

Brixton Draft Neighbourhood Plan
(Regulation 15 version November 2017)

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

January 2019

SCREENING OPINION

SEA

Having taken all of the relevant policies of the draft Brixton Neighbourhood Plan (Submission Version October 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

The Brixton Neighbourhood Plan Area falls within the Zone of Influence for Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA. It is necessary, therefore, to undertake an Appropriate Assessment to take account of the effect of residential development proposed by the Brixton Neighbourhood Plan in combination with other residential development proposed within the Zone of Influence. The Appropriate Assessment is included in Appendix 4.

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 Brixton Neighbourhood Plan (see Appendix 1). The statutory environmental bodies (Natural England, Historic England and Environment Agency) were consulted on March 14th 2017.

Having taken all of the relevant policies of the draft Brixton 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 Brixton 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.

The Brixton Neighbourhood Plan Area falls within the Zone of Influence for Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA recreational disturbance mitigation. It is necessary, therefore, to undertake an Appropriate Assessment to take account of the effect of residential development proposed by the Brixton Neighbourhood Plan in combination with other residential development proposed within the Zone of Influence. The reasons for this are set out in the screening report in Appendix 2.

Consultation

Consultation with the three Statutory Consultees was carried out on 18th October 2018. The replies received are set out below:-

ENVIRONMENT AGENCY

Hi Sarah,

I have reviewed this version and consider that our position remains unchanged:

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 adopted Local Plan.

If you consider the plan will result in significant environmental effects please re-consult us.

Kind regards,

Harriet Fuller

Sustainable Places | Devon, Cornwall and the Isles of Scilly

HISTORIC ENGLAND

Duncan

Thank you for sharing Graham's comments. These are very useful and confirm that the principle of such a site allocation is not a problem from a heritage perspective. Graham identifies the need for careful design as and when proposals come forward and obviously complementary policies, in the Plan and elsewhere, can be used to ensure that any eventual scheme is appropriate in its sensitivity to its context.

On that basis I am happy to confirm that there are no residual issues for us associated with this Plan and that we have no objection to the view that an SEA is not required.

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

<https://historicengland.org.uk/southwest>

From: Duncan Smith [<mailto:Duncan.Smith@swdevon.gov.uk>]

Sent: 14 December 2018 14:01

To: Stuart, David

Cc: SW-Neighbourhood Planning

Subject: RE: Brixton Neighbourhood Plan SEA/HRA screening - error!

David.....Thank you for your reply below. I have consulted with Graham Lawrence our Conservation Officer whose reply I attach. On the basis of that I would be pleased if you could supply your final response.....Regards...Duncan

From: Stuart, David [<mailto:David.Stuart@HistoricEngland.org.uk>]
Sent: 05 December 2018 10:30
To: SW-Neighbourhood Planning <NeighbourhoodPlan@swdevon.gov.uk>
Subject: Brixton Neighbourhood Plan SEA/HRA screening - error!

Dear Sarah

Many thanks for your re-consultation on the SEA Screening for the draft Brixton Neighbourhood Plan.

In previous advice we highlighted that the absence of heritage evidence to substantiate policy Emp2 (which allocates an employment site) led us to agree with the view that a full SEA was required.

We note from the latest (October 2018) version of the Plan that policy Emp2 appears to remain essentially unchanged. We also note from the Plan's appendices (pA28) covering responses to the Regulation 14 consultation that the community states that the nearest heritage asset is 0.3km from the site and as it is obscured by topography the conclusion is that there will be no harm to the setting of the listed building.

We do not necessarily dispute this assertion but the absence of evidence and our own lack of local knowledge makes it difficult for us to confirm its veracity. As a simple solution to this dilemma we would therefore recommend that your authority utilise its own conservation team to verify the community's conclusion and if confirmed we would be happy to raise no objection to the view that an SEA is now not required.

Kind regards

David

David Stuart | Historic Places Adviser South West

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NATURAL ENGLAND

Duncan,

Thanks for the reminder. I have reviewed the SEA/ HRA screening and confirm that Natural England agrees with the amendments you have made and your conclusions. It would be worth referencing the separate Appropriate Assessment document at the end of the HRA screening – or including the AA at the end of the HRA screening (following on) which is a usual approach. However, I we do not need to be consulted again.

Kind regards,

Moira

Appendix 1

Brixton Neighbourhood Plan

Strategic Environmental Assessment Screening Opinion

1.1 - Strategic Environmental Assessment (SEA) Process

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

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

1. The characteristics of plans and programmes, having regard, in particular, to—
 - (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
 - (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - (d) environmental problems relevant to the plan or programme; and
 - (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—
 - (a) the probability, duration, frequency and reversibility of the effects;
 - (b) the cumulative nature of the effects;
 - (c) the transboundary nature of the effects;
 - (d) the risks to human health or the environment (for example, due to accidents);
 - (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - (f) the value and vulnerability of the area likely to be affected due to—
 - (i) special natural characteristics or cultural heritage;
 - (ii) exceeded environmental quality standards or limit values; or
 - (iii) intensive land-use; and
 - (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

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

1.2. Brixton and environmental constraints in the Neighbourhood Plan Area

The designated Brixton Neighbourhood Area covers the Parish of Brixton excluding the Sherford New Town area, and the southern part of the area lies within the South Devon Area of Outstanding Natural Beauty

(AONB). The Neighbourhood Area also lies within the Zone of Influence for the Plymouth Sound and Estuaries Special Area of Conservation (SAC): this is addressed further within the accompanying Habitats Regulation Assessment screening report. The Yealm Estuary Site of Special Scientific Interest (SSSI) lies immediately to the south east of the Neighbourhood Area, while a small proportion of the SSSI falls within the Neighbourhood Area boundary. Much of the Neighbourhood Area falls within the Impact Risk Zone for the SSSI. In addition, there is a County Wildlife Site at Winston to the south east of Brixton village. There are a number of listed buildings throughout the Neighbourhood Plan area which are concentrated in Brixton village.

1.3. Brixton Neighbourhood Plan

The Brixton Draft Neighbourhood Plan (the Plan) sets out policies and approaches which will add local detail to policies within the Joint Local Plan. The Plan sets out a vision for Brixton as follows:

Our Vision is:

- *to conserve and enhance the rural and historic environment of Brixton Parish, with its beautiful landscape of woods, farmland and estuary;*
- *to retain the identity and independent character of Brixton village and its surrounding hamlets;*
- *to nurture thriving communities across the parish by providing improved facilities and taking opportunities to meet the needs and wishes of the community.*

The Plan contains policies as set out in the table below.

Table 1. Summary of policies in the Plan

| Policy | Summary of aims and key environmental effects |
|--|--|
| Env1. No development shall be permitted that would harm the natural beauty and special qualities of the South Devon AONB. Any development must maintain and enhance the South Devon AONB and its setting, paying full regard to national and local strategic policies for the AONB and to the South Devon AONB Planning Guidance. This is particularly relevant in the case of cumulative impact of individual developments, and the preservation of tranquillity and biodiversity of the Yealm Estuary and Cofflete Creek environs. | Aims to protect the AONB and is likely to have positive environmental effects. |
| Env2. The fields identified on Environment and Landscape Policy Env Map 2 will be protected from development to maintain the important public open views across the South Devon AONB that define the setting and character of Brixton village and its eastern and western approaches | Aims to protect the locally important landscape setting of Brixton village. Likely to have positive environmental effects. |
| Env3. (a) Priority Habitat throughout the parish, including Parkland at Cofflete Park, ancient woodland along Cofflete Creek and the river Yealm estuary at Steer Point and its mud flats as shown on Environment Habitat Policy Map (Env Map1) will be protected and enhanced. B)Important woodlands are to be conserved and enhanced for their contribution to the character and bio-diversity of the parish. See Appendix 8 Env Map 5. c) No development that could result in pollution of the estuarine waters will be permitted. | Aims to protect woodland and wildlife corridors. Likely to have positive environmental effects. |

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| <p>Env4. (a) A green corridor will be maintained for visual and ecological significance to protect against the further urban expansion east of Plymouth along the A379, and to safeguard the individual identities of Chittleburn, Combe, and Brixton village, as defined on Env Map 3: Policy Area Env4.</p> <p>(b) Measures to improve the appearance of the A379 route through Brixton, particularly measures such as tree planting and green landscaping, will be supported. See Env Map3.</p> | <p>Aims to maintain and improve a green corridor for landscape and ecological reasons. Likely to have positive environmental effects.</p> |
| <p>Env5. (a) Local Green Spaces identified on Environmental Policy Map 3 will be protected and enhanced. Only development directly associated with and necessary to improve the green space will be permitted within them. See Appendix 7 for selection criteria.</p> | <p>Aims to identify and protect Local Green Spaces.. Likely to have positive environmental effects.</p> |
| <p>Env6. The area identified as the Brixton Strategic Countryside (Env Map 3) shall be safeguarded during the Plan period (2014-2034) except in the event that a future Housing Needs Survey identifies the need for essential, affordable local housing for Brixton community. In which case small numbers of well designed, sensitively located housing might be considered; in any event not before 2023 when the first review of this Plan is due. This review will also consider the development progress of Sherford and any impact on the Brixton Strategic Countryside.</p> <p>No development will be permitted that adds substantially to the cumulative impact of development in the village that will adversely impact on the social wellbeing and character of the village.</p> | <p>Aims to protect an area of land from all development except that necessary local affordable housing needs. Likely to have positive environmental effects.</p> |
| <p>Env7. Development proposals are required not to harm and must conserve, restore and enhance designated and non-designated historic and heritage assets and their settings.</p> | <p>Aims to protect heritage assets. Likely to have positive environmental effects.</p> |
| <p>Env8. Private or community renewable energy generation schemes will be supported provided they are designed to minimize harm to local heritage, biodiversity, landscape, views and skylines, through noise or other nuisance and be in keeping and are appropriate to the setting of Brixton Parish.</p> | <p>Aims to permit renewable energy generation where there is minimal harm. There is some potential for minor negative more likely neutral effects.</p> |
| <p>Env 9. Located in the South Devon AONB, the land currently occupied by South Devon Repairs and Sales Garage (Env Map 5) is of strategic value to Brixton due to its location at the core of the village and its open character within the setting of the AONB. Any development on this site must retain the open frontage to the A379 and the far reaching views over the AONB.</p> | <p>Aims to set requirements for consideration should redevelopment of the site be sought in the future. Likely to assist in offsetting any negative effects of development.</p> |

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| <p>Env10 Any development of the former Steer point Brickworks hard standing (refer to Env Map 5) must be tightly controlled. The large area of previously developed land is within a highly sensitive area of the South Devon AONB and other landscape designation. Only sustainable development proposals to enhance this sensitive site and provide substantial community benefit in perpetuity in this special location will be considered and should take account of the following factors:-</p> <ol style="list-style-type: none"> 1) The site's location in the South Devon AONB and the designated Heritage Coast and adjoining SSSI designations. 2) The site's isolated nature in terms of the Brixton settlement. 3) The unsatisfactory system of roads that serve the site. 4) The potential of the site's redevelopment to offer sustainable benefits to the Brixton community <p>Cof1. The following local facilities are designated as Assets of Community Value*: St Mary's Church, The Post Office, The Foxhound pub, The Scout hut, St Mary's School and Ladybirds Nursery. Assets of Community Value shall be protected and retained. The loss or redevelopment of these facilities will not be permitted without overriding justification. Where justification for change of use is claimed, at least one of the following must be demonstrated:-</p> <ul style="list-style-type: none"> • that the facility has been and will be replaced with a similar one of equal or greater value to the local community. • that the facility is no longer needed by the community: or • In the case of privately owned businesses, that the facility is no longer financially viable. | <p>Aims to set out requirements should redevelopment of this site be sought in the future. Likely to assist in offsetting any negative effects of development.</p> <p>Aims to protect community facilities. Likely to have neutral environmental effects.</p> |
| <p>Cof2. New development will be required to contribute, where appropriate, towards the provision or improvement of community facilities, in accordance with the Brixton Parish Community Facilities Plan and local priorities which could include but is not restricted to:</p> <ul style="list-style-type: none"> • a parish hall, • off-street car parking and/or car park, • a visitor car park in Brixton Village • play spaces, • allotments, • footpath/bridleways/ cycle path improvements • traffic speed mitigation • "greening" the A379 corridor, • public river access | <p>Aims to secure contributions from development towards priority infrastructure. Possibility of some indirect environmental impacts if any of the identified infrastructure is delivered.</p> |
| <p>Cof3. Developments of more than 5 homes shall prioritise the on-site provision of well designed, public landscaped spaces. Safe children's play areas should be provided on site where appropriate.</p> | <p>Aims to secure public space and children's play areas around new development. Likely to have positive environmental effects.</p> |

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| <p>Sar1. Public open space, private outdoor sports grounds, school playing fields and allotments identified on Policy Sar 1 Map shall be protected and retained in that use. Only development directly associated with and necessary for their improvement will be permitted unless:</p> <p>(a). an alternative and improved provision is provided that retains its original functional requirements for existing and future users; and</p> <p>(b). the proposal would not result in the loss of an area important for its amenity or contribution to the character of the area.</p> | <p>Aims to protect public open spaces. Likely to have positive environmental effects.</p> |
| <p>Sar2. (a) Development that will enhance or extend the footpath, bridleway and cycle network will be welcomed and permitted, providing it meets other policy requirements. Proposals will be particularly welcome which will improve those routes identified in the Sport and Recreation Plan.</p> <p>(b) Recreational connectivity with Sherford and the Community Park shall be provided by a designated pedestrian, cycle and bridleway route along Monkey lane, improvements for non-vehicular recreational access to Monkey Lane will be supported.</p> | <p>Aims to extend the network of public rights of way. Possibility of minor negative environmental effects due to increased traffic in the countryside. However these are not likely to prove significant and are likely to be outweighed by the social and health benefits.</p> |
| <p>Sar3. Development that will enhance public access to the River Yealm and/or Cofflete Creek will be welcomed and permitted, providing it meets other policy requirements.</p> | <p>Aims to improve public access to the River Yealm and Cofflete Creek. Possibility of minor negative environmental effects due to increased traffic in sensitive areas. However these are not likely to prove significant and are likely to be outweighed by the social and health benefits</p> |
| <p>Sar4. New developments will be required to contribute , where appropriate, to existing and the provision of new sport and recreation facilities as identified in the Brixton Parish sport and Recreation Plan</p> | <p>Aims to identify where contributions from development are best directed to improve sports and recreational provision. Likely to have positive environmental effect</p> |
| <p>Tpt1. Development shall be designed to enable and encourage the use of sustainable modes of transport. Non-residential developments shall provide suitable secure cycle racks.</p> | <p>Aims to encourage the use of sustainable modes of transport. Likely to have positive environmental effects.</p> |
| <p>Emp1. The change of use of existing employment land will not be permitted without a clear demonstration of community benefit.</p> | <p>Aims to protect employment land. Likely to have neutral environmental effects.</p> |

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| <p>Emp2. Employment Area 1 (refer to inset Map Emp1: Insert 2)</p> <p>(a) Within the existing employment area at Chittleburn, Employment Area 1, the change of use resulting in the loss of land or premises from employment use will not be permitted.</p> <p>(b) The identified sites EMP2a and 2b in the vicinity of Dodovens/Chittleburn Farm Business Park are preferred for light industrial development to complement the existing businesses already operating at this location and Chittleburn. In addition to other policy requirements EMP2a and 2b will be required to deliver:</p> <ul style="list-style-type: none"> • The footpath link to Hilltop and Chittleburn • Suitably designed car parking in terms of numbers and visual mitigation • Maintain existing Screening landscape along the A379 and provide new tree/hedgerow screening along Hilltop Lane and to the proposed southern edge of Dodovens Farm • Buildings shall be integrated into the landscape to mitigate visual impact from public viewpoints • Attenuation of surface water to prevent flooding of stream on the northern boundary of Dodovens Farm. | <p>Aims to protect existing employment areas and supports their extension. This site is in the Plymouth Urban Fringe. There is a possibility of negative environmental effects from the development of these sites. This will be offset by the need for proposals for redevelopment of the sites to meet criteria which aim to offset negative impacts of development. Likely to have slightly negative or neutral environmental effects</p> |
| <p>Emp3. Employment Policy Area at Staddiscombe Service Station/Supermarket . See Map Emp1: Insert 1.</p> <p>The triangular site at Carrollsland between Wembury Road and Staddiscombe Road shall be retained in use for the existing supermarket/petrol filling station or, should that cease to operate, for A1 or B1 uses only. Other changes of use will not be permitted.</p> | <p>Aims to retain an existing employment site in the current or other employment use. Possibility of minor negative environmental effects if a change of use occurs. However these are likely to be minimal given the similarity of land use proposed, the location within a built up area, and the need for any change of use proposal to have regard to other policies in this plan and in the Local Plan.</p> |
| <p>Emp4. Existing recreational and tourism facilities shall be retained for that use. Only improvements directly associated with and necessary for their viability will be permitted unless:</p> <p>(a) Alternative and improved provision will be made in a location well related to the functional requirements of that use; and</p> <p>(b) The proposal would not result in the loss of, or harm to, an area important for its contribution to recreation and tourism.</p> | <p>Aims to protect existing recreational and tourism facilities. Likely to have positive environmental effects.</p> |
| <p>Dev1 Location, scale and character of development.</p> <p>Within the settlement boundary the scale, density and character of development shall be in keeping with its site and surroundings and shall cause no adverse impacts on natural or historic assets, important views, outlooks or skylines, local amenity, traffic, parking or safety.</p> | <p>Aims to manage the location, scale and density of development within the settlement boundary. Likely to have neutral or positive environmental effects.</p> |
| <p>Dev2. All new development should be of high quality and appropriately designed for the context in which it is proposed with respect to its neighbours and the rural character of Brixton village and across the Parish. Development shall take into account topography, layout, building orientation, massing, landscaping, public green space and associated public realm, to minimise visual, ecological and social impact.</p> | <p>Aims to ensure high quality design of new development. Likely to lead to neutral or positive environmental effects.</p> |
| <p>Dev3 Appropriate and sensitive restoration or conversion that secures a viable long-term future for a non-designated heritage asset, which would otherwise be lost, may be permitted.</p> | <p>Aims to encourage the reuse of appropriate non – designated heritage assets. Likely to lead to neutral or positive effects.</p> |

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| Dev4. Design shall, where appropriate, optimise the orientation of new development to capitalise on solar energy to reduce energy consumption. Development comprising the use of renewable energy and low carbon materials will be encouraged where it does not harm the character and appearance of the Parish and the landscape. | Aims to encourage reduced energy consumption in new development. Likely to lead to neutral or positive environmental effects. |
| Dev5. All new developments shall include adequate off street parking and cycle storage for residents, users and visitors. Residential developments shall also provide at least one parking space per bedroom. | Aims to encourage cycling and adequate parking spaces in new development. Environmental effects are likely to be neutral. |
| Dev6. No development will be permitted that adds substantially to the cumulative impact of development in the village that will adversely impact on the social wellbeing and character of the village. | Aims to address potential cumulative impact of development. Likely to lead to neutral or positive environmental effects. |
| Dev7 NB There is no Dev7 in this version of the Plan | |
| Dev8. Any proposed infill within the village settlement boundary will be required to meet the following criteria: <ul style="list-style-type: none"> a) It is sensitive to the history/background to the site b) Existing non-designated historical features are retained c) Where an infill site adjacent to the A379 is identified for redevelopment the open character of the site must be retained as part of any plan for its future use. This will preserve the important breaks in the pattern of buildings that contribute to the rural village identity and provide views across the AONB. | Aims to set heritage and design parameters for development within the settlement boundary. Likely to have neutral or positive environmental effects. |
| Dev9 The land identified on Dev Map 2, in the ownership of South Hams Council, is allocated for Affordable Housing for local people in perpetuity. Any loss of hedgerows and trees must be mitigated through the design and layout in respect of the sensitive setting of the AONB. | Identifies the Steer Point Road site for development for housing. Recognises the site's location in the AONB and sets parameters in terms of design, layout and landscaping. This is a small site in an existing residential area. Redevelopment of the site is likely to have slightly negative/neutral environmental effects |

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 Brixton Neighbourhood Plan. 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

Policies where there are concerns are highlighted in amber

| 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 | <p>The broader policy framework is set by the NPPF and the Local Plan. The Brixton Neighbourhood Plan does not propose significant new development in addition to or in contradiction to the Local Plan. However, Policy EMP3 and Dev9 do support minor development in locations that have not been identified in the JLP. In terms of EMP3 this proposes modest extensions to two existing employment areas. These sites lie within the Plymouth Urban Fringe. DEV9 proposes a small housing site within the AONB. This site lies within an existing residential area and is well screened. The Plan proposes criteria that will mitigate the development of these sites in terms of design and landscaping.</p> <p>Policies Env9 and Env10 anticipate the potential redevelopment of respectively the South Devon Repairs and Sales Garage and the Steer Point Brickworks site. Both these sites lie within the AONB. Importantly the Plan does not propose development on these sites but sets out criteria that should be taken into account if they are.</p> |
| (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy; | NO | <p>Neighbourhood plans should be taken into account by other proposed plans, including the Local Plan, but there are no plans or programmes that need to be in conformity with it. The Brixton Plan will therefore not significantly influence other plans and programmes.</p> |
| (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development; | NO | <p>The Brixton Plan is worded such as to promote sustainable development. As indicated above where development is proposed or anticipated the Plan requires and encourages sustainability.</p> |

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| (d) environmental problems relevant to the plan or programme; and | NO | The Neighbourhood Plan area contains a small proportion of the Yealm Estuary SSSI. The only other significant designation in the area is a County Wildlife Site. The nature of the proposals in the Neighbourhood Plan are not considered likely to have significant effects on either the SSSI or the County Wildlife site. The Neighbourhood Area falls within the Zone of Influence for the Plymouth Sound and Estuaries Special Area of Conservation (SAC): this is addressed further within the accompanying Habitats Regulation Assessment screening report |
| (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 | While the proposals in the Plan would not be easily reversible should they be implemented, the proposed land use is not significantly different from nearby existing uses. Therefore the probability of significant effects is not great. |
| (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; | NO | 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 around two thirds of the Parish of Brixton. This is considered to be a small area in terms of wider environmental effects. |
| (f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and | Uncertain | There is not considered to be any likelihood of significant effects on the Yealm Estuary SSSI, or the County Wildlife Site. Mitigation for possible impacts on the Plymouth Sound and Estuaries SAC is addressed in the accompanying HRA screening report. The sites proposed for development would not impact upon assets of historical significance. |
| (g) the effects on areas or landscapes which have a recognised national, Community or international protection status. | Uncertain | The plan contains policies aimed at protecting the special landscape of the neighbourhood area. In proposing development, the Plan recognises landscapes of recognised national, Community or international protection status and requires that appropriate mitigation is identified. |

2.1 SEA Screening Opinion

The Brixton Neighbourhood Plan identifies three sites for development beyond that already proposed in the Plymouth and South West Devon Joint Local Plan. Policy EMP3 proposes two modest extensions to existing employment sites at Dodovons Farm and Chittleburn. These sites do not lie within the South Devon AONB and are capable of screening to offset views of them from the AONB. The Plan includes, within the allocating policy, requirements that should be included in the development of each of these sites relating to design/landscaping/screening. Policy Dev9 allocates a small housing site at Steer Point Road which lies within an existing residential area. The allocating policy recognises the site's location in the AONB and need for design and landscaping of the site to respect its setting. Furthermore, as a result of issues raised in a letter dated 26th November 2018 from Natural England, the Brixton Neighbourhood Plan Group as produced landscape and design evidence which addresses the concerns raised by Natural England (See Appendix 3). In terms of each of these sites it is considered that given their limited scale and the requirements of the Plan that adequate mitigation is incorporated in any proposals for their development that any impact arising from their development would be limited in scale and not signal a requirement for SEA.

The Plan sets out, in Policies Env9 and Env10, requirements that will be necessary to be taken into **if** the sites are developed. The Plan **does not** propose the development of these sites. The policies respectively relate to the South Devon Repairs and Sales Garage and the Steer Point Brickworks site. Both these sites lie within the AONB. Importantly the Plan does not propose development on these sites but sets out requirements that should be taken into account if they are. In promoting these requirements the plan seeks firstly to ensure the potential development is carefully controlled and secondly to assist in ensuring should development take place any impacts are minimised. For the above reasons it is considered that neither Policy Env9 nor 10 signal the need for SEA.

Alongside the above policies the Plan proposes a suite of policies that are devised to meet the Vision, Aims and Objectives, in terms of environmental effect, and that seek, mitigate any impacts that may arise from the Plan.

Having taken all the policies of the Brixton Neighbourhood Plan into account and assessed the potential environmental effect on designated sites and landscapes, this screening opinion has concluded that full SEA is not required.

Appendix 2

Brixton 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, termed 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

EUROPEAN SITES THAT COULD POTENTIALLY BE AFFECTED BY THE Brixton NEIGHBOURHOOD PLAN

| SOUTH HAMPS 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) |

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. |

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

3.0. Brixton 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 |
|-----------------|--------------------|--|-------------------------------------|--|---|
| Policy Dev9 | D2 | The site allocated lies within the Zone of Influence for Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA. It is necessary, therefore, to undertake an Appropriate Assessment to take account of the effect of residential development proposed by the Brixton Neighbourhood Plan in combination with other residential development proposed within the Zone of Influence. | Recreational Pressures | Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA | Appropriate Assessment will be carried out to identify impacts and mitigation required. |
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3.1. Additions/revisions required to the Brixton Neighbourhood Plan

Brixton falls within the Zone of Influence for new residents having a recreational impact upon the Plymouth Sound and Estuaries SAC. Accordingly any development proposed within the area will need to make a payment towards measures to mitigate these recreational pressures. A Strategic Access Management and Monitoring Strategy/SAMMS list is currently being agreed with partner LPAs and Natural England – this will form the basis of the level of contributions we seek from development to be included in our subsequent SPD.(See Appropriate Assessment which has been submitted separately)

3.2. HRA CONCLUSION AND SCREENING OPINION

It is considered that the Brixton Neighbourhood Plan will , as a result of the allocation of the Steer Point Road residential site (Dev9), have, in combination with other allocations within the Zone of Influence for Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA, have an effect on these European Site. An Appropriate Assessment has been undertaken which is included at Appendix 4 to this document.

APPENDIX 3: Policy Dev9 Steer Point Road: Housing Allocation: Submission by Brixton Neighbourhood Plan Group in respect of Natural England's Comments.

Thank you for advising on the need for a response from us to the advice letter from Natural England concerning the possible need for a Strategic Environmental Assessment and Habitat Assessment for the proposed small housing development of 6-8 affordable dwellings for local people on Steer Point Road – Policy Dev9 of our Neighbourhood Plan. See photo attached.

Our response is as below. We would be grateful for advice on whether this provides sufficient information to counter the need for an SEA or HA, which we feel should not be necessary in order for our Neighbourhood Plan to move forward to inspection.

The proposed housing development concerned is a small development within the defined settlement boundary, to meet the proven needs of the community for affordable housing for local people (as evidenced from our housing needs survey 2016). This is consistent with the Plymouth and South West Devon Joint Local Plan (JLP) for Sustainable Villages Policy TTV30 – “Development in the Sustainable Villages - Provision in the order of 550 homes will be sought from the sustainable villages as part of the overall housing supply for the TTV Policy Area” under which para 5.158 as modified in the Main Modifications to the Joint Local Plan, referring to villages not included in a list of villages with indicative housing allocations (i.e. Brixton amongst others) says:

“It should be noted that Figure 5.8 (list of villages with housing allocation) does not include villages within AONBs. This is in acknowledgement of the great weight that should be given to conserving their landscapes and scenic beauty. However, neighbourhood plans may wish to bring forward positive allocations to meet local housing need where justified by an appropriate evidence base. Policy DEV27 sets out the policy approach to considering development proposals in AONBs”

DEV 27 of the JLP says (inter alia): Encourage small-scale proposals that are sustainably and appropriately located and designed to conserve, enhance and restore the protected landscapes.

This small development at Steer Point Road is the only housing development allocation we are putting forward in our Neighbourhood Plan, and is for 6-8 dwellings adjacent to existing houses. It will complete a compact housing scheme of small village houses within the settlement boundary.

Our draft Neighbourhood Plan attaches significant weight to the need to conserve and enhance the AONB and its setting. Its natural beauty and special qualities are valued by the community, as reflected in policy Env 1, and Dev 1, as below:

Env1. No development shall be permitted that would harm the natural beauty and special qualities of the South Devon AONB. Any development must maintain and enhance the South Devon AONB and its setting, paying full regard to national and local strategic policies for the AONB and to the South Devon AONB Planning Guidance. This is particularly relevant in the case of cumulative impact of individual developments, and the preservation of tranquillity and biodiversity of the Yealm Estuary and Cofflete Creek environs.

Dev1. Location, scale and character of development. Within the settlement boundary the scale, density and character of development shall be in keeping with its site and surroundings and shall cause no adverse impacts on natural or historic assets, important views, outlooks or skylines, local amenity, traffic, parking or safety.

The proposed settlement boundary incorporates this existing development and does not provide the opportunity for intrusive development to take place that would extend the visual envelope of this development into the surrounding rural landscape. Accordingly, the landscape character of the setting of the AONB would not be altered. The design of the housing to meet our proposed allocation would therefore need to meet the criteria of our policies Env1 and Dev1.

Appendix 4: Appropriate Assessment: Brixton Neighbourhood Plan

Part D: Appropriate Assessment

NB: In undertaking the appropriate assessment, the LPA must ascertain whether the **plan project** would adversely affect the integrity of the European site. The Precautionary Principle applies, so to be certain, the authority should be convinced that no reasonable scientific doubt remains as to the absence of such effects.

11. Assessment of effects taking account of avoidance or reduction measures included in the proposal

| Aspect of plan which will be potentially damaging | Avoidance and mitigation measures included in the Plan/ policies (and any additional measures required for inclusion in the proposal) | Secured by | Residual effects |
|---|--|---|------------------|
| <i>Increased visitor and recreational pressure (terrestrial and marine) associated from new residents associated with the proposed development.</i> | <p>The identified potentially damaging impact is a non-direct impact (i.e. one which does not require onsite construction/operational avoidance or mitigation measures).</p> <p>The Plan area site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan, namely the study completed to consider recreational pressure of residents from new development upon the Tamar European Marine Site (<i>EMS Recreation Study Document 04. Survey of recreational use within the Plymouth Sound and Estuaries European Marine Site: Scoping report and survey results</i>, MBA, March 2017).</p> <p>The Study clarified and confirmed a 12.3km ZOI around the Tamar EMS. The proposed development site within this ZOI for the Tamar EMS, and accordingly the recreational pressure of new residents associated with the development will require mitigating to ensure they do not have a significant effect on the Tamar EMS (as without mitigation the new residents in combination with other development could have a significant effect on the Tamar EMS).</p> | <p>Any planning application submitted as result of the Steer Point Road Allocation (Policy D9) in the Brixton Neighbourhood Plan would be subject of the following condition:-</p> <p>Condition:</p> <ul style="list-style-type: none"> - Prior to first occupation of any residential unit, a scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to first occupation. <p>This condition emanates from the South Hams Local Plan and will be replicated in Joint Local Plan (as part of the mitigation resulting from the AA carried out in respect of the JLP. It is not included in the Brixton Neighbourhood Plan since the NPPF states Neighbourhood Plans should not repeat policy already contained in Strategic and Local Plans.</p> | None/negligible |

| | | | |
|--|---|--|---------------------|
| | <p>This is considered in more detail in the Habitats Regulations Assessment of the Joint Local Plan (July 2017) which notes that:</p> <p><i>'In order to address the impacts arising from the increased recreational pressure, a single mitigation strategy will be agreed with Plymouth City Council, South Hams District Council and West Devon Borough Council and also with Cornwall Council and a mechanism for securing the funding through planning obligations will be set out and agreed in a Supplementary Planning Document (SPD). Using evidence from the Plymouth Sound and Tamar Estuaries Recreation Study (Marine Biological Association, 2017), a single mitigation strategy will identify the interventions required and the SPD will then set out the charge that will be applied to all new dwellings and tourist developments within a 'Zone of Charging' as set out in Policy SPT13 'European Protected Sites – mitigation of recreational impacts from development'.</i></p> <p>The Strategic Access Management and Monitoring Strategy (SAMMS) list is currently being finalised, with a view to being agreed through the Duty to Cooperate and with Natural England (and will ultimately inform the JLP SPD) – this being a costed list of management actions that are required to mitigate impacts of new residents, and towards which commuted sums from development are required to contribute towards delivering.</p> <p>Until the time that the SAMMS list has been formalised and the per dwelling figures updated by virtue of an adopted JLP SPD, the existing per dwelling figures are being used from the Plymouth Travel To Work Area, as have previously been used by Cornwall Council, Plymouth City Council and SHDC and as are reflected in the proposed condition.</p> | | None/ negligible |
|--|---|--|---------------------|

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|--|--|
| 12. Does the proposal have potential for in-combination effects with other plans or projects individually or severally | The impacts from increased visitor and recreational pressure identified within this HRA (and as reflected within the 12.3km ZOI, and the HRA of the JLP) is an in-combination impact – i.e. it is unlikely that any one development would have a likely significant effect alone, however when developments within Plymouth, South Hams, West Devon and Cornwall are consider in-combination there is potential for a likely significant effect. |
| Part E: Conclusion | |
| 13. Natural England consultation response | <p>For relevant applications within the 12.3km ZOI Natural England should be consulted upon validation and completion of this form by DM Case Managers.</p> <p>Once Natural England have send a consultation response, the relevant paragraph can be pasted here, along with the date and reference from their consultation response, and a copy saved for completeness.</p> |

| <p>14. List of mitigation measures and safeguards to be covered by planning obligations (conditions or S106)</p> | <p>Set out below is the detailed condition that would be attached to any consent issued for the Steer Point Road Site.</p> <p>Condition:</p> <ul style="list-style-type: none"> - Prior to first occupation of any residential unit, a scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to first occupation. <p>Informative: This condition can be satisfactorily addressed by means of a pre-occupation contribution towards improved management within the Tamar European Marine Site (informed by the SAMMS list) calculated in accordance with the following table (or any subsequent SPD approved at the time the contribution is triggered). At that time the Applicant should contact the Council's Development Management team to arrange payment of the contribution</p> <table data-bbox="400 853 879 1285"> <thead> <tr> <th>Dwelling size</th><th>Contribution per dwelling</th></tr> </thead> <tbody> <tr> <td>1 bedroom</td><td>£17.16</td></tr> <tr> <td>1 bedroom flat</td><td>£23.99</td></tr> <tr> <td>2 bedroom house</td><td>£31.60</td></tr> <tr> <td>3 bedrooms</td><td>£33.93</td></tr> <tr> <td>4 bedroom house</td><td>£36.76</td></tr> <tr> <td>5 bedroom house</td><td>£40.38</td></tr> </tbody> </table> <p>Reason: The development lies in the Zone Of Influence of the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA) where it is considered there would be a likely significant effect from this development, when taken in combination with other plans and projects, upon these European designated sites. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to provide sufficient mitigation for any recreational impacts which might arise upon the European designated sites. In coming to this decision, the Council has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and the requirements of WDBC adopted policy SP19/SHDC adopted policy CS10 (delete as applicable re: WDBC/SHDC application) and policies SPT11, SPT13 and DEV28 of the proposed JLP.</p> | Dwelling size | Contribution per dwelling | 1 bedroom | £17.16 | 1 bedroom flat | £23.99 | 2 bedroom house | £31.60 | 3 bedrooms | £33.93 | 4 bedroom house | £36.76 | 5 bedroom house | £40.38 |
|--|---|---------------|---------------------------|-----------|--------|----------------|--------|-----------------|--------|------------|--------|-----------------|--------|-----------------|--------|
| Dwelling size | Contribution per dwelling | | | | | | | | | | | | | | |
| 1 bedroom | £17.16 | | | | | | | | | | | | | | |
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| 4 bedroom house | £36.76 | | | | | | | | | | | | | | |
| 5 bedroom house | £40.38 | | | | | | | | | | | | | | |
| <p>15. Will the proposed development have an adverse effect on integrity?</p> | <p>It is concluded that the proposal will not have an adverse effect on the integrity of the Tamar EMS subject to the measures listed in part 14 being secured by condition.</p> | | | | | | | | | | | | | | |

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| Author: | Duncan Smith, Neighbourhood Planning Officer, South Hams Council; December 2018 |
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