

**Beer Neighbourhood Development Plan  
Strategic Environmental Assessment and Habitat  
Regulations Assessment**

-----

**Final Screening Report**

Prepared by Officers of East Devon District Council

**March 2017**

## Introduction

- 1.1 The purpose of this report is to assess the policies contained within the (revised) draft Beer Neighbourhood Development Plan (hereafter referred to as BNDP) to determine whether it requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. An SEA is required under this legislation for all plans which may have a significant effect on the environment.
- 1.2 This report will also screen to determine whether or not the BNDP requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010. An HRA is required when it is deemed that the implementation of the plan is likely to cause negative significant effects on protected European Sites (Natura 2000 sites).
- 1.3 The conclusion of the assessment is that the BNDP is likely to have a significant effect on the environment so an SEA is required to accompany the Plan. There is also the potential for a negative impact on Natura 2000 sites so the plan should also be subject to HRA.
- 1.4 This report has been sent to the three statutory consultees designated in the Regulations (English Heritage, Environment Agency and Natural England) to elicit their views on the findings. Responses were received from Natural England and Historic England, both agreeing with the conclusions of the assessment. These responses are reproduced in appendix 2.

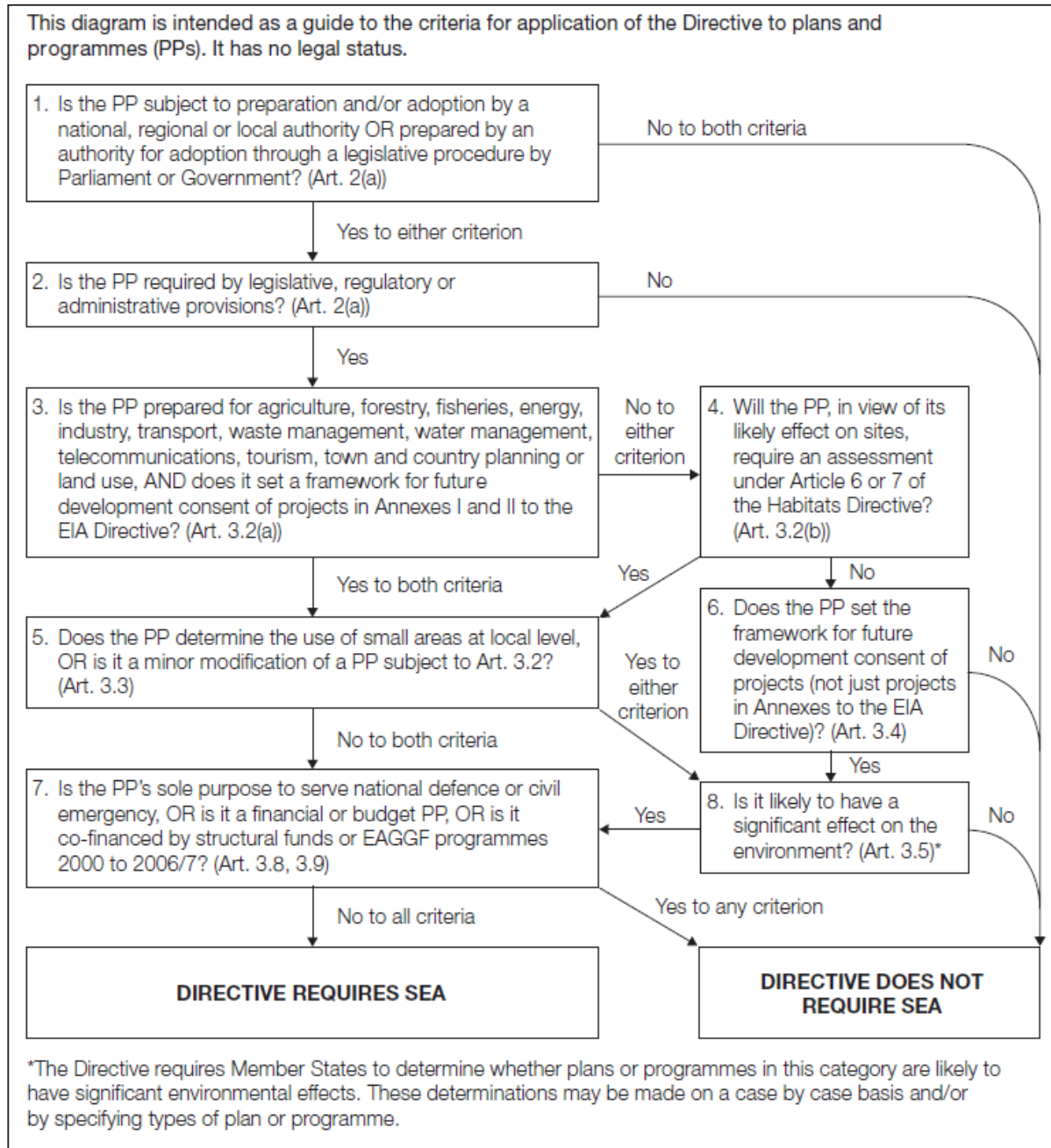
## **Beer Neighbourhood Plan**

- 2.1 The Beer Neighbourhood Plan has been production for approximately 3 years by a small group of local volunteers.
- 2.2 A first draft of the plan was produced in late 2015 which was subject to a screening assessment by this Council and a conclusion reached that the draft plan would not require strategic environmental assessment or habitats regulations assessment.
- 2.3 Since the production of that draft, a number of changes have been made to the plan; most importantly the plan now includes a site allocation for 30 houses when the initial draft didn't. As such, the Plan now needs to be re-screened in light of this
- 2.4 As this is the main significant change, a focus on this screening report will be placed on the housing allocation and its likelihood of impact on the environment and designated sites in the parish.

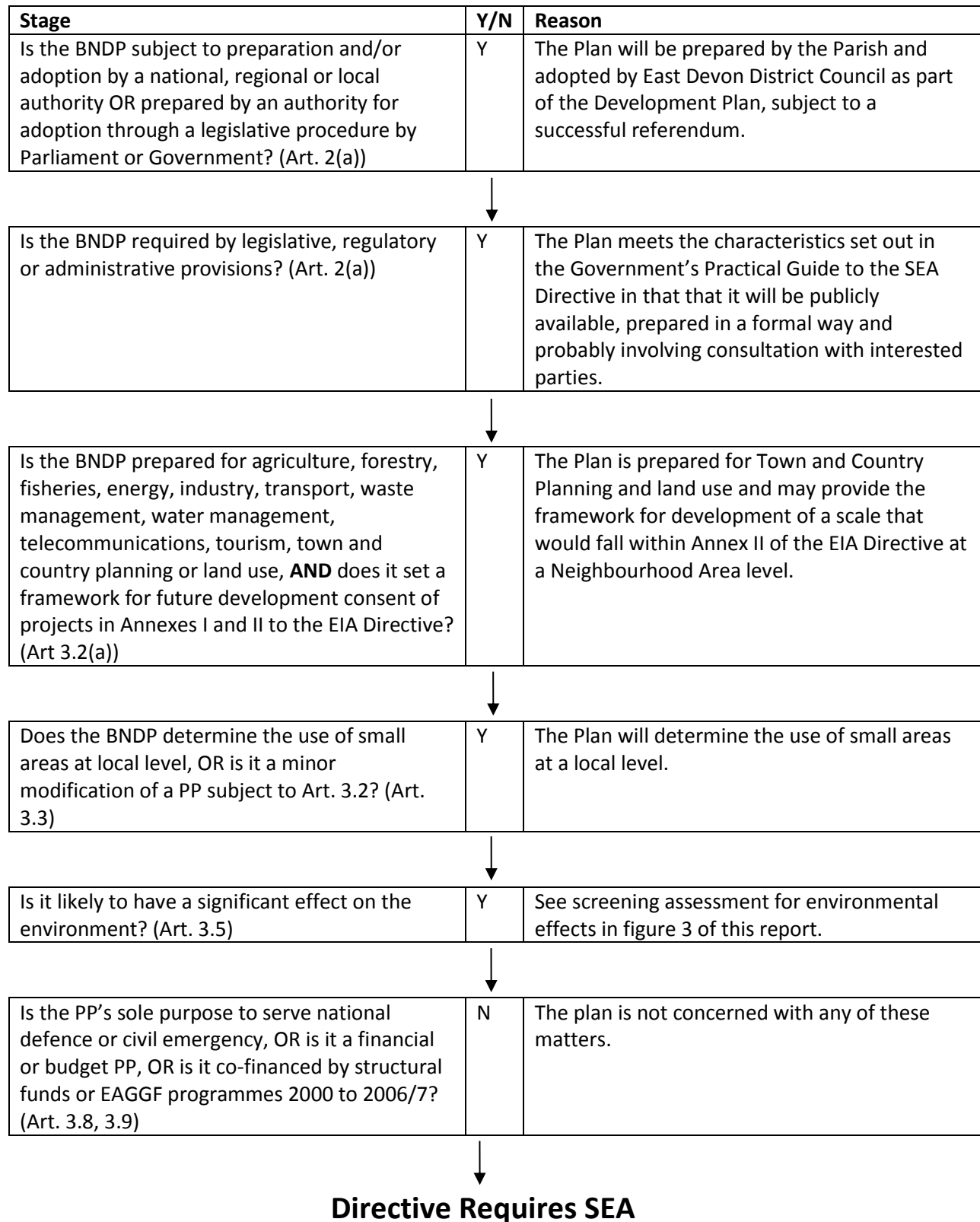
## SEA screening

- 3.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 3.2 The objective of SEA is '*to provide for a high level of protection of the environment and contribute to the integration of environmental considerations into the preparation and adoption of development plans.... with a view to promoting sustainable development*' EU Directive 2001/42/EC (Article 1).
- 3.3 At present, there is no legal requirement for all Neighbourhood Plans to produce an accompanying SEA; however, Local Authorities are legally obliged to advise the plan producers as to whether an SEA is required based on the contents of the plan.
- 3.4 To ascertain if SEA is required, a "screening" exercise will be undertaken by East Devon District Council evaluating the draft BNDP against the criteria set out in the SEA Directive. This criterion is set out in the SEA Directive and can be found in Figure 1.
- 3.5 Should the screening report reach the conclusion that the plan will have a significant impact on the environment; a full SEA should be undertaken.
- 3.6 As the conclusion is that a full SEA is not required, it is important that any significant variations or additions to the draft BNDP are subject to a further screening, as they might include environmental impacts that would otherwise not be assessed.
- 3.7 SEAs have previously been undertaken as part of the adopted East Devon Local Plan 1995 to 2011 and emerging East Devon Local Plan 2013-2031 and have been taken into account whilst undertaking this screening assessment.

**Figure 1: Application of the SEA Directive to plans and programmes**



**Figure 2:** Screening assessment against the criteria for whether the BNDP requires an SEA.



## Assessment of Environmental effects

3.8 Under step 8 of the Application of the SEA directive (Figure 1), in order to establish whether a plan requires an SEA, it was necessary to conduct a thorough assessment of whether the plan is likely to have a significant effect on the environment.

3.9 The table below sets out the criteria on which the impact of the BNDP will be judged, as outlined in Article 3.5 of the SEA Directive.

**Figure 3:** Environmental impact screening assesment

<b>Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)</b>	<b>Is the BNDP likely to have a significant environmental effect?</b>	<b>Justification for Screening Assessment</b>
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>Y</b>	The BNDP sets a framework for developments within the neighbourhood area. It allocates a site for approximately 30 dwellings on the western edge of the village which is considered to be a large allocation when taking into account the village's location in the AONB.
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	<b>N</b>	The BNDP must be in general conformity with the adopted East Devon Local Plan and have regard to national guidance. It must also be compatible with EU law and the ECHR obligations. It is not considered to have an influence on other plans besides than individual planning applications that may come forward in the area.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	<b>N</b>	The plan will contribute towards the achievement of sustainable development, as required by the "basic conditions" on which the plan will be judged at examination. The plan producers are also planning to prepare a sustainability appraisal, in which the objective of sustainable development will be considered throughout.
Environmental problems relevant to the plan or programme.	<b>N</b>	Its position on the coast means that Beer suffers from a level of coastal erosion, although this is mitigated through the chalk cliffs which are largely resistant to erosion. Loss of beach sediment is also a potential issue, however, the stone groyne situated on the beach is believed to stabilise sediment levels and the Plan encourages improvement of this.

		The Plan is therefore not considered to have a significant impact on current environmental problems within the parish.
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	<b>N</b>	These community legislation types are not relevant to the BNDP and will not need to be considered.
The probability, duration, frequency and reversibility of the effects.	<b>N</b>	Although the BNDP does not allocate sites, it is probable that the parameters set in the plan will result in development within the plan's lifespan. However, this will only be in the form of development predominantly within the built-up area boundary and will be assessed via the standard application process. The policies on the whole promote sustainable development and are not expected to have a significant environmental impact.
The cumulative nature of the effects.	<b>N</b>	The cumulative effects of the BNDP are not considered to have a significant effect on the environment.
The trans-boundary nature of the effects.	<b>N</b>	The BNDP will set a framework for development within the Neighbourhood Area. The scale of development it will impact upon is unlikely to have an effect on neighbouring areas.
The risks to human health or the environment (e.g. due to accidents).	<b>N</b>	There are no risks to human health or the environment identified.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	<b>N</b>	The BNDP is concerned only with development within the parish of Beer, which has an approximate resident population of 1,317. If there are any effects they are not considered to be wide ranging.
The value and vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage; exceeded environmental quality standards or limit values;	<b>Y</b>	The majority of the western part of Beer parish is covered by the East Devon AONB.  The parish contains 5 county wildlife sites- Beer quarry and caves, Bovey Lane quarry, Bovey Lane fields, Beer Fields and Beer Head, which are sensitive in relation



<p>intensive land-use; the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>		<p>to their abundance and range of species rich flora and fauna .</p> <p>The Beer quarry and caves are particularly sensitive due to the presence of bat colonies and are also designated a site of special scientific interest and a special area of conservation. This is considered in more detail under the Habitat Regulations Assessment section of this document but it is concluded that a significant impact on protected species cannot be ruled out.</p> <p>Beer is also situated along the Jurassic Coast- England's only natural world heritage site which is offered one of the highest levels of protection. The coast is also designated as a site of special scientific interest and a special area of conservation. The site allocation is situated on the north-western edge of the Town approximately 700m away and is therefore considered unlikely to have a significant impact upon this.</p> <p>24 listed buildings are situated in the parish, with 20 of these located in the conservation area covering the east of the village. The site allocation is located on the western edge of the village and would form an extension to the development at Short Furling. It is situated within the AONB and approximately 700m away from the Beer quarry and caves special area of conservation.</p> <p>Its situation on the edge of the village means that it is located away from the historic built centre of the village, where the majority of listed buildings are situated. The nearest listed building is roughly 70m from the site and is not clearly visible from the site.</p> <p>Due to the nature and scale of the allocation in relation to the sensitivity of</p>
---	--	--

		the area, it is considered that a significant environmental impact is likely and an SEA should be undertaken to properly assess the impact of the Neighbourhood Plan.
--	--	---

## Conclusion

3.10 Taking the above assessment into consideration, The BNDP is likely to have a significant environmental impact beyond that has previously been identified through the SEA of the Local Plan. Beer is located in a sensitive area in the district, and taking into account the scale and nature of proposals in the plan, with particular consideration of the allocated site, an SEA should be undertaken to ensure that environmental impact is considered and satisfactorily mitigated.

## Habitat Regulations Screening Assessment

- 4.1 The (revised) draft version of the plan has been used to undertake this screening assessment. The conclusion is that a full Habitat Regulations Assessment is required, any significant variations or additions to Plan will be subject to a further screening. A screening report was produced as part of the production of the emerging Local Plan and has been taken into account in undertaking this screening assessment.
- 4.2 The Conservation (Natural Habitats &c.) Regulations 1994 (The Habitats Regulations) transpose the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.
- 4.3 Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site. European Sites, also referred to as Natura 2000 sites, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.
- 4.4 Article 6(3) of the Habitats Directive states:
- ‘Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives’.
- 4.5 In respect of the Parish of Beer, the European Designated Sites are:
- Sidmouth to West Bay Special Area of Conservation (SAC)
  - Beer Quarry Caves Site of Special scientific Interest (SSSI) and Special Area of Conservation (SAC)
- 4.6 The Sidmouth to West Bay SAC lies to the very south of Beer Parish, along the coastline. This area was designated due to the significant annual vegetation of drift lines, which is considered to be rare as its total extent in the UK is less than 100ha, vegetated sea cliffs of the Atlantic and Baltic coasts and the Tilio-Acerion forests of slopes, screes and ravines. There are no immediate threats to the features of European Importance on this site. Management of the site is assisted by Countryside Stewardship and English Nature's Reserve Enhancement Scheme.
- 4.7 The Beer Quarry Caves Special Area of Conservation is located to the west of the village. The primary reason for the designation of this site is the presence of small numbers of the Bechstein’s bat, which use it as a hibernation site, as well as other bat species, particularly the greater and lesser horseshoe bats. The Natura 2000 data form states that

“To maintain the present and potential value of the quarry and cave system for bats, their integrity must be

protected. The site is divided in two by a road, with a working quarry to the north and a disused quarry and cave system to the south. A small number of bats are thought to use the tunnels in the northern face of the quarry as winter roosts, but these do not appear to represent a major haunt. The tunnels lie in the Beer Stone, below the chalk, and future quarrying operations (c. 20 years) will not extend so far as to destroy the tunnels. Therefore, there is potential for their future development for bats. Occasional quarrying of Beer Stone takes place only in the spring, after hibernation. Parts of the cave system are open to the public, but disturbance is minimal as they are only open during the summer months. A site management statement has been agreed with the quarrying company.

- 4.8 Whilst the bats use the caves to hibernate and breed, their feeding grounds and flight paths extend a considerable distance beyond, into open countryside. There is currently a shortage of locally specific data relating to the bats activities. Natural England advise that they “are not aware of significant populations of protected species which are likely to be affected by the proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.” At the present time this is not possible due to the lack of data, however East Devon AONB (Area of Outstanding Natural Beauty) Partnership are currently undertaking a very detailed study into the habits of the bat population of Beer Quarry Caves and are mapping areas of sensitivity related to their foraging grounds etc. The outcome of this study should be available shortly.
- 4.9 Natural England have advised that a Neighbourhood Plan cannot be ‘made’ if the likelihood of significant effects on any European Site (either alone or in combination with other plans and projects) cannot be ruled out. Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. They also state that a screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites. They advise that this will be particularly important if a neighbourhood plan proposes development which has not be assessed and/or included in the Habitats Regulations Assessment for the local plan.
- 4.10 The Neighbourhood Plan proposes new housing on a site to the west of the village, extending towards the Quarry Caves SSSI and SAC. This site has been subject to a previous planning application for a similar scale housing (refused as it was not in conformity with the Local Plan, but not on ecology grounds), which was accompanied by an ecological assessment. The detail of the assessment is available on the planning file, but the Executive Summary is appended to this screening report. In brief, this assessment included the findings of a preliminary ecological appraisal and manual and automatic bat surveys, given the proximity to Beer Caves(SAC). The findings of the assessment were that the site supports a low population of slow worms and that the boundary hedgerows are an important habitat feature for both bats and dormice. However, the report concludes that subject to a programme of translocation for reptiles and suitable compensatory habitat creation either on or off site the impact on reptiles would be acceptable. In addition gapping up of existing hedgerows and provision of new hedgerow planting would be sufficient to ensure that the proposed development would have a negligible ecological impact.

## Screening Criteria Questions

1. Is the Neighbourhood Plan directly connected with, or necessary to the management of a European site for nature conservation?

No

2. Does the Neighbourhood Plan propose new development or allocate sites for development?

*The Neighbourhood Plan proposes to allocate a site for housing (a mix of 31 market and affordable houses) on a site to the west of the village.*

*Beer is identified as a settlement with a Built-up Area Boundary in the adopted East Devon Local Plan and this Boundary is identified in the emerging East Devon Villages Plan. Within the Built-up Area Boundary there is a presumption that modest 'in-fill' development may take place and the Neighbourhood Plan allows for this modest growth. Outside of the Built-up Area Boundary there is a presumption against new residential development unless it is very small-scale and is permitted to meet a specific need (e.g. affordable housing or an agricultural workers dwelling) or to achieve the retention of an historic building. A detailed assessment of potential impacts will be carried out when specific proposals come forward through the planning system. The Neighbourhood Plan proposes to allocate an additional site, at Short Furlong on the western edge of the village for a mix of affordable and market houses (31 houses of which 13 or 43% will be affordable).*

*The Plan also contains a number of positively worded policies allowing new development in the countryside, for instance permitting new tourist accommodation, recreation areas and marine activities. These are acceptable in principle and accord with the existing and emerging Local Plans. Reference is made in the Neighbourhood Plan to the need to avoid harming the Beer Quarry Caves and Sidmouth to West Bay areas, and their associated hinterlands (as well as other important sites). In both cases, the surrounding areas are key to the protection of the European Natura 2000 sites, and the bats feeding grounds and flightpaths are particularly vulnerable to removal and interference.*

*The existing, adopted Local Plan was subject to an HRA and the type of small scale housing referred to in the Beer objectives generally accords with Local Plan policy. The screening opinion and HRA for the Local Plan concluded it would have sufficient policy provisions to enable the subsequent delivery of necessary measures to avoid and mitigate adverse effects on the integrity of European Sites. There is, however insufficient information available to conclude that the proposed allocation of 31 houses at Short Furlong (which was not taken into account in the HRA for the Local Plan) will not result in an adverse effect on the integrity of the Beer Quarry Caves European Site. An HRA is therefore required for the Neighbourhod Plan.*

3. Are there any other projects or plans that together with the Neighbourhood Plan could impact on the integrity of a European Site?

No

## **Conclusion**

- 5.1 The Neighbourhood Plan proposes development which is not proposed in the East Devon Local Plan, and therefore has not been considered as part of the Habitat Regulations Assessment of that Plan.
  
- 5.2 In the absence of detailed information to the contrary, East Devon District Council concludes that the proposed development (due to its scale and location) could potentially result in a negative impact on the protected bat species' and therefore requires a full Habitat Regulations Assessment. If additional information is provided to EDDC and a further screening report is undertaken eg following the findings of the AONB Partnership Study referred to in paragraph 4.8, demonstrate that harm is unlikely to result from the proposed development, this conclusion may change .

## APPENDIX 1

### Executive summary of the Ecological Report which accompanied planning application 14/2621/MOUT

Richard Green Ecology Ltd was commissioned by Clinton Devon Estates to undertake an ecological impact assessment of a proposed housing development on an area of land adjacent to Short Furlong, Beer, Devon, NGR SY 224 894.

A preliminary ecological appraisal of the site was undertaken in August 2012 by Richard Green Ecology Ltd.

Given the proximity to Beer Caves SAC (designated for bat interest) manual and automated static bat activity survey was undertaken between July and September 2014 to determine whether the proposal would have any significant impacts on bats. Reptile surveys were also undertaken between August and September 2014.

The site supports a low population of slow worms. It is recommended that, prior to any development, slow worms are caught and transferred to a suitable receptor site. The loss of reptile habitat should be compensated for on or off the site. Suitable compensation should include provision of rank grassland alongside a hedge and including reptile hibernacula and log/brush piles.

Up to six species of bat were recorded over the site, including greater and lesser horseshoe bats, with common pipistrelle bat being the most frequently recorded species. It is considered that the boundary hedgerows are an important habitat feature on the site for bats. Existing boundary hedgerows would be retained around the development. Gaps within the west boundary hedgerows would also be planted up with native hedge plants and new hedge banks created to the north and south of the site. It is also recommended that if any street lighting is required, a sensitive lighting scheme be adopted. Recommendations are also made for the provision of bat boxes on the proposed buildings.

Gnawed hazel nuts found on the site indicate that dormice are present within the hedgerows surrounding the site. To compensate for any potential disturbance from site operations and the potential increase of cat predation, new boundary hedgerows, to include some standard trees, would be planted along the south and north boundaries of the site. The hedgerows should be species-rich Devon banks. The new hedge banks should be subject to a minimum of a 3-year aftercare period, where any failed plants will be replaced.

By following the recommendations provided, it is considered that the proposed development would have negligible ecological impact, whilst providing local ecological enhancement.

## Appendix 2

Timothy Spurway

---

From: Stuart, David <David.Stuart@HistoricEngland.org.uk>  
Sent: 06 March 2017 15:42  
To: Timothy Spurway  
Subject: Beer SEA HRA Screening Report - UNCLASSIFIED:  
  
Follow Up Flag: Follow up  
Flag Status: Flagged

Dear Tim

Thank you for your consultation on the revised SEA Screening for the emerging Beer Neighbourhood Plan.

I can confirm that we have no objection to the conclusion that, on the basis of the site allocation now proposed within the Plan, an SEA will be required.

We would recommend that the exercise draw upon our guidance on Site Allocations <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>, SEAs <https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/> and Setting <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>

Please note that the latter is in the process of being refreshed so please keep an eye on the website for further updates.

Kind regards

David

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

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

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



We help people understand, enjoy and value the historic environment, and protect it for the future. [Historic England](https://HistoricEngland.org.uk) is a public body, and we champion everyone's heritage, across England.

Follow us: [Facebook](#) | [Twitter](#) | [Instagram](#)      Sign up to our [newsletter](#)



Date: 07 March 2017  
Our ref: 206673  
Your ref: Beer Neighbourhood Plan SEA / HRA Screening



Tim Spurway  
Neighbourhood Planning Officer  
Planning Policy Section,  
East Devon District Council,  
Station Road,  
SIDMOUTH  
EX10 8HL

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way

Crewe

Cheshire  
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Spurway

Screening scoping consultation: SEA Scoping and Screening Report - Beer Neighbourhood Plan, East Devon

Thank you for your consultation on the above dated 23<sup>rd</sup> January 2017 which was received by Natural England on the same date.

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

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

**ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS 2004  
CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (AS AMENDED) THE  
NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012**

### **Strategic Environmental Assessment (SEA) – Screening**

The following designated sites have the potential to be affected by development proposals in Beer:

- Sidmouth to Beer Coast Site of Special scientific Interest (SSSI)
- Sidmouth to West Bay Special Area of Conservation (SAC)
- Beer Quarry Caves Site of Special scientific Interest (SSSI)
- Beer Quarry Caves Special Area of Conservation (SAC)
- East Devon AONB

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the



production of an SEA, for instance where:

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

As the Beer Neighbourhood plan now contains an allocation for housing not included in the Local Plan, Natural England agrees with the conclusion that an SEA is required as detailed in paragraph 3.10 of the Screening report.

The SEA is the means of auditing development and testing the policies and proposals against the plans objectives (which should be sustainable.) The SEA should on the basis of the scoping of the document, focus on the main issues and conflicts. A brief explanation of the scoping would be helpful. The SA should set out a simple narrative that explains why key choices were made (considering only real alternatives). Where the conflicts between objectives are capable of local resolution, the plan / SEA needs to indicate how this was done.

### Habitats Regulations Assessment - Screening

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

**In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012, a neighbourhood plan cannot be made if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out.**

Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on European protected sites.

This will be particularly important if a neighbourhood plan is to progress before a local plan has been adopted and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan.

European Designated Sites:

- Sidmouth to West Bay Special Area of Conservation (SAC)
- Beer Quarry Caves Special Area of Conservation (SAC)

The Neighbourhood Plan proposes development within the area in which impacts of residential development on the aforementioned sites could arise in the absence of **appropriate mitigation. This is not proposed or assessed within the East Devon Local Plan. Therefore Natural England agrees with the conclusion in paragraph 5.2 of the Screening Report that a full Habitats Regulation Assessment (HRA) is required.**

**Natural England also advises that further consideration is given to the in combination effect with other plans or projects that may have potential to have an impact on Beer Quarry Caves Special Area of Conservation (SAC).**

It is noted that paragraph 1.3 in the introduction to the Scoping Report concludes that an SEA/HRA is not required. This is not consistent with the conclusions within and this needs to be addressed.

Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre,

recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

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

For any queries relating to the specific advice in this letter only please contact me on 0300 060 0275. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours Sincerely

S. Panks

Steve

Panks  
Lead Adviser – Devon Sustainable Development  
Team Tel: 0300 060 0275  
Email: [stephen.panks@naturalengland.org.uk](mailto:stephen.panks@naturalengland.org.uk)

