

Draft for Consultation from
22/11/2016 until 20/12/2016



Revised Draft Honiton Sports Pitch Strategy

Strategic Environmental Assessment and
Habitat Regulation Screening Report

Revised Draft Honiton Sports Pitch Strategy - 2016

Strategic Environmental Assessment and Habitat Regulation Screening Report

How to comment on this Document

You are invited to make comments on the revised draft Honiton Sports Pitch Strategy and any of the documents that support it as listed below:

- Strategic Environmental Assessment and Habitat Regulations Screening Report
- Equalities Impact Assessment Screening Report
- Consultation Statement

These documents will be available online at <http://eastdevon.gov.uk/planning/planning-policy/environment-and-green-infrastructure/open-space/honiton-sports-pitch-strategy/> and at the Council Offices in Sidmouth. Copies of the revised draft strategy will also be available at:

- Honiton Library, 50 New Street, Honiton, EX14 1BS
- Honiton Town Council, The Beehive, Dowell Street, Honiton, EX14 1LZ

The feedback we receive on this revised draft will be used to inform any subsequent revisions if considered necessary.

You can comment:

by email at localplan@eastdevon.gov.uk

or by post to: Planning Policy, East Devon District Council, The Knowle, Station Road,
Sidmouth, EX10 8HL

All comments should be received by the 5pm on 20th December 2016 so that they can be taken into account before the next stage. All comments received will be available to view on our website however private postal and email addresses and phone numbers will be redacted.

Revised Draft Honiton Sports Pitch Strategy

Strategic Environmental Assessment and Habitat Regulations Assessment

Draft Screening Report

Prepared by Officers of East Devon District Council

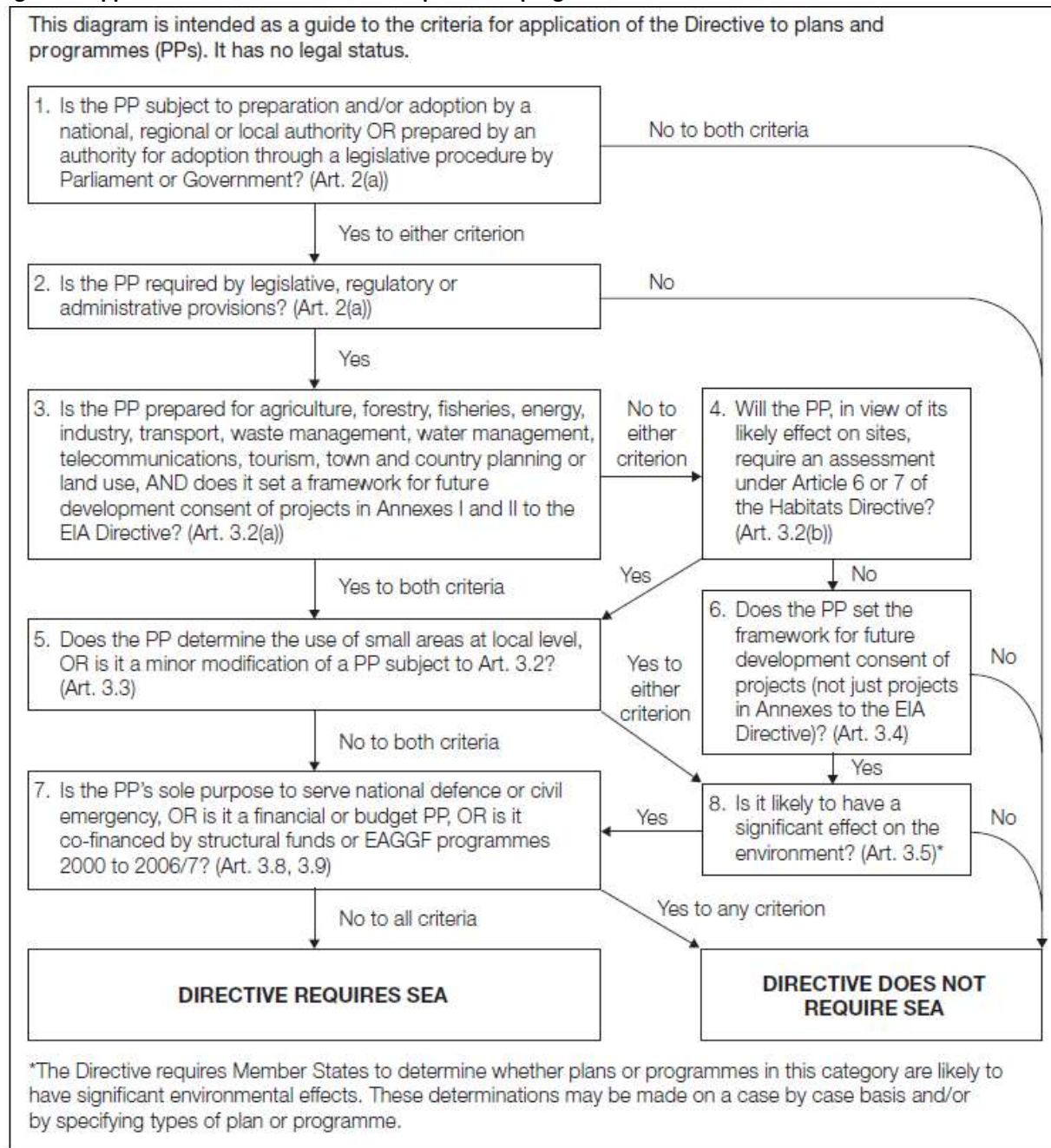
1.0 Introduction

- 1.1 The purpose of this report is to assess the draft proposals in the Revised Draft Honiton Sports Pitch Strategy (hereafter referred to as the strategy) 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 SPD 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 significant negative effects on protected European Sites (Natura 2000 sites).
- 1.3 The conclusion of the assessment is that the strategy is unlikely to have a significant effect on the environment so an SEA is not required to accompany it. It is also unlikely to have a negative impact on any Natura 2000 sites so should not be subject to HRA.
- 1.4 This report has been sent to the three statutory consultees designated in the Regulations (Historic England, Environment Agency and Natural England) to elicit their views on the findings. When responses are received a final report will be produced to incorporate their comments.

2.0 SEA screening

- 2.1 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).
- 2.2 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).
- 2.3 Although there is no definitive guidance stating that a strategy such as this will require an SEA, Local Authorities are legally obliged to advise as to whether an SEA is required.
- 2.4 To ascertain if SEA is required, a "screening" exercise has been undertaken by East Devon District Council evaluating the proposals the strategy 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.
- 2.5 Should the screening report reach the conclusion that that plan will have a significant impact on the environment; a full SEA should be undertaken.
- 2.6 If the conclusion is that a full SEA is not required, any significant variations or additions to the strategy will also be subject to screening.
- 2.7 An SEA has been undertaken as part of the adopted East Devon Local Plan 2013-2031 and has been taken into account whilst undertaking this screening assessment.

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



3.0 Revised Draft Honiton Sports Pitch Strategy

- 3.1 The Honiton Sports Pitch Strategy has been developed in response to action plans arising from the district-wide East Devon Playing Pitch Strategy 2015 (PPS). It is intended to be a document designed to guide the delivery of sports pitches to meet the needs of Honiton to 2024 as identified by the PPS. The strategy is intended to set out the Council’s evidence-based preferred approach to meeting these needs and will be adopted as a corporate strategy of the Council to help guide investment and decision making and a material consideration in determining planning applications. It is not intended to become formal a SPD or DPD and does not “allocate” land for development.
- 3.2 The strategy is needed to inform investment decisions by the Council, clubs, Sport England, National Governing Bodies for sports and others and to ensure provision is considered strategically and not delivered piecemeal. The strategy adds detail to the adopted PPS which was produced to meet the need to evidence planning policies with robust and up to date local assessments of need as set out in paragraph 73 of the National Planning Policy Framework (NPPF). The PPS is referenced in strategy 43 of the East Devon Local Plan. Strategy 43 states that “provision of outdoor sports pitch requirements (grass and artificial) will be guided by the Playing Pitch Strategy”. The strategy also adds detail to Strategy 23 of the Local Plan which refers to leisure and recreation facilities, social and community facilities and infrastructure being required in Honiton. The Local Plan also sets out criteria against which the development of new open space, sports and recreation facilities will be considered in Policies RC2 and RC4. The Local Plan was itself subject to SEA and HRA. Whilst the strategy makes recommendations on where new sports pitch sites should be delivered and how existing sites should be enhanced, these recommendations are based on an assessment of the sites against relevant Local Plan policies and ultimately are just recommendations and do not allocate or determine that such sites will be permitted. As it is specific to individual sites it is considered very unlikely to have a significant environmental effect. Should this circumstance change it will be important to rescreen the strategy to take any changes into account.

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

Stage	Y/N	Reason
Is the strategy subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The strategy will be prepared and adopted by East Devon District Council however will not be adopted through a legislative procedure.
Is the strategy required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The strategy is not <i>required</i> by any legislative, regulatory or administrative provisions. The NPPF which <i>may</i> be considered an administrative provision sets out that policies should be based on robust and up to date assessments of need. The PPS (alongside other documents) provided this evidence for the Local Plan policies relating to sports pitches. This strategy adds to that evidence base. Whilst the NPPF <i>may</i> constitute an administrative provision, it does not require the strategy nor the characteristics set out in the Government’s Practical Guide to the SEA Directive in that that it be publicly available, prepared in a formal way and involve consultation with

		interested parties. The Council has <i>chosen</i> to produce this strategy and <i>chosen</i> to make it publicly available, prepare it in a formal way and consult relevant parties.
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Directive Does Not Require SEA

3.3 If it was considered that the answer to the above criterion was YES:

Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	N	The strategy is prepared for Town and Country Planning and land use but does not provide the framework for development of a nature or scale that would fall within Annex I or II of the EIA Directive.
Will the strategy, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	N	See section 4.0 of this Screening Report below.
Does the strategy set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	N	The European Commission guidance (paragraph 3.23) states that plans and programmes which set the framework for future development consent of projects would normally contain 'criteria or conditions which guide the way a consenting authority decides an application for development consent'. As a material consideration in the determination of planning applications the strategy will not become part of or hold the same weight as the development plan. Whilst it makes recommendations over the future development of sports facilities, it cannot set a framework including criteria and conditions for the future determination of planning applications.
Is it likely to have a significant effect on the environment? (Art. 3.5)	N	See screening assessment for environmental effects in figure 3 of this report.

3.4 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 SPD was likely to have a significant effect on the environment.

3.5 The table below sets out the criteria by which the strategy should be judged, as outlined in Article 3.5 of the SEA Directive.

Figure 3: Environmental impact screening assesment

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the strategy likely to have a significant environmental effect?	Justification for Screening Assessment
The degree to which the plan or programme sets a framework for	N	The strategy adds detail to Strategies 23 and 43 of the East Devon Local Plan.

<p>projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>		<p>The Local Plan sets out criteria against which new open space/recreation sites/site extensions will be considered in Policies RC2 and RC4, the strategy considers a number of potential sites and scenarios against these and other policies of the Local Plan to ensure that pitch provision is considered strategically and not piecemeal and that sustainability and suitability criteria required by the Local Plan policies have been considered appropriately. The strategy suggests ways in which environmental improvements could be made as part of the development of sites which would reduce the harm which could otherwise occur. The strategy does not allocate any sites and all recommendations within it will still need to be subject to planning applications where necessary and any requirements therein.</p>
<p>The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</p>	<p>N</p>	<p>The strategy adds detail to the adopted East Devon Local Plan. Recommendations within the strategy are considered against and allowed for within the policies of the Local Plan. It must also be compatible with EU law and the ECHR obligations. It is not considered to have a particular influence on any plans other than as a material consideration in determining future planning applications for development of sites recommended by the strategy or for sports pitch development to meet the needs of Honiton in other locations.</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>N</p>	<p>The strategy contributes towards the achievement of sustainable development by considering potential options for sports pitch development against one another and the development plan and recommending the most suitable and sustainable options. It explains why other options would be less sustainable or have a more significant impact on the environment.</p>
<p>Environmental problems relevant to the plan or programme.</p>	<p>N</p>	<p>There are no significant environmental problems that the strategy is likely to impact.</p>

<p>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).</p>	<p>N</p>	<p>These community legislation types are not relevant to the strategy and will not need to be considered beyond the requirement for refuse/recycling storage, SUDS and waste water management as required by the local Plan (and the guidance of South West Water/the Environment Agency).</p>
<p>The probability, duration, frequency and reversibility of the effects.</p>	<p>N</p>	<p>Whilst the strategy relates to the development of sites any effects of subsequent proposals, there is no guarantee of delivery (especially considering the significant financial costs and need for land assembly etc). Use of sites as sports facilities is likely to be long in duration including potentially in perpetuity, however frequency of use of any new sites is likely to be mainly restricted to weekends and some evenings meaning that impacts are not continuous or sustained. Whilst recommendations of the strategy include some built facilities including clubhouses/changing facilities and car parking, these are minimal and not considered to be significant. The majority of developments recommended in the strategy would comprise leveling and reprofiling of land, installation of sports pitch drainage and the sowing of new grass turf. Whilst it would be irreversible to return a leveled field back to its natural topography exactly, it would be possible for grass pitches to return to a semi-natural environment if necessary.</p>
<p>The cumulative nature of the effects.</p>	<p>N</p>	<p>The cumulative effects of the strategy are not considered to have a significant effect on the environment.</p>
<p>The trans-boundary nature of the effects.</p>	<p>N</p>	<p>The strategy only makes recommendations for specific sites, the scale and location of which are mainly determined by the Local Plan as evidenced by the assessment of sites against Local Plan policies contained within the strategy. The scale of development it will impact upon is unlikely to have a significant effect on neighbouring areas.</p>
<p>The risks to human health or the environment (e.g. due to</p>	<p>N</p>	<p>The main risks to human health or the environment relate to a small increase</p>

accidents).		in traffic movements and protection of biodiversity. However, recommended sites have been chosen in part as a result of their locations which will reduce the need to travel by car and their reduced impact on biodiversity. Recommendations and Local Plan policies recognise the need to ensure safe pedestrian and cycle access and reduce/mitigate impacts on biodiversity. The provision of sports pitches will have a positive impact on human health through the promotion of sports participation and associated disease/illness prevention.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	N	The strategy is concerned only with the development of sports pitch facilities in and around the town of Honiton which in 2012 had an estimated population of 11,608, though clearly facilities will serve a larger hinterland to an extent. If there are any effects they will be localised and are not considered to be wide ranging as per the meaning of the regulations.
The value and vulnerability of the area likely to be affected due to: special natural characteristics or cultural heritage; exceeded environmental quality standards or limit values; intensive land-use. the effects on areas or landscapes which have a recognised national, Community or international protection status.	N	The strategy recommends one site for development that is located within the Blackdown Hills AONB and certain developments on other sites recommended in the strategy may impact upon either the Blackdown Hills AONB or the East Devon AONB to an extent due to intervisibility. However, Local Plan policies (which have been subject to SEA and HRA) allow for such development where certain criteria have been met and the strategy considers the options for development against these criteria. Special natural characteristics have been considered through landscape assessments and assessment against Local Plan policies. Impacts on cultural heritage in the built environment have been considered and both Historic England and the County Council's Historic Environment teams have been consulted as part of the consultation process. Land use is not expected to be overly intensive in the meaning of the regulations. There are no significant impacts expected.

3.6 Conclusion

3.7 The strategy does not require a Strategic Environmental Assessment

4.0 Habitat Regulations Screening Assessment

4.1 The Revised Draft Honiton Sports Pitch Strategy has been used to undertake this initial screening assessment. As the conclusion is that a full Habitat regulations screening is not required, any variations or additions to the Document may require a further screening. A screening report was produced as part of the production of the adopted 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 As the strategy covers just Honiton and its immediate surrounds and there are no European sites in close proximity or likely to be affected by the recommendations of the strategy or cumulative impacts in combination with other plans and projects it is not considered necessary to conduct an appropriate assessment.

4.6 Natural England will be consulted on this document by the District Council.

Screening Criteria Questions

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

No

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

The strategy recommends preferred sites for sports pitch development but does not allocate

development- the criteria against which sites will be assessed is already established in the adopted East Devon Local Plan. The strategy supports and adds detail to Local Plan policies by assessing options for sports pitch development against plan policies and recommending the most suitable and sustainable options. A detailed assessment of potential impacts will be carried out when specific sites come forward through the planning system.

The objectives in the strategy accord with the Local Plan for the District which is subject to an HRA. A screening opinion was provided by Land Use Consultants early in the Plan production process and an HRA was completed by Footprint Ecology before, and informed, the adopted Local Plan. It indicated that the Local Plan will have sufficient policy provisions to enable the subsequent delivery of necessary measures to avoid and mitigate adverse effects on the integrity of European Sites.

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

No

4.7 Conclusion

4.8 The strategy does not require a Habitat Regulation Assessment.

4.9 The strategy is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects. It does not propose a level of development significantly over and above that in the adopted Local Plan (which was itself subject to HRA).