

**Lamerton Neighbourhood Plan**  
(Submission Version)

**Strategic Environmental Assessment  
and Habitats Regulations Assessment  
Screening Report**

June 2020

**SCREENING OPINION**

**SEA**

Having taken all of the relevant policies of the Lamerton Neighbourhood Plan (Submission Version) into account, and assessed the potential environmental impact on designated sites and landscapes, it is the Council's opinion that a full SEA is not required for the Neighbourhood Plan, due to the 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 Lamerton 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 Lamerton Neighbourhood Plan in combination with other residential development proposed within the Zone of Influence. The Appropriate Assessment is included in Appendix 3 of this document.

# Summary

## SEA

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

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

A Strategic Environmental Assessment (SEA) Screening Opinion was prepared by West Devon Borough Council for the Lamerton Neighbourhood Plan (see Appendix 1). The statutory environmental bodies (Natural England, Historic England and Environment Agency) were consulted on 17<sup>th</sup> April 2020.

**Having taken all of the relevant policies of the 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 Lamerton 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.

## Consultation

Consultation with the three Statutory Consultees was carried out on 2<sup>nd</sup> June 2020. These are shown below:-

<p><b>Natural England</b></p> <p>Victoria Kirkham Consultations Team</p> <p>Hornbeam House Crewe Business Park Electra Way Crewe Cheshire CW1 6GJ</p>	<p><b>Lamerton Neighbourhood Plan SEA/HRA Screening Opinion</b></p> <p>Thank you for your consultation on the above dated 26<sup>th</sup> May 2020 which was received by Natural England on the same day.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p><b>Strategic Environmental Assessment Screening</b></p> <p>We welcome the production of this SEA Screening report. Natural England concurs with the Local Planning Authority's conclusion that the Lamerton Neighbourhood Plan is not likely to have significant effects on the environment. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance.</p> <p><b>Habitats Regulation Assessment Screening and Appropriate Assessment</b></p> <p>Natural England welcomes the consideration given to the Habitats Regulations. We concur with the screening conclusion that Appropriate Assessment is required. We are satisfied with the conclusion of the Appropriate Assessment that the Lamerton Neighbourhood Plan will not have an adverse effect on the integrity of the Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA subject to the outlined mitigation measures being applied. However, we note that the title in the first line of the boxed text on page 1 of the Appropriate Assessment refers to 'Bigbury Neighbourhood Plan'. Please ensure that this is corrected before the Plan is submitted for examination. We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.</p> <p>For any new consultations, or to provide further information on this consultation please send your correspondences to <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a>.</p>
<p>David Stuart   Historic Places Adviser South West Direct Line: 0117 975 0680   Mobile: 0797 924 0316</p> <p>Historic England   29 Queen Square   Bristol   BS1 4ND <a href="https://historicengland.org.uk/southwest">https://historicengland.org.uk/southwest</a></p>	<p>Dear Duncan</p> <p>Many thanks for your consultation on the revised SEA Screening Opinion for the Lamerton Neighbourhood Plan.</p> <p>On the basis that the Council's Conservation Officer has now confirmed his satisfaction from a heritage perspective of proposed policies H2 &amp; H3 I can confirm that there are no outstanding issues associated with the Plan which attract our attention or upon which we feel the need to comment.</p> <p>I can therefore confirm in turn that we have no objection to the view that a full SEA is not required.</p>
<p>Sarah Squire MRTPI</p>	<p>Dear Duncan,</p>

Sustainable Places –  
Planning Advisor  
Environment Agency –  
Devon, Cornwall and the  
Isles of Scilly Area

Tel: 0208 474 6316  
Email:  
[SPDC@environment-  
agency.gov.uk](mailto:SPDC@environment-agency.gov.uk)

Sir John Moore House, Victoria  
Square, Bodmin, Cornwall, PL31  
1EB  
Manley House, Kestrel  
Way, Exeter, Devon,  
EX2 7LQ

Thank you for your email and for highlighting that the plan proposes to allocate additional dwellings than identified in the JLP.

We do not anticipate that this will result in any significant environmental effects. However, if you determine that SEA is required, we would recommend that assessment is made into whether there is sufficient capacity for additional foul flows to be accommodated by SWWs Sewage Treatment Works without impacting on the WFD status of the River Lumburn. The current ecological status of the River Lumburn is 'Good' and it is important that new development does not result in a deterioration of this status.

We are pleased to see that the proposed allocations are located outside of flood zones 2 and 3.

Please contact us again if you require any further advice.

Kind regards

**Sarah Squire MRTPI**  
Sustainable Places – Planning Advisor  
Environment Agency – Devon, Cornwall and the Isles of  
Scilly Area

Tel: 0208 474 6316  
Email: [SPDC@environment-agency.gov.uk](mailto:SPDC@environment-agency.gov.uk)

Sir John Moore House, Victoria Square, Bodmin, Cornwall, PL31 1EB  
Manley House, Kestrel Way, Exeter, Devon, EX2 7LQ

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Thank you for your consultation of 17 April 2020 providing us with the opportunity to comment in respect of the Lamerton Neighbourhood Plan SEA/HRA screening opinion.

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.

Please note, this is a standard response. If you consider the plan will result in significant environmental effects please reconsult us.

**Martyn Dunn** Pre-  
Development Technical  
Advisor



D: 01392 443702

Duncan we would have no objection to this proposed housing allocation.

Regards

**Martyn Dunn** Pre-Development Technical Advisor

Peninsula House, Rydon  
Lane, Exeter, EX2 7HR  
[www.southwestwater.co.uk](http://www.southwestwater.co.uk)

**From:** Duncan Smith [<mailto:Duncan.Smith@swdevon.gov.uk>]  
**Sent:** 16 July 2020 08:25  
**To:** Developer Services Planning  
**Subject:** FW: Reconsultation LAMERTON Neighbourhood Plan: SeSEA/HRA Screening Opinion.

**EXTERNAL EMAIL - This email is from an external source.**

For the Attention of Martyn Dunne: Development Coordinator

Dear Martyn,

As a result of an exchange with the Environment Agency (see emails below. I write to request whether the SWWs Sewage Treatment Works has capacity to service the proposed allocation of between 30 and 32 dwellings in the Lamerton settlement. The allocations exceed the target figure in the JLP of 20 dwellings. I enclose a copy of the Lamerton Neighbourhood Plan which includes those allocations. My email at the end of this email trail fully explains the background.

Regards  
Duncan

Duncan Smith  
Neighbourhood Planning Officer  
South Hams District and West Devon Borough Councils  
Email: [Duncan.smith@swdevon.gov.uk](mailto:Duncan.smith@swdevon.gov.uk)  
Telephone: 01803 861178



# Appendix 1

## Lamerton Neighbourhood Plan

### Strategic Environmental Assessment Screening Opinion

#### 1.1 - Strategic Environmental Assessment (SEA) Process

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

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

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

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

## 1.2. Lamerton and environmental constraints in the Neighbourhood Plan Area

The Neighbourhood Plan Area covers Lamerton Parish in West Devon Borough, Devon. Lamerton is a largely rural parish with a population of around 859 (2011 Census). The Plymouth & South West Devon Joint Local Plan (JLP) identifies the small settlement of Lamerton as a 'Sustainable Village' (Policy TTV25) with an indicative level of 20 new houses to be provided over the period of the JLP.

A small part of the Lamerton Parish lies with Dartmoor National Park. For the purposes of the Lamerton Neighbourhood Plan this has been excluded from the Designated Area. Figure 1 on page 7 of the Submission Plan illustrates the Designated Area and is accompanied by text which explains this choice. As such, the Designated Area directly abuts the Dartmoor National Park along its north eastern boundary. The Neighbourhood Plan therefore has potential for impacts on the National Park and the Dartmoor SAC. The Lamerton Parish lies within the zone of influence of the Plymouth Sound and Estuaries SAC as such residential development proposed under Policies H2 and H3 are likely to give rise to recreational pressures. For this reason an Appropriate Assessment is required which is fully explained in Appendices 2 and 3 to this document.

The Designated Area does not include an SSSI nor any other environmental/biodiversity Statutory Sites. There are over 50 Listed Buildings within the Designated Area, these are identified in Appendix 7.e. Court Barton Conservation Area lies in the Designated Area and is identified at Figure 6 (page 42) of the Submission Plan.

The Designated Area does not lie within an AONB. The Tamar Valley AONB lying to the south and east of Lamerton.

## 1.3. Lamerton Neighbourhood Plan

The Lamerton 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 Lamerton as follows:

***To formulate and programme a plan for future growth and development that will integrate with the existing village and surrounding countryside and make a positive contribution to the community and its continued sustainability.***

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

**Table 1. Summary of policies in the Plan**

<b>Policy</b>	<b>Summary of aims and key environmental effects</b>
<b>Policy E1: Retaining, Conserving and Enhancing the Natural Beauty of our Parish</b>	This policy seeks to protect the environment where development is proposed and mitigate the effects of development where appropriate.
<b>Policy E2: Local Green Space: Lamerton Village Hall and Community Centre Playing Field</b>	This policy designates Lamerton Village Hall and Community Centre playing field as a Local Green Space.

<b>Policy C1: Protecting and Enhancing Community Facilities</b>	This policy seeks to protect and enhance community facilities from unacceptable development/change of use.
<b>Policy BE1: Settlement Boundaries</b>	This policy designates the settlement boundary for the Lamerton settlement.
<b>Policy BE2: Design of New Development</b>	This Policy seeks to protect against development that would adversely affect heritage, environmental assets and the character of the area.
<b>Policy BE3: Heritage and the Historical Environment</b>	This policy seeks to preserve and enhance heritage assets.
<b>Policy H1: Housing Type and Size</b>	This policy seeks to ensure new residential development is designed to meet local needs and requirements.
<b>Policy H2: Development of Land at Court Cottage Farm</b>	This policy allocates land at Court Barton Farm for the development of between 12 and 14 dwellings. <b>NB Given the sensitivity of the site in regard of the Court Barton Conservation Area advice was sought from the Devon County Council and West Devon Borough Council's Heritage Officer's by the Lamerton NPG. This assisted their framing of this Policy to take account of these issues. This correspondence is enclosed in the email accompanying this Screening Opinion.</b>
<b>Policy H3 – Development of land at Green Hill</b>	This policy allocates land at Green Hill for the development of 18 dwellings. It contains criteria aimed at ensuring the character of the development respects the village context, minimises loss of trees and hedgerows, respects proximate Listed Buildings, ensures a suitable housing type mix and affordable provision and the provision of footpath links.
<b>Policy TT1: Car Parking Provision in New Developments</b>	This policy identifies car parking standards applicable to new residential development.
<b>Policy LE1: New or Expanding Businesses</b>	This policy sets out criteria to ensure new or expanding business respects this rural location. It also seeks to guard against the inappropriate loss or change of use of existing business operations.
<b>Policy RE1: Green / Renewable Energy</b>	This policy seeks to encourage the provision of appropriately located and designed renewable energy schemes.

## 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 Lamerton Neighbourhood Plan, including a statement of reasons

for why this has not been considered necessary. The statutory consultees consisting of Natural England, Historic England and the Environment Agency will be consulted to ask for their comments.

**Table 2: SEA screening**

Criteria	Significant environmental effect?	Reason
1. The characteristics of plans and programmes, having regard, in particular, to—		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	NO	The broader policy framework is set by the NPPF and the Joint Local Plan. The Lamerton Neighbourhood Plan does not propose significant new development in addition to or in contradiction to the Local Plan.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	NO	Neighbourhood plans should be taken into account by other proposed plans, including the Local Plan and JLP, but there are no plans or programmes that need to be in conformity with it. The Plan will therefore not significantly influence other plans and programmes.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	NO	The policies in the Lamerton Neighbourhood Plan are not considered likely to have a significant environmental impact on the integration of environmental considerations. Any development proposed will be in accordance with environmental protection policies of the adopted Local Plan, the JLP and the National Planning Policy Framework (NPPF).
(d) environmental problems relevant to the plan or programme; and	NO	The Neighbourhood Plan area contains no SSSIs. In any event the nature of the proposals in the Neighbourhood Plan are not considered likely to have significant effects. The Designated Area does lie adjacent to the Dartmoor SAC. Please see the HRA screening opinion below for more detail.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	NO	The Neighbourhood Plan is not relevant as a plan for implementing EC legislation.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—		

(a) the probability, duration, frequency and reversibility of the effects;	NO	Any effects are considered to be minimal. Policies in the Plan that support new development also set out environmental criteria that would mitigate against the development.
(b) the cumulative nature of the effects;	NO	The effects from the Plan as a whole are not considered to be significantly greater than those from any individual policy.
(c) the transboundary nature of the effects;		The Plan will not have any transboundary effects.
(d) the risks to human health or the environment (for example, due to accidents);	NO	There are considered to be no risks to human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	NO	The Neighbourhood Plan area covers the largest part of the parish of Lamerton. The population of the Neighbourhood Area is approximately 859. This is considered to be a small area in terms of wider environmental effects
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; and	NO	As discussed, the only vulnerable area which may be effected is considered to be the Dartmoor SAC, and any effects are likely to be minimal.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	NO	As above. In addition, the Plan contains policies which are likely to have a positive effect on the environment generally.

## 2.1 SEA Screening Opinion

The Lamerton Neighbourhood Plan allocates two sites (to accommodate up to 32 dwellings) for residential development (Policies H2 and H3) aimed at fulfilling the indicative level of new housing identified in the JLP.

These sites lies within the core of Lamerton settlement. The criteria against which development will be considered is provided both generally and specifically in the actual policy and others included in the Plan providing for mitigation to protect against the effects of this development. It should also be noted that specific heritage advice was sought in framing the policy relating to the Court Barton Farm allocation (please see comments on Policy H2 above).

The criteria set out for development in the policies contained in the Lamerton Neighbourhood Plan are likely to prove beneficial in terms of mitigating against any possible environmental impacts. As indicated above where development is actively encouraged, criteria are given to ensure adverse impacts will be minimised. Where development is proposed full recognition of ecological/heritage interests are highlighted and the need for mitigation identified.

HRA screening has been carried out which concluded that the Lamerton Neighbourhood Plan, due to its location within the Zone of Influence of the Plymouth Sound and Estuaries SAC does require Appropriate Assessment. The Neighbourhood Plan policies guards against any possible wider impacts on the environment arising from development proposed in the Plan.

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

## Appendix 2

### Lamerton 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.

**The Lamerton 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 Lamerton 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 3.**

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

## **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.*

## EUROPEAN SITES THAT COULD POTENTIALLY BE AFFECTED BY THE LAMERTON NEIGHBOURHOOD PLAN

WEST DEVON EUROPEAN SITES – Delete table as appropriate				
Site Name & Designation	Qualifying Interests	Site vulnerabilities	Potential effects associated with development	Likelihood of a Significant Effect from the Lamerton Neighbourhood Plan
<b>Dartmoor SAC</b>	Northern Atlantic wet heath with <i>Erica tetralix</i> European dry heath Blanket bog Old sessile oak woodlands <i>Ilex</i> and <i>Blechnum</i> in the British Isles Southern damselfly <i>Coenagrion mercuriale</i> Otter <i>Lutra lutra</i> Atlantic salmon <i>Salmo salar</i>	Visitor and recreational pressure including accidental and deliberate burning, trampling and erosion particularly of blanket bog, disturbance of otters by activity on/near rivers  Nutrient/acid deposition causing habitat loss  Water quality – effect on Atlantic salmon and Otter	Increased recreational pressure resulting from new development  Air pollution resulting from new development  Increased water abstraction reducing river flow	The level of development proposed within the Lamerton NP is limited and aimed to fulfil the requirements of the JLP. Given the geographical separation of Lamerton from Dartmoor SAC, and the variety of other recreational opportunities closer to Lamerton, there is no likelihood of a significant effect from new residents associated with the development proposed in the Lamerton NP.  There will be no likelihood of significant effect from air pollution associated with any new development proposed in Lamerton on the Dartmoor SAC.
<b>Culm Grasslands SAC</b>	Northern Atlantic wet heaths <i>Molinia</i> meadows Marsh Fritillary butterfly	The grassland is a result of human activity, and to survive it must continue to be managed. Traditional methods depend on rough summer grazing, selective burning and topping and no application of fertilizers. As this is not generally considered economic, agri-environment schemes are used to promote continuation of traditional management. The scheme has achieved a 95% uptake rate with owner-occupiers (Source – Natura 2000 Data Form, JNCC, 2011).	Development causing direct physical loss or damage of culm grassland inside SAC or beyond boundaries reducing potential for linked habitat across landscape. Loss or damage of habitat (through development) used by Marsh Fritillary nearby to Culm Grassland.	Given the physical distance and the limited development proposed in the Lamerton Neighbourhood Plan there is no likelihood of significant effect upon the Culm Grasslands.

<b>Plymouth Sound and Estuaries SAC</b>	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	Increased recreational pressure - physical damage
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## 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.

<b>Category A: No negative effect</b>	
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.
<b>Category B: No significant effect</b>	
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.
<b>Category C: Likely significant effect alone</b>	
C1	The option, policy or proposal could <b>directly affect</b> 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 <b>indirectly affect</b> 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 <b>magnitude of development</b> 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 <b>consideration of options in a later, more specific plan</b> . 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 <b>block options or alternatives</b> 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 <b>depend on how the policies etc are implemented</b> 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 <b>vulnerable to failure</b> 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 <b>plan provides the imperative reasons</b> of overriding public interest to justify its consent despite a negative assessment.
<b>Category D: Likely Significant effect in combination</b>	
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 <b>provided for or coordinated by the Joint Local Plan</b> the <b>cumulative</b> 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 <b>combined with the effects of other plans or projects</b> , 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 <b>programme or sequence of development</b> 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. Lamerton Neighbourhood Plan screening

**Table 1: HRA Screening**

<b>Policy/ Proposal</b>	<b>Category (A,B,C,D)</b>	<b>Reason for category (unless clear)</b>	<b>Potential impacts on European sites</b>	<b>European sites affected</b>	<b>Mitigation required</b>
Policies H2 and H3	B	Housing allocation	Recreational pressures	Dartmoor SAC	Appropriate Assessment carried out to identify impacts and mitigation required.
Policies H2 and H3	B	Housing Allocation	Physical and ecological impacts	Culm Grasslands	None given scale and physical distance from the SAC
Policy H2	D1	Housing allocation	Recreational pressures	Plymouth Sound and Estuaries SAC	Appropriate Assessment carried out to identify impacts and mitigation required.
Policy H3	D1	Housing allocation	Recreational pressures	Plymouth Sound and Estuaries SAC	Appropriate Assessment carried out to identify impacts and mitigation required.

### 3.2. HRA CONCLUSION AND SCREENING OPINION

It is considered that the Lamerton Neighbourhood Plan will, as a result of the allocation of the residential sites identified under Policies H2 and H3 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 this European Site. An Appropriate Assessment has been undertaken which is included at Appendix 3 to this document.

Duncan Smith

Neighbourhood Planning Officer

South Hams District and West Devon Borough Councils

Email: [Duncan.smith@swdevon.gov.uk](mailto:Duncan.smith@swdevon.gov.uk)

Telephone: 01803 861178

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