Abbotskerswell NDP are localised.</p>
<p>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</p>	
<p>(a) The probability, duration, frequency and reversibility of the effects;</p>	<p>Development is supported within the settlement boundary of Abbotskerswell and as such an element of environmental change could occur. Particular focus has been provided to ensuring the probability of effects on Greater Horseshoe Bats are satisfactorily addressed. Any development proposals would be subject to the strategic policies of the Local Plan which ensure high levels of sustainability.</p>
<p>(b) The cumulative nature of the effects;</p>	<p>The cumulative effects of policies within the Abbotskerswell Neighbourhood Plan are unlikely to be significant as proposals are small scale, localised and directed to within/adjacent the settlement boundary (with the exception of policy EE1 relating to new employment provision in the rural area).</p>
<p>(c) The transboundary nature of the effects</p>	<p>The effects of the Plan are unlikely to have transboundary impacts.</p>
<p>(d) The risks to human health or the environment (for example, due to accidents):</p>	<p>The policies in the plan are unlikely to present risks to human health or the environment. The plan is considered likely to result in improvements in human health through safeguarding local green spaces for their biodiversity value, seeking improved traffic management schemes and increased off road parking, reduce flooding risk and require mitigation of adverse impacts such as pollution.</p>
<p>(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The Abbotskerswell NDP relates solely to the parish of Abbotskerswell. The scale of the policies are small and localised and are only considered to positively affect the residents of the Abbotskerswell parish. Limited to no effect is anticipated on neighbouring parishes.</p>
<p>(f) The value and vulnerability of the area likely to be affected due to</p>	<p>The Abbotskerswell NDP identifies and safeguards local green spaces for their biodiversity value, explicitly safeguards strategic bat flyways, seeks measures to</p>

<p>(i) Special natural characteristics or cultural heritage;</p> <p>(ii) Exceeded environmental quality standards or limit values;</p> <p>(iii) Intensive land-use.</p>	<p>avoid flood risk, avoids adverse impacts on Devon Banks and hedgerows and seeks the minimisation of development impacts on the amenity and character of the local landscape. The Abbotskerswell NDP, alongside strategic policies in the Local Plan, are considered to enhance the natural environment and the special natural characteristics of the Parish.</p> <p>The Abbotskerswell NDP includes a high quality design policy which seeks the preservation and enhancement of the character of the Conservation Area, listed buildings and other heritage assets. Development proposals would also be required to have regard to the Abbotskerswell Conservation Area Appraisal and have regard to the significance of heritage assets local plan policy EN5: Heritage Assets.</p> <p>The level of development proposed through the Abbotskerswell NDP is unlikely to lead to intensive land use and will not affect the value and vulnerability of the area on this criteria.</p>
<p>(g) The effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>Exe Estuary Special Protection Area (SPA), Ramsar site and European Marine site, Dawlish Warren Special Area of Conservation (SAC), East Devon Pebbled Heaths SPA and SAC, Dartmoor SAC, South Dartmoor Woods SAC and the Lyme Bay to Torbay candidate all stand within Teignbridge District. Developments within the 15km zone of influences of Abbotskerswell Parish will in combination have an effect on the integrity of the SPA's and SAC's.</p> <p>Greater Horseshoe Bats Strategic flyways of the South Hams Special Area of Conservation (SAC) cross the parish. The parish is also home to nationally protected species such as Cirl Buntings and Dormice</p> <p>The NDP does not include any proposals for development but the potential impacts of any development which does come forward must be addressed through local plan policies;</p>

	<ul style="list-style-type: none">• EN8: Biodiversity protection and enhancement• EN9: Important Habitats and Features• EN10: European Wildlife Sites <p>These protections combined with the limited scale and scope of the proposals in the NDP is considered to result in no significant effects on the SAC's and SPA's or nationally protected species as confirmed through the submission HRA (appendix 8).</p>
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Appendix 2

Map of Natura 2000 sites and Strategic Flyways within 15km of Abbotskerswell Neighbourhood Plan boundary

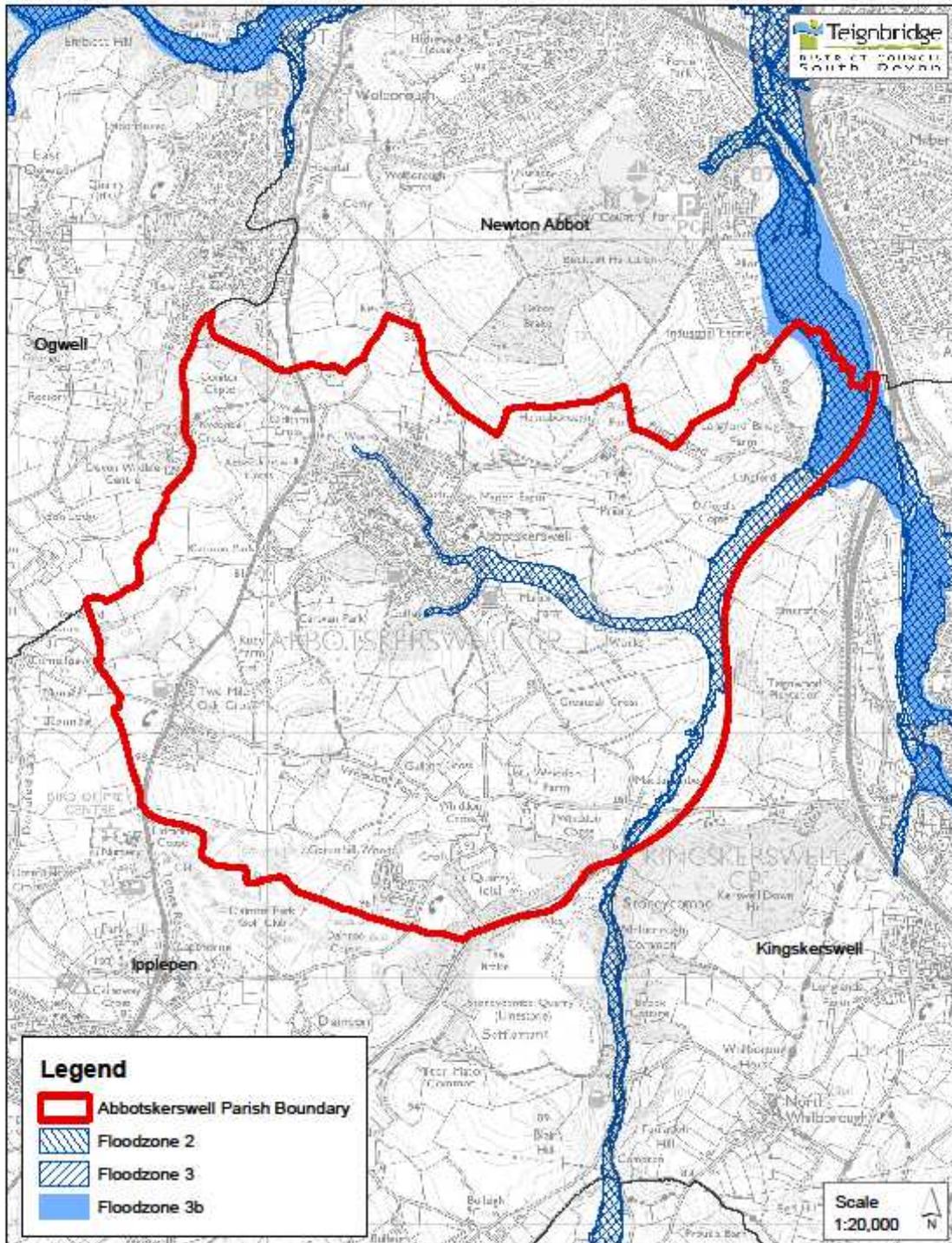


Abbotskerswell 15km Buffer

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Appendix 3

Map of Flood Zones within Abbotskerswell Parish

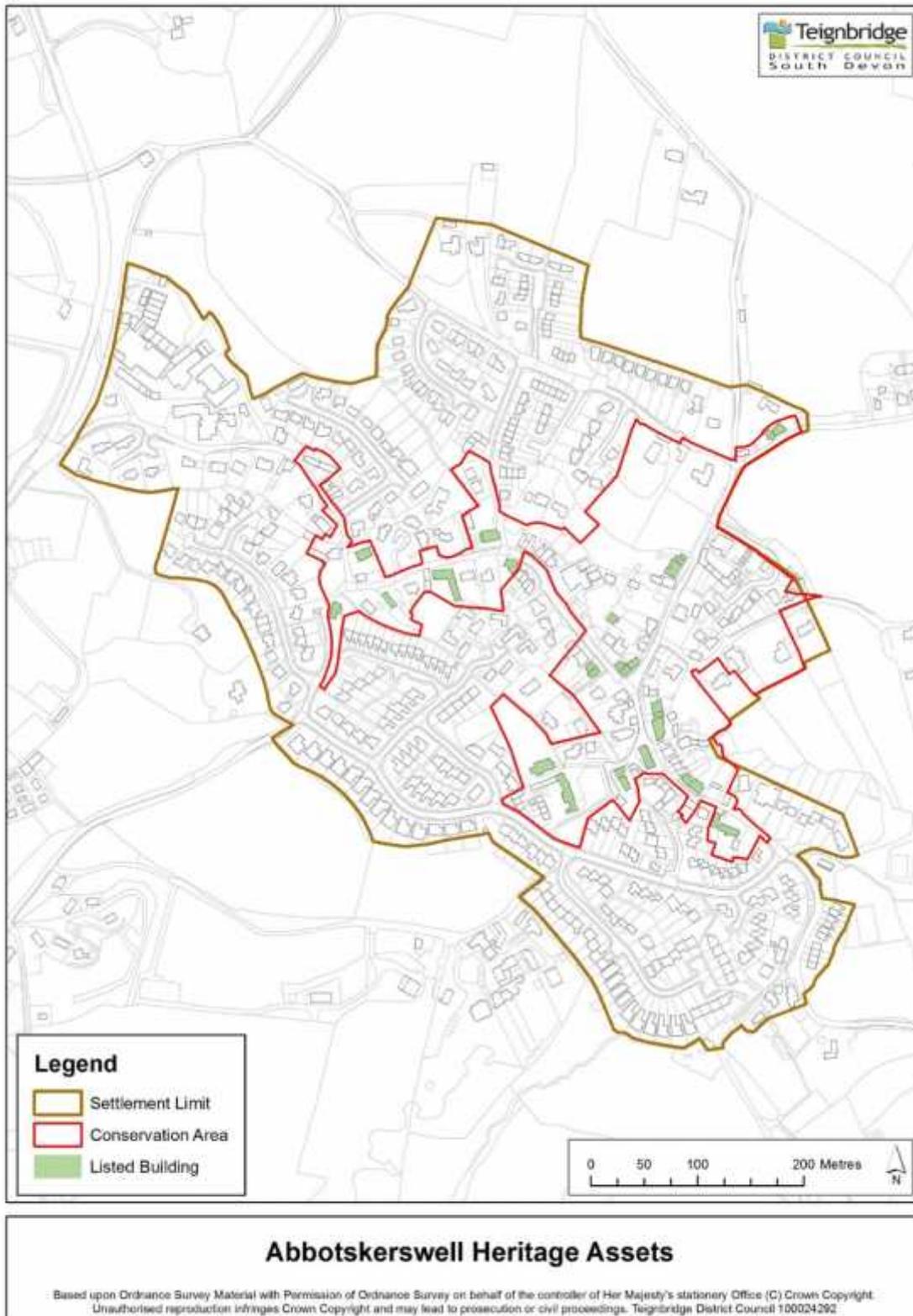


Abbotskerswell Parish - Floodzones

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Appendix 4

Map of Heritage Assets within Abbotskerswell Settlement Boundary



Date: 15 November 2016
Our ref: 196852

Appendix 5a



David Kiernan,
Neighbourhood Planning Officer
Spatial Planning and Delivery
Teignbridge District Council
Forde House
Newton Abbot
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TQ12 4XX

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T 0300 060 3900

BY EMAIL ONLY

Dear David

Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Request for Abbotskerswell Neighbourhood Plan Pre-submission

Thank you for your consultation on the above dated 29th September 2016, which was received by Natural England on the same date

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.

The comments below are based on the final Abbotskerswell Neighbourhood Plan Pre-submission document dated 06/09/2016 provided to us with the screening opinion.

It is noted that the HRA for the above plan concludes that unless changes to the wording of five policies are made, the plan has the potential for a 'Likely Significant Effect' (LSE) on the South Hams Special Area of Conservation (SAC). Natural England agrees with this conclusion.

Natural England also agrees with the conclusion that a LSE could be avoided if appropriate changes to the wording of the affected policies are incorporated in a revised version of the plan. However it is Natural England's advice that a conclusion of No LSE on the South Hams SAC cannot be reached until these changes to the wording of the plan have been made.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance . The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

With regard to the conclusion regarding the Strategic Environmental Assessment, provided the necessary changes discussed above are made, Natural England agrees with the conclusion that there are unlikely to be significant environmental effects arising from the Neighbourhood Development Plan.

However Natural England advise that this conclusion cannot be reached until the changes to the wording of the plan have been made and the HRA for this plan is able to conclude that there will be No LSE on a European wildlife site. Therefore until these changes are made an SEA may be required.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact me on the number below. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

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.

Yours sincerely

S. Panks

Steve Panks
Lead Adviser – Devon Sustainable Development Team
Tel: 0300 060 0275
Email: stephen.panks@naturalengland.org.uk

David Kiernan

From: Stuart, David <David.Stuart@HistoricEngland.org.uk>
Sent: 08 November 2016 10:34
To: David Kiernan
Subject: ABBOTSKERSWELL NEIGHBOURHOOD PLAN SEA SCREENING
Attachments: Abbotskerswell Neighbourhood Plan- Pre-submission Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear David

Thank you for your consultation on the Abbotskerswell NP SEA Screening.

My apologies for not responding before now. Your paperwork arrived at the same time as, and was initially assumed to be associated with, the Reg 14 Pre-submission Consultation on the Plan from the local community. As the latter had a later deadline the error was not discovered until after your deadline had expired.

However, I can confirm that we have no objection to the opinion that an SEA will not be required.

For information I have attached our response on the Reg 14 consultation.

I can also confirm that we are happy to receive consultations via email if this makes matters easier. These should be sent to our casework team at southwestcasework@historicengland.org.uk and ideally cc'd to me as I deal with all neighbourhood planning business in the south west.

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

We have launched four new, paid-for Enhanced Advisory Services, providing enhancements to our existing free planning and listing services. For more information on the new Enhanced Advisory Services as well as our free services go to our website: HistoricEngland.org.uk/EAS

Appendix 6

Annex I and Annex II of the SEA Directive

Annex I

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale gas per day.
2. Thermal power stations and other combustion installations with a heat output of 300 megawatts or more and nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum powers does not exceed 1 kilowatt continuous thermal load).
3. Installations solely designed for permanent storage or final disposal of radioactive waste.
4. Integrated works for the initial melting of cast iron and steel.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with annual production of more than 20,000 tonnes of finished products, for friction material, with an annual production of more than 50 tonnes of finished products, and for other uses of asbestos, utilisation of more than 200 tonnes per year.
6. Integrated chemical installations.
7. Construction of motorways, express roads (1) and lines for long distance railway traffic and of airports (2) with a basic runway length of 2,100 metres or more.
8. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1350 tonnes.
9. Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes.

(1) For the purposes of this directive, 'express road' means a road which complies with the definition in the European Agreement on main international traffic arteries of 15 November 1975.

(2) For the purposes of this directive, 'airport' means airports which comply with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organisation (annex 14).

Annex II

1. Agriculture

- a) Projects for the restructuring of rural land holdings.
- b) Projects for the use of uncultivated land use or semi-natural areas for intensive agricultural purposes.
- c) Water-management projects for agriculture.
- d) Initial afforestation where this may lead to adverse ecological changes and land reclamation for the purposes of conversion to another type of land use.
- e) Poultry-rearing installations.
- f) Pig-rearing installations.
- g) Salmon breeding
- h) Reclamation of land from the sea.

2. Extractive Industry

- a) Extraction of peat.
- b) Deep drillings with the exception of drillings for investigating the stability of the soil in particular:
 - Geothermal drilling
 - Drilling for the storage of nuclear waste material
 - Drilling for water supplies
- c) Extraction of minerals other than metalliferous and energy-producing minerals, such as marble, sand, gravel, shale, salt, phosphates and potash.
- d) Extraction of coal and lignite by underground mining
- e) Extraction of coal and lignite by open cast mining
- f) Extraction of petroleum.
- g) Extraction of natural gas
- h) Extraction of ores
- i) Extraction of bituminous shale.
- j) Extraction of minerals other than metalliferous and energy-producing minerals by open cast mining.

- k) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.
- l) Coke ovens (dry coal distillation).
- m) Installations for the manufacture of cement.

3. Energy Industry

- a) Industrial installations for the production of electricity, steam and hot water (unless included in Annex I)
- b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables
- c) Surface storage of natural gas
- d) Underground storage of combustible gases
- e) Surface water storage
- f) Industrial briquetting of coal and lignite
- g) Installations for the production or enrichment of nuclear fuels
- h) Installations of collection and processing of radioactive waste (unless included in Annex I)
- i) Installations for hydro electrical energy production.

4. Processing of metals

- a) Iron and steelworks, including foundries, forges, drawing plants and rolling mills (unless included in Annex I)
- b) Installations for the production, including smelting, refining, drawing and rolling, of nonferrous metals, excluding precious metals.
- c) Pressing, drawing and stamping of large castings.
- d) Surface treatment and coating of metals.
- e) Boilermaking, manufacture of reservoirs, tanks and other sheet-metal containers.
- f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines.
- g) Shipyards
- h) Installations for the construction and repair of aircraft
- i) Manufacture of railway equipment
- j) Swaging by explosives.
- k) Installations for the roasting and sintering of metallic ores.

5. Manufacture of glass

6. Chemical Industry

- a) Treatment of intermediate products and production chemicals (unless included in Annex I)
- b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides.
- c) Storage facilities for petroleum, petrochemical and chemical products.

7. Food Industry

- a) Manufacture of vegetable and animal oils and fats.
- b) Packing and canning of animal and vegetal products.
- c) Manufacture of dairy products.
- d) Brewing and malting
- e) Confectionery and syrup manufacture.
- f) Installations for the slaughter of animals
- g) Industrial starch manufacturing installations
- h) Fish-meal and fish oil factories
- i) Sugar factories.

8. Textile, leather, wood and paper industries

- a) Wood scoring, degreasing and bleaching factories.
- b) Manufacture of fibre board, particle board and plywood.
- c) Manufacture of pulp, paper and board.
- d) Fibre-dyeing factories
- e) Cellulose-processing and production installations.
- f) Tannery and leather-dressing factories.

9. Rubber Industry

- a) Manufacture and treatment of elastomer-based products

10. Infrastructure Projects

- a) Industrial-estate development projects
- b) Urban-development projects.
- c) Ski-lifts and cable cars.
- d) Construction of roads, harbours, including fishing harbours, and airfields (projects not listed in Annex I)
- e) Canalisation and flood relief works.
- f) Dams and other installations designed to hold water or store it on a long term basis.
- g) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport.
- h) Oil and gas pipeline installations.
- i) Installations of long distance aqueducts.
- j) Yacht marinas.

11. Other projects

- a) Holiday villages, hotel complexes
- b) Permanent racing and test tracks for cars and motor cycles.
- c) Installations for the disposal of industrial and domestic waste (unless included in Annex I).
- d) Waste water treatment plants.
- e) Sludge-deposition sites.
- f) Storage of scrap metal.
- g) Test benches for engines, turbines or reactors.
- h) Manufacture of artificial mineral fibres.
- i) Manufacture, packing, loading or placing in cartilages of gunpowder and explosives.
- j) Knackers' yard.

12. Modifications to development projects in Annex I undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than one year.

Appendix 7

Abbotskerswell Submission Neighbourhood Development Plan assessed against Sustainability Objectives

Sustainability Objective	Applicable NDP policy	Abbotskerswell NDP Details	SEA Required?
<p>A. Natural Environment</p> <p>To protect, conserve and enhance the area's natural environment</p>	<p>NE1</p> <p>NE2</p> <p>NE3</p>	<p>The NDP ensures the safeguarding and protection of the South Hams SAC and Greater Horseshoe Bats through policy criteria, with particular regard to minimising light pollution in relation to bats strategic flyways. In addition the NDP seeks to minimise development impacts upon Devon Banks and hedgerows.</p> <p>The NDP designates five areas of local green space for their biodiversity value and safeguards this value for the future.</p> <p>The NDP does not include proposals which would lead to a degradation of the natural environment.</p>	N
<p>B. Built Environment</p> <p>To preserve and improve the area's built environment and heritage assets</p>	<p>BE1</p>	<p>The NDP requires development to demonstrate high quality design, enhancement of visual amenity and minimisation of adverse impacts on the built environment. The plan also requires the preservation and enhancement of heritage assets.</p>	N
<p>C. Climate Change</p> <p>To mitigate and adapt to possible effects of climate change</p>	<p>NE4</p> <p>PH2</p>	<p>The NDP supports measures to reduce flood risk, requires sustainable drainage systems and seeks to avoid increased flood risk particularly in known areas of flooding. The plan also seeks a mix of planting and replacement planting in the local plan allocation NA3 which spans into the parish. These considerations contribute to climate change mitigation.</p>	N

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Abbotskerswell Submission (Regulation 16) Neighbourhood Development Plan*

<p>D. Resource Use</p> <p>To minimise the loss or degradation of finite natural resources</p>	<p>General</p>	<p>The NDP does not identify built development within the countryside and would not reduce the available agriculture land within the parish. The NDP also does not propose built development on any known mineral resources.</p>	<p>N</p>
<p>E. Jobs and Local Economy</p> <p>To foster an entrepreneurial economy with improved productivity, providing a strong employment offer</p>	<p>EE1</p>	<p>The NDP supports new or expanded employment provision in the rural area where it meets the requirements of Local Plan policy EC3: Rural Employment and unacceptable impacts are adequately mitigated.</p>	<p>N</p>
<p>F. Town Centres</p> <p>To strengthen and safeguard the vitality and viability of our town centres</p>	<p>General</p>	<p>The NDP does not propose any main town centre uses within the parish.</p>	<p>N</p>
<p>G. Housing</p> <p>To provide and maintain a sufficient supply of good quality, mixed housing, including an appropriate level of affordable housing</p>	<p>PH1 PH3</p>	<p>The plan reiterates the requirement for development proposals to meet the affordable housing requirements set out in Local Plan policy WE2: Affordable Housing. It also establishes a hierarchy in which off-site affordable housing contributions should be applied.</p> <p>The Plan supports custom build housing of high quality design within the settlement boundary. The NDP does not impede the supply of housing proposed in the Local Plan and supports sustainable development.</p>	<p>N</p>
<p>H. Health</p> <p>To support healthy lifestyles and a healthy local living environment</p>	<p>CF1</p>	<p>The NDP seeks to support healthy lifestyles and supports a healthy local living environment through the support of new community facilities and the retention of existing.</p>	<p>N</p>

*Strategic Environmental Assessment Screening Report
Abbotskerswell Submission (Regulation 16) Neighbourhood Development Plan*

		<p>The NDP also encourages improvements to access to the countryside and to green infrastructure.</p> <p>The plan seeks maintenance and improvements to existing footpath and cycle routes to encourage healthier modes of transport than the private car.</p>	
<p>I. Infrastructure</p> <p>To ensure sustainably balanced places are created or maintained, providing access to an appropriate mix of services and facilities</p>	<p>TA3</p> <p>EE1</p>	<p>The NDP seeks to focus new housing development within the existing settlement boundary as the most sustainable location where existing infrastructure, services and facilities are already extant. The NDP also seeks the maintenance and improvement of footpaths and cycleways to improve access to the countryside. In addition the plan supports new or expanded employment premises within the parish, providing more locally accessible employment opportunities for local residents.</p>	<p>N</p>



Appendix 8

**Habitat Regulations Assessment
of the
Abbotskerswell Neighbourhood Development Plan
2016 – 2033 Submission - January 2017**

Assessment undertaken by Teignbridge District Council

January 2017

Habitat Regulations Assessment

European wildlife sites receive special protection under the European Habitats Directive (Council Directive 92/43/EEC) and the Birds Directive (Council Directive 2009/147/EC). These are transposed into British law by the Conservation of Habitats and Species Regulations 2010 (Habitat Regulations). Section 61 of the Habitat Regulations states that:

- 61.**—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 - (b) is not directly connected with or necessary to the management of that site,
- must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

Section 102 of the Habitat Regulations clarifies that this requirement extends to land use plans as well as other types of plan. Neighbourhood Development Plans qualify as such plans hence the Abbotskerswell NDP is subject to Habitat Regulations Assessment.

The Neighbourhood Planning (General) Regulations 2012 specify that the 'competent authority' for undertaking the appropriate assessment of a Neighbourhood Development Plan is the Local Planning Authority, rather than the Parish Council. This means that Teignbridge District Council must undertake the appropriate assessment of the Abbotskerswell NDP. It should be noted that Regulation 32 of the Neighbourhood Planning Regulations specifies that NDPs are not permitted to include policies that might negatively impact European wildlife sites.

This HRA Screening document must be used in conjunction with the Habitat Regulations Assessment (HRA) of the Teignbridge Local Plan 2013 – 2033. The Local Plan HRA details the European sites, explores the issues associated with Local Plan policies and allocations, considers in-combination proposals and proposes mitigation where required. Taking into account Local Plan Policy NA10 (European Wildlife Sites) and the Joint Interim Approach to securing mitigation for recreational impacts on European wildlife sites, the Teignbridge Local Plan was found to satisfy the requirements of the Conservation of Habitats and Species Regulations. This document includes a 'Screening Matrix' that assesses individual Abbotskerswell NDP policies for likely significant effects on the European wildlife sites in the area. Together, this Screening document and the Local Plan HRA constitute the Habitat Regulations Assessment of the January 2017 Submission version of the Abbotskerswell Neighbourhood Development Plan.

Abbotskerswell Parish contains Strategic Flyways of the South Hams Special Area of Conservation (SAC), designated for its greater horseshoe bat population.

Other European wildlife sites in or near Teignbridge which must be assessed for impacts are: the Exe Estuary Special Protection Area (SPA), Ramsar site and European Marine site; Dawlish Warren Special Area of Conservation (SAC); East Devon Pebblebed Heaths SPA and SAC; Dartmoor SAC; South Dartmoor Woods SAC; and the Lyme Bay to Torbay candidate SAC.

Links to key documents:

<http://www.teignbridge.gov.uk/localplan> (Local Plan)

<http://www.teignbridge.gov.uk/CHttpHandler.ashx?id=37947&p=0> (HRA of Local Plan)

<http://www.teignbridge.gov.uk/CHttpHandler.ashx?id=37949&p=0> (Screening Matrix for HRA of Local Plan)

<http://www.teignbridge.gov.uk/hra> (Exe Estuary, Dawlish Warren and Pebblebed Heaths Joint Approach, which replaces the Joint Interim Approach)

Abbotskerswell Neighbourhood Plan Policies

Policy NE1 – Development and the Natural Environment

The NP intends to lessen the impact of all forms of pollution: noise, air, light, land. Good environmental design and appropriate mitigation will be encouraged. Abbotskerswell Parish, the settlement and its neighbouring countryside, has a mosaic of bat flyways, foraging areas and roosts which cross the Parish. Bats are susceptible to light pollution.

Development proposals should seek to enhance the natural environment and essential qualities of Abbotskerswell wherever possible. Particular regard should be given to:

- a) Bat Strategic Flyways (as identified on Figure 4);
- b) The mitigation of light pollution through design, siting and landscaping to avoid impact on criteria (a) above);
- c) Non Statutory Biodiversity Sites (as identified on Figure 3).

NE2: Devon Banks / Hedgerows

Proposals which are likely to adversely impact on the hedgerows will be expected to demonstrate how they comply with advice contained in the Teignbridge District Council Planning Advice Note “Native Hedgerows and Devon Banks”.

Proposals for changes to access where planning permission are required will also be expected to have considered advice contained in the Devon County Council Highways Protocol for Protected Landscapes.

Where change to existing Devon banks or hedgerows is unavoidable, development proposals will be supported where they have demonstrated that options have been assessed and, as a result, the proposed change is the least damaging option (to the hedgerow / bank, setting in the landscape, biodiversity and habitats), compensatory planting schemes will mitigate the damage and that flood risk will not increase (on-site or downstream of the site) as a result of the change.

NE3: Local Green Space (Biodiversity)

The five locally valued biodiversity sites, each having high ecological significance within the Parish, are identified on Figure 3 and are designated as Local Green Space (LGS) on Figure 6 to protect them from inappropriate development and to ensure their wildlife and habitat value is retained. These are:

- i) LGS A: Conitor Copse (part in Parish) SX86/046, which also contains a Greater Horseshoe Bat Roost;
- ii) LGS B: Abbotskerswell (W) (Wilton Way woodlands) SX86/058;
- iii) LGS C: Grange Copse (behind Ladywell) SX86/174, an ancient woodland;
- iv) LGS D: The Priory (SX86/060), which also contains a known Lesser Horseshoe Bat roost and breeding colony (40+ bats), with a presence of Common Pipistrelle, Soprano Pipistrelle and Brown Long-eared using at least nine locations.
- v) LGS E: Court Grange Meadow SX86/057.

Proposed development must consider and where relevant mitigate in-combination bio-diversity effects, particularly referencing the following maps: Priority Habitats (Fig 3), Greater Horseshoe Bat Strategic Flyways (Fig 4) and the CPRE Light Pollution and Dark Skies (Fig 5)

Policy NE4 – Local Flooding

Measures designed specifically to reduce the risk of both fluvial and surface water flooding within and downstream of the parish will be supported.

Proposals for all other types of development will only be supported where they demonstrate that:

- i) they meet the requirements of Local Plan policy EN4;
- ii) they will not increase local flood risk, with particular regard to locations of known surface water flooding identified on Figure 9 (yellow triangles):
 - a) Slade Lane
 - b) Barnfield Terrace
 - c) Oldbarn Cross (A381)
 - d) Manor Road
 - e) Laburnum Terrace
 - f) The Priory
 - g) Whiddon Road, near Broomhill
 - h) North of Maddacombe Cross
- iii) where impact is unavoidable, that satisfactory measures to mitigate the risk is put in place, for example through the use of Sustainable Drainage Systems (SuDS).

BHE1: High Quality Design in Abbotskerswell

Development in the Parish should always seek to deliver high quality design.

Where a Design and Access Statement or Planning Statement is submitted this should demonstrate how the scheme will achieve high quality design, enhance visual amenity and minimise adverse impacts on the built environment.

Development should have regard to relevant planning guidance issued by Teignbridge District Council and particular attention paid to:

- i) ensuring that the size, height, density, scale and location of the development respect its setting (including neighbouring buildings) and the character of the area;
- ii) ensuring that materials and design of the development are sympathetic and complementary to its setting and character of the area, using, where feasible and appropriate, have regard to local vernacular and materials used;
- iii) ensuring that it is designed in such a way as to minimise its impact on the visual amenity of the surrounding landscape, on views of the proposed development and on the natural environment and mitigating any adverse impact using landscaping where necessary;
- iv) ensuring that the amenity enjoyed by near-by residents is not compromised; and,
- v) preserving and enhancing the Conservation Area, listed buildings and other heritage assets in the parish, with design and scale sensitive to the historic environment.

Where development proposals are approved and it is considered likely that future changes which could be made under permitted development rights could give rise to unacceptable impact on the characteristics of a building or its setting, permitted development rights may be withdrawn through a condition on the planning consent.

Proposers of major developments must engage with the local community and Parish Council to ensure that proposals take into account both this Plan's aims and objectives and the views of the local community.

PH1: Local Needs Housing / Affordable Housing in Abbotskerswell

Development proposals which fall within the remit of local plan policy WE2 should demonstrate how they reflect local affordable housing need in terms of tenure, size and type as highlighted through the most up-to-date housing needs survey for the Parish.

Applicable off-site affordable housing contributions should be applied in the following order;

1. Firstly, be applied to affordable housing provision in Abbotskerswell Parish;
2. Secondly, be applied to adjoining Parishes, where there is no identified affordable housing need or available site in Abbotskerswell Parish
3. Thirdly, be applied to other rural Parishes in the District where there is no identified affordable housing need in Abbotskerswell Parish or adjoining Parishes.
4. If the above criteria cannot be met, then affordable housing contributions may be applied to the adjacent urban areas.

PH2: Minimising the Impact of Local Plan Allocation NA3 Wolborough

Local Plan policy NA3 requires green infrastructure to be put in place as a part of the development of the Wolborough development site. This should include appropriate environments in the Parish to protect wildlife and protected species where identified. Within the context of the provision of green infrastructure, development proposals for those parts of NA3 within the Parish (including buffer areas) should pay particular attention to mitigating any adverse impact on existing amenity enjoyed by the residents of Abbotskerswell, on the landscape setting of the village and on important wildlife habitats by:

- i) Minimising the impact of light, noise and air pollution;
- ii) Introducing a mix of planting (in synergy with the requirements of protected species and habitats), not limited to sapling and young plants, throughout the green infrastructure at the relevant stage of development (to introduce a green infrastructure as soon as possible); and,
- iii) Introducing replacement planting in circumstances where plants fail to establish in the first year after planting and would weaken the intended robustness of the green infrastructure.

PH3: Custom Build Dwellings

Proposals for Custom Build Development within the settlement boundary are strongly encouraged and will be considered favourably where they:

- a) Are of a high quality design which reflects the local character, as defined in the Local Plan and Design Guide Supplementary Planning document (SPD)
- b) Meet the requirements of the Teignbridge Custom and Self Build SPD
- c) Mitigate adverse impacts to ensure a high level of residential amenity and environmental quality is safeguarded
- d) Will not affect the integrity of the South Hams SAC.

TA1: Off-road Parking

To help reduce the impact of on-street parking problems, development proposals for the provision of additional off-road parking will be supported. They should demonstrate:

Developments

- i) That the proposed parking is as close to the travel origin and/or destination as possible; and
- ii) how they meet the standards set out in the Devon County Council Highways Design Guide;
- iii) That measures are put in place to ensure that there is no increased risk of surface water flooding on or off-site;
- iv) That there are no unacceptable adverse impacts on landscape character after mitigation measures are considered; and,
- v) That there are no unnecessary impacts on the surrounding built environment and the setting of the site.
- vi) That there will be no adverse effect on the integrity of the South Hams SAC.

Parking Restrictions

In order not exacerbate existing on-street parking issues in the village, any development proposals should demonstrate how they will make provision for sufficient off-road parking spaces to provide realistic provision for new households and employment uses and which demonstrate adequate ease of access for service vehicles, emergency services, residents and employees and safeguards existing off-road parking provision.

Safeguarding Existing Off-road Parking

To ensure existing off-road parking is protected, or possibly enhanced, by development.

TA2: Traffic Management

Development proposals or measures for, or which will result in, improved traffic management in the Parish, for example, by reducing through traffic volume, non-essential access by HGVs, reducing speed, or maintaining and improving tranquillity, will be supported where they comply with other Policies in this plan.

TA3: Improving Safe Pedestrian and Cycle Accessibility

Public Rights of Way and other pedestrian, cycle and bridleway routes which have public access should be maintained, and opportunities taken to enhance routes, to ensure access to the countryside is retained.

Development proposals and measures which introduce improvements to safe pedestrian and cycle access into, out of and around the Parish will be supported where they demonstrate that there are no adverse impacts on:

- i) the amenity enjoyed by any nearby residents / dwellings along the route;
- ii) the landscape character or setting of the proposal;
- iii) flood risk along the route or as a consequence of the route being put in place; and,
- iv) the integrity of the South Hams SAC."

Where adverse impacts are unavoidable, the proposal will only be acceptable where such impacts are satisfactorily mitigated.

TA4: Safe Access to and from New Development at Abbotskerswell Village

Development proposals for new dwellings and employment buildings within or on the edge of the Abbotskerswell built-up area boundary should demonstrate (where feasible and viable), through their Design and Access Statement or Planning Statement, how they will introduce or improve safe pedestrian and cycle access to the village.

EE1: Supporting Micro and Small Enterprises

Development proposals for new or expanded employment premises in the Parish will be supported where they comply with the requirements of Local Plan Policy EC3 and where it is demonstrated that unacceptable impacts are adequately mitigated, in particular the following:

- a) the character of the built and natural environment;
- c) flood risk;
- d) residential amenity;
- e) traffic, parking and highway safety;
- f) noise, air and light pollution;
- g) the South Hams SAC.

CF1: Community Facilities, Spaces and Assets**The Retention and Enhancement of Community Facilities**

The provision of new community facilities is strongly encouraged where they are open and accessible to the local community.

The redevelopment or loss of community facilities as identified on Figure 20 will be supported where:

- I. An equivalent 'replacement facility would be provided in a location accessible to the local community, or'
- II. It is demonstrated the facility is no longer needed by or is no longer suitable for use by the community of Abbotskerswell, or
- III. It is demonstrated the facility can no longer operate viably for a use which would benefit the local community, and
- IV. It is demonstrated there would be no adverse impact on the South Hams SAC

Safeguarding Open Space and Recreational Facilities

Open space and recreational land and facilities as identified in Figure 20 should be safeguarded from inappropriate development which fails to maintain or enhance the space for the use and benefit of the local community.

The loss of any of these spaces/facilities to an alternative use will only be supported where:

- I. The loss is proposed to be replaced by improved facilities which are accessible to the local community within easy walking distance, or
- II. It is demonstrated the space is no longer needed by or suitable for use by the community of Abbotskerswell, and
- III. It is demonstrated there would be on adverse impact on the South Hams SAC.

Screening Matrix to Identify the Likelihood of Significant Effects		
Key to Screening Matrix		
Traffic lights system		Abbreviations:
Green	Site or policy that will have no likely adverse significant effect	SAC – Special Area of Conservation GHB – Greater Horseshoe Bat
Amber	Action may have an effect but not significant (minor residual)	
Red	Action likely to have significant effect	
Checklist of Reasoning to determine likelihood of a negative effect on a European site from draft English Nature guidance 2006		
No negative effect	0. The development would be of a type or at a distance from the European site that would result in no direct or indirect effects	
	1. The policy will not itself lead to development (i.e. it relates to design or other qualitative criteria for development, or it is not a land use planning policy)	
	2. The policy makes provision for a quantum/type of development, but the location is to be selected following considerations of options in other LDD's or is discussed in later policies in this LDD.	
	3. No development could occur through this policy alone, because it is implemented through subordinate policies which are more detailed and therefore more appropriate for AA	
	4. Concentration of development in urban areas will not affect European site and will help steer development and land use change away from European Site and associated sensitive areas	
	5. The policy will help to steer development away from European Site and associated sensitive areas	
	6. The policy is intended to protect the natural environment, including biodiversity	
Potential negative effect	7. The policy is intended to conserve or enhance the natural, built or historic environment, and enhancement measures will not be likely to have any effect on a European site.	
	8. The policy steers a quantum or type of development towards, or encourages development in, an area that includes a European Site or an area where development may indirectly affect a European site	
Likely to have a significant effect	9. The policy makes provision for a quantum, or kind of development that in the location(s) proposed would be likely to have a significant effect on a European Site. The proposal must be subject to Habitats Regulations Assessment to establish, in light of the site's conservation objectives, whether it can be ascertained that the proposal would not adversely affect the integrity of the site.	

Screening Matrix for Policies and Allocations										
Policy No.	Description (Policy Topic) (Principle/Action)	Initial LSE Screening	Likely Significant Effect on SACs and SPAs					Outcome of the Initial Screening	Can Counteracting Measures Be Applied Through Modification of the Plan?	
			South Hams	Dawlish Warren	Exe Estuary	Pebble-beds	Dartmoor SACs			Lyme Bay
Policies										
NE1	Development and the Natural Environment	6							No LSE anticipated	N/A
NE2	Devon Banks/ Hedgerows	6							No LSE anticipated	N/A
NE3	Local Green Space (Biodiversity)	6							No LSE anticipated	N/A
NE4	Local Flooding	7							No LSE anticipated	N/A
BHE1	High Quality Design	1							No LSE anticipated	N/A
PH1	Local Housing Needs / Affordable Housing	1							No LSE anticipated as this policy relates to prioritisation of funding, rather than to direct allocation of sites for housing	N/A
PH2	Minimising the Impact of Local Plan Allocation NE3 Wolborough	6							No LSE anticipated	N/A
PH3	Custom Build Dwellings	5							No LSE anticipated	N/A
TA1	Off-street Parking	5							No LSE anticipated	N/A
TA2	Traffic Management	1							No LSE anticipated	N/A
TA3	Improving Safe Pedestrian and Cycle Accessibility	5							No LSE anticipated	N/A

Screening Matrix for Policies and Allocations										
Policy No.	Description (Policy Topic) (Principle/Action)	Initial LSE Screening	Likely Significant Effect on SACs and SPAs					Outcome of the Initial Screening	Can Counteracting Measures Be Applied Through Modification of the Plan?	
			South Hams	Dawlish Warren	Exe Estuary	Pebble-beds	Dartmoor SACs			Lyme Bay
TA4	Safe Access to and from New Development at Abbotskerswell Village	1							No LSE anticipated	N/A
EE1	Support Micro and Small Enterprises	5							No LSE anticipated	N/A
CF1	Community Facilities, Spaces & Assets	5							No LSE anticipated	N/A

Conclusion

This HRA concludes that the Submission version Abbotskerswell NDP is:

NOT Likely to have a Significant Effect

on a European wildlife site, when implemented in conjunction with the Teignbridge Local Plan 2013 -2033 and the latest edition of the South Hams SAC Planning Guidance.

However, any future changes to the emerging Abbotskerswell NDP will require their own Habitat Regulations Assessment.

The following paragraph may be included in the NDP at section 6.2:

“Teignbridge District Council has undertaken a Habitat Regulations Assessment (HRA) on the policies within this Neighbourhood Development Plan, as required under the Habitats Directive, to ensure there will not be an adverse effect on any European wildlife site. The HRA concluded that the Submission version Abbotskerswell NDP is: **NOT Likely to have a Significant Effect** on a European wildlife site, when implemented in conjunction with the Teignbridge Local Plan 2013 -2033 and the latest edition of the South Hams SAC Planning Guidance.

However, individual development proposals within Abbotskerswell Parish will be subject to their own individual screening for Likely Significant Effect and, where appropriate, full Appropriate Assessment, undertaken by the appropriate competent authority.”

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