

Clyst Honiton Neighbourhood Development Plan and Neighbourhood Development Order

Strategic Environmental Assessment Habitat Regulations Assessment

Screening Report

Prepared by Officers of East Devon District Council

Updated May 2023

1.0 Introduction

1.1 The purpose of this report is to assess the proposals in the draft Regulation 14 Version of the [Clyst Honiton Neighbourhood Development Plan \('the Plan'\)](#), covering a significant area of Clyst Honiton Parish, 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 Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). An HRA is required when there is the potential that the implementation of a plan could cause a likely significant effect on protected European Sites (Natura 2000 sites).

1.3 As a Neighbourhood Development Order (the Project) (draft Regulation 21 Version) is proposed to accompany the Neighbourhood Plan, there may be a need for an Environmental Impact Assessment. The Local Authority is required to consider whether projects listed in Schedule 2 (of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017) are likely to have significant effects on the environment. East Devon District Council received a formal request for an EIA screening opinion from Clyst Honiton Parish Council in July 2020. Based on the information submitted at that time, including a masterplan (drawing no. 102 Rev D), the issued Screening Opinion (appended) determined that the proposed development is considered to be an 'infrastructure project' 'urban development project' listed under Schedule 2, class 10 (b) of the EIA Regulations and as such that it did not meet any of the prescribed thresholds to trigger an EIA:

- the development includes more than 1 hectare of urban development which is not dwellinghouse development; OR
- the development includes more than 150 dwellings; OR
- the overall area of the development exceeds 5 hectares.

1.4 Nevertheless, for good practice, the proposed development was screened against the full set of selection criteria, with regard to Schedule 3 of the EIA Regulations. This identified a number of key issues to be addressed and assessments and surveys required for any forthcoming NDO submission, but the overall conclusion was that an EIA would not be required.

1.5 With regard to the SEA, the conclusion of the assessment is that whilst the Plan proposes several allocations for residential/mixed use development and includes policies that are supportive of other types of development, on the basis of the assessment of the characteristics of the area and the information and evidence now available, it is considered unlikely to result in significant adverse effects on the environment. Subsequently it is not considered that SEA is required, but there are potential benefits to inform plan preparation of undertaking an SEA and this would still be considered good practice. It is noted that Clyst Honiton Parish Council have

commissioned Aecom to undertake an SEA for the CHNP further to the interim conclusion of EDDC's earlier screening, to accompanying the Regulation 14 version of the Plan and it is expected that the SEA Report will be updated as appropriate and will form part of the supporting documentation at Regulation 16 Submission.

- 1.6 With regard to the HRA, the assessment demonstrates that there is potential for significant effects on two European sites, as a whole of the Clyst Honiton Neighbourhood Plan Area is within their zone of impact. An Appropriate Assessment has therefore been carried out. The conclusion is that sufficient strategic mitigation is in place through Strategy 5 of the East Devon Local Plan, with and through the on-going implementation and monitoring of the South East Devon European Site Mitigation Strategy, to ensure that there will be no significant effects on the features of the two European sites (the Exe Estuary RAMSAR, SPA, SSSI and the Pebblebed Heaths SAC, SPA, SSSI) through recreational pressure from residents. The quantum of development proposed in the CHNP is within the scope of what was allowed for by the Local Plan strategy (which itself was subject to HRA) and the joint Mitigation Strategy. As such it is therefore possible to conclude that, in combination with the Local Plan, there will be no impact on the integrity of the European sites. It is noted that Clyst Honiton Parish Council have also commissioned Aecom to undertake an HRA for the CHNP, including an Appropriate Assessment, further to the interim conclusion of EDDC's earlier screening, to accompanying the Regulation 14 version of the Plan. This has been noted as part of preparing this Screening Opinion, and views are sought from the consultees alongside this Screening Opinion. It is expected this will be updated as appropriate and will form part of the supporting documentation at Regulation 16 Submission.
- 1.7 With regard to the EIA, the conclusion of the separate [EIA screening opinion](#) (September 2020) is that the Project that is the subject of the NDO is not considered that to have any significant environmental effects that would trigger the requirement for an EIA. Regarding the European Protected Sites, the proposal would be assessed through the Habitat Regulations Assessment and it is noted that the Aecom HRA Report to accompany the pre-submission consultation applies to both the Neighbourhood Plan and the Neighbourhood Development Order.
- 1.8 This report, and the SEA and HRA reports prepared by Aecom to accompany the Pre-Submission Version of the Plan, is subject to the views of the three statutory consultees designated in the Regulations (Historic England, Environment Agency and Natural England). **Addendum: The comments received are now appended to this report and were shared with the QB upon receipt and to inform the preparation of the neighbourhood plan, including SEA/HRA work already commissioned. Notwithstanding the comments made by Historic England, with reference to the removal from the Plan of the Bypass (NDO) site from the Neighbourhood Plan, the nature of the remaining allocation site, and the supporting appendices, the conclusions of the screening opinion set out above remain the view of the responsible authority. Should the development of the Bypass site be pursued under the NDO, Heritage Impact Assessment and archaeological survey would be required as previously advised in relation to consultee responses on the EIA screening.**

2.0 Clyst Honiton Neighbourhood Plan (CHNP) and Neighbourhood Development Order (NDO)

- 2.1 The draft Regulation 14 Version of the Clyst Honiton Neighbourhood Plan covers part of the parish of Clyst Honiton, excluding areas of strategic development under the adopted Local Plan. It includes the village of Clyst Honiton and a number of hamlets and outlying rural area and includes part of the Hill Barton business park at its southern end.
- 2.2 The Plan has been under development since the Neighbourhood Area was designated in 2012 and an earlier version of the proposals was screened in 2020. The proposals have evolved in terms of the level of information available but remain broadly similar in nature and scale. The Plan has undergone significant community consultation and the Neighbourhood Plan Steering Group (NPSG) is currently at the stage of preparing to commence the formal Pre-Submission consultation.
- 2.3 In the light of the original screening opinion on SEA and HRA, the Parish Council have commissioned consultants, Aecom, to prepare a SEA and HRA reports which have been noted in preparing this updated screening. Reference has also been made to the EIA screening opinion which was issued subsequent to the original screening opinion and concluded that EIA was not required in respect of the proposals that are the subject of the accompanying Neighbourhood Development Order. Officers are seeking views of the consultees on this updated Screening Opinion and the Aecom SEA and HRA reports.
- 2.4 East Devon District Council has been broadly kept informed of progress and has offered informal Officer support and guidance to the Neighbourhood Plan Steering Group and therefore can be reasonably confident in the Plan's direction of travel. We were asked to screen the draft Plan in February 2020 and have updated this screening in the light of the greater details now available in the draft pre-submission CHNP (Regulation 14) and NDO (Regulation 21). Any variations or additions to the aims, objectives, policies and proposals may require a further screening.
- 2.5 The Plan is both protective and proactive, recognising that large parts of the Neighbourhood Area remain quite rural, but that it is also located at the western end of the district, on the edge of the City of Exeter, where there is considerable on-going planned growth and development pressure. The Plan and the Project (NDO) seek to respond to this changing context by making provision to meet identified community needs and promote the vitality and viability of the village and wider Neighbourhood Area, whilst preserving what is special about the area and maintaining its semi-rural feel.
- 2.6 Having considered a range of possible sites for development, the draft Plan proposes to make 3 allocations for development (two small scale residential sites and one medium scale mixed use site), as follows, which reflect the NP group's desire to protect the existing character of the parish, whilst facilitating appropriate development and growth, particularly a community facility:-
1. Existing allotment site, York Terrace (Policy SA1)
 - Residential development of up to 6 (1 and 2 bed) dwellings
 - Subject to an alternative allotment site at Pound Corner being secured for community use (through Policy C5)
 2. Slate and Tile Site, York Terrace (Policy SA2)
 - Residential development of up to 9 (1 and 2 bed) dwellings

3. Site adjacent to the Clyst Honiton Bypass (Policy SA3)

- Subject of the accompanying Neighbourhood Development Order:
 - Residential development of up to 50 dwellings
 - Employment space of up to 2400m² (plus parking and landscaping)
 - Community facility – multi-use building with café area, external community space and parking

2.7 In addition, the Plan includes a policy (E4) seeking new or improved business facilities at 3 brownfield sites also in Clyst Honiton Village and is also supportive of other types of development, including: self/custom- build homes; new and enhanced community facilities to meet local need; microbusiness proposals; holiday accommodation; live-work units; flood defences; community-led renewable energy schemes, but with no specific location and/or no quantum proposed. It also proposes to designate 4 Local Green Spaces and safeguard land for a green corridor, public amenity space, and replacement allotments.

3.0 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 Although there is no definitive guidance stating that a neighbourhood plan will require an SEA, local authorities are legally obliged to advise plan producers as to whether an SEA is required. To ascertain if SEA is required, a "screening" exercise has been undertaken by East Devon District Council to evaluate the proposals of the Plan 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.
- Should the screening report reach the conclusion that that Plan will have a significant impact on the environment; a full SEA should be undertaken.
 - If the conclusion is that a full SEA is not required, any significant variations or additions to the Plan will also be subject to screening.
- 3.4 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. The Regulation 14 version of the CHNP seeks to align to the Plan Period of the adopted Local Plan (to 2031). It should be noted that EDDC is preparing a new Local Plan currently for the period 2020 to 2040 and an SEA will be produced for this, and that as part of this work on an updated Mitigation Strategy is currently commissioned.

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

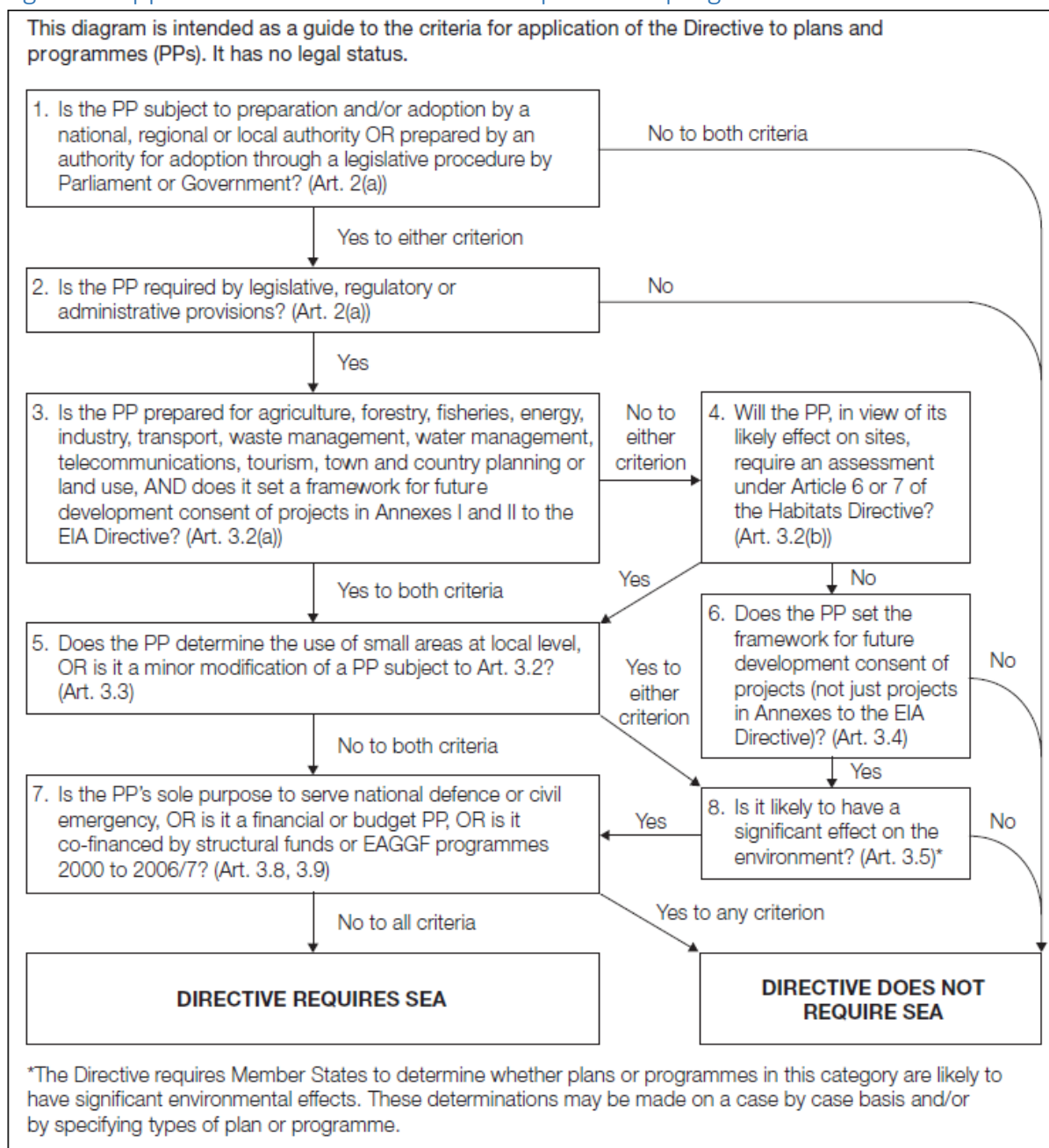


Figure 2: Screening assessment against the criteria for whether the Clyst Honiton Neighbourhood Plan (and Neighbourhood Development Order) requires an SEA.

Stage	Y/N	Reason
Is the Plan 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))	Yes	The Plan and Neighbourhood Development Order will be prepared by Clyst Honiton Parish Council and adopted by East Devon District Council as part of the Development Framework, subject to a successful referendum.
Is the Plan required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	The Plan meets the characteristics set out in the Government's Practical Guide to the SEA Directive in that that it will be publicly available, prepared in a formal way and involving consultation with interested parties.
Is the Plan 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))	No	The Plan is prepared for Town and Country Planning and land use but is not considered to provide the framework for development of a scale that would fall within Annex II of the EIA Directive at a Neighbourhood Area level.
Does the Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes	The Plan will determine the use of small areas at a local level.
Is the Plan likely to have a significant effect on the environment? (Art. 3.5)	No	See screening assessment for environmental effects in table 1 of this report.

4.0 Screening Assessment for Environmental Effects

- 4.1 Under step 8 of the Application of the SEA Directive (Table 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.
- 4.2 The table below sets out the criteria by which the site allocation in the Plan should be judged, as outlined in Article 3.5 of the SEA Directive.

Table 1: SEA Screening Assessment

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	<p>The Plan will set out a framework for development within the Neighbourhood Area (part of the parish of Clyst Honiton). The Plan makes 3 allocations for residential/mixed use development allowing for the development of up to 64 homes, 2400m² of employment space and new community facility. The type and distribution of development will support policies contained within the adopted East Devon Local Plan, however Clyst Honiton is not a settlement with a defined Built-up Area Boundary in the adopted (or emerging) Local Plan strategy and was not therefore specifically considered when the Local Plan was subject to SEA.</p> <p>However, the Local Plan allowed for a conservative amount of windfall development and also included strategic policy to enable neighbourhood plans to make allocations for evidenced sustainable development outside these settlement boundaries. The Local Plan spatial strategy also proposed a significant proportion of the growth in the ‘west end’ within which the village of Clyst Honiton lies.</p>
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The Plan period to 2031 aligns to that of the adopted Local Plan. The Plan will be tested for general conformity with the adopted East Devon Local Plan and its regard to national policies at examination under the required Basic Conditions. It must also be compatible with EU law (as retained) and the ECHR obligations (as retained).
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The Plan is also required to demonstrate it will contribute towards the achievement of sustainable development, as part of the “Basic Conditions” on which the Plan will be judged by at examination.

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
<p>Environmental problems relevant to the plan or programme.</p>	<p>Development of the type and scale proposed in the Plan has potential to result in environmental problems.</p> <p>In terms of the natural environment, the entire Neighbourhood Area lies within the buffer zones associated with the Pebblebed Heaths and Exe Estuary areas which has been identified as being at risk from increased development due to additional recreational pressures. In total, the plan proposes up to 64 new dwellings within the buffer zones. Whilst these new dwellings are not explicitly provided for in the adopted Local Plan, the Local Plan made provision for a minimum of 17,100 new dwellings with a conservative allowance for windfalls and strategic policy (Strategy 6, 7 & 27) which in combination support neighbourhood plans to make their own allocations in addition where they can be justified.</p> <p>The Local Authority has a mitigation strategy in place, whereby financial contributions towards Significant Alternative Natural Green Space (SANGs) are collected. These are being invested in the Clyst Valley Regional Park which falls partly in this area. Current completions and forecasts data for new dwellings in the habitat zones are well within the projections that were used to inform the Mitigation Strategy, and the CHNP proposals do not alter or exceed the envisaged quantum of development. This is considered further in the Appropriate Assessment within this report and in the appendix. The Neighbourhood Area falls within SSSI Impact Risk Zones where consultation would be required for development of 50 or more dwellings and therefore this is applicable. There are also areas of Floodzone 2 and 3 related to the River Clyst which abuts and partly encroaches into the northern boundary of the 2 smaller sites for residential allocation and will be subject to comments of the EA. The greenfield development proposed is also expected to result in the loss or the best and most versatile agricultural land. In terms of other designations, there is one small area of potential Traditional Orchard in the rural southern part of the Neighbourhood Area at Higher Holbrook Farm (Grade II listed), and there is one further larger area of traditional orchard that runs along the Neighbourhood Area boundary where it adjoins Sowton Parish, but which lies wholly in that parished area. There are no other natural environment designations to note in the area.</p> <p>In terms of the built, historic environment, there are no Conservation Areas in the Clyst Honiton NA and very few nationally designated heritage assets. Impact on the Grade II* St Michael and All Angels Church in the heart of Clyst Honiton and</p>

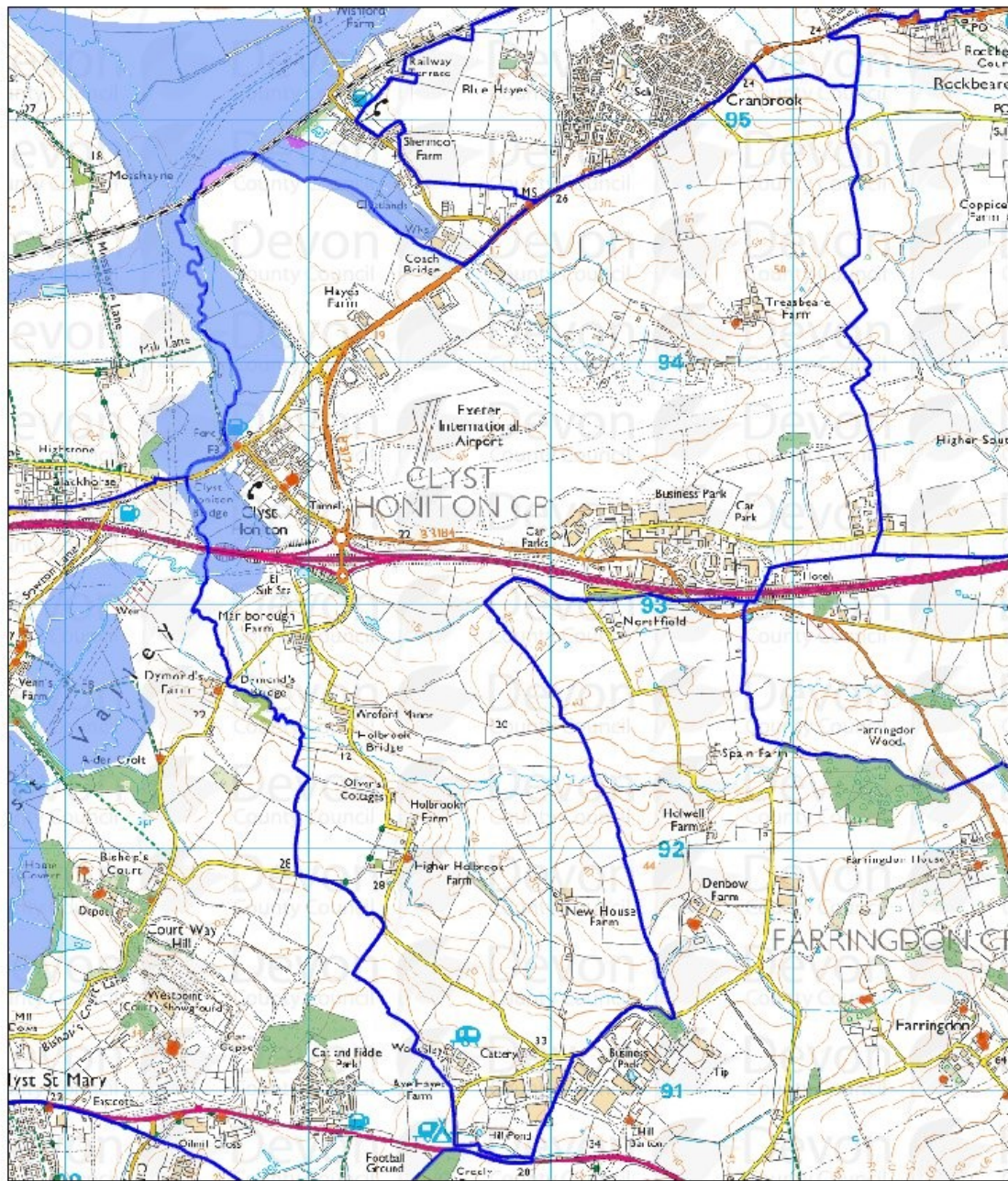
Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
	<p>potential archaeology within the larger allocation site all require consideration, but from work to date effects are not considered likely to be significant. There are no Scheduled Ancient Monuments within the area.</p> <p>There are a number of protective policies in the NP (in addition to the NPPF and Local Plan policies that would also apply) which are intended to prevent harm and ensure that the heritage conservation and environmental protection and enhancement objectives are achieved.</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>These community legislation types are not relevant to the Plan and will not need to be considered.</p>
<p>The probability, duration, frequency and reversibility of the effects.</p>	<p>The Plan will influence development that will likely come forward over the Plan period and therefore any impact will be long term and not easily reversible. The scale and nature of the development proposed in the Plan does not exceed the quantum allowed for under the adopted Local Plan as set out above, although the relationship with the airport in terms of noise for future occupiers and impact on future airport operation of development in this location will need consideration and the need for noise mitigation is referred to within the plan requirements.</p>
<p>The cumulative nature of the effects.</p>	<p>The cumulative effects of the Plan are not considered to have potential for significant adverse effect on the environment on the basis of the information available. Surface water flooding, highway capacity and sewerage are potential issues for comment through the consultation by the appropriate infrastructure bodies but the impact is not anticipated to be significant as the overall scale of development is fairly small, especially when viewed in the context of the wider 'west end' growth. The policies of the neighbourhood plan and East Devon Local Plan in combination provide an appropriate policy framework.</p>
<p>The trans-boundary nature of the effects.</p>	<p>There are not considered to be any proposals in the Plan which will have a significant trans-boundary effect.</p>

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
The risks to human health or the environment (e.g. due to accidents).	There is potential for risks to human health due to the proximity of the development to Exeter Airport. Potential risks arise from the operational runway (the safeguarding area re. development over 15 m extends to part of the larger allocation site) and noise from engine testing. The residential developments proposed on all 3 site allocations in the Plan also lie within the 60 to 63dBA airport noise contour which requires assessment in terms of the health and wellbeing of the future occupiers. It is noted that Bickerdike Allen have prepared a detailed noise assessment which finds that development can be acceptable with appropriate mitigation and that this document will be available as part of the Pre-Submission consultation.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The Plan is concerned only with development within the Neighbourhood Area (which covers a significant part of the single parish of Clyst Honiton). The Neighbourhood Area excludes areas of strategic development, with Clyst Honiton village being the main settlement with other hamlets and sparsely populated rural areas. The population of the entire parish is small (330 based on the 2019 mid-year estimate by ONS).
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.	<p>Clyst Honiton Neighbourhood Area contains limited areas of value and vulnerability as also noted above:-</p> <ul style="list-style-type: none"> • 10 listed buildings or structures, mostly related to the Grade II* listed St Michael and All Angels church in Clyst Honiton village as well as Higher Holbrook farm and Treasebeare Farmhouse <p>Priority Habitats:</p> <ul style="list-style-type: none"> • Two ancient orchards (one within the Neighbourhood Area at Higher Holbrook Farm and one adjacent but outside the NA boundary in Broadclyst Parish) • Coastal and Floodplain Grazing Marsh along the River Clyst along the NE boundary within the floodzone. • Several small scattered areas of deciduous woodland <p>European sites within 10km of the parish edge:</p> <ul style="list-style-type: none"> • Exe Estuary SSSI,SAC,SPA • Pebblebed heaths SSSI, SAC, SPA • The entire Neighbourhood Areas falls within the Habitat Buffer Zones for both of these European sites. <p>These are the key features of biodiversity sensitivity which have potential to be affected by development within the Neighbourhood Plan area. However, the Clyst Valley Regional</p>

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Comment
	<p>Park, which intersects with the Plan area, provides strategic scale SANGs to mitigate recreational impacts from development.</p> <p>Agricultural land potentially classified as the Best and Most Versatile (Grade 1 (provisional, 2002) and the whole Neighbourhood Area lies within a Nitrate Vulnerable Zone (2017).</p> <p>Land within the airport noise contours where impact for future occupiers and potential for mitigation requires assessment.</p>
<p>The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	<p>The entire areas falls within the wider Devon Character Area classified as ‘Clyst Lowland farmlands’ and includes landscape character areas of lowland plains and sparsely settled farmed valley floors, although part of the areas adjacent to and beyond the Plan Area has been (and continues to be) the subject of strategic housing and employment development in recent years under the adopted Local Plan and adopted Cranbrook DPD.</p> <p>There are no nationally or internally designated landscapes within the Neighbourhood Area. Part of the area (along its north-western boundary) falls with the strategic Clyst Valley Regional Park (CVRP) designated through the adopted Local Plan (Strategy 10) where development should further the strategic objectives of the Park, including the provision of high quality green space. None of the allocation sites proposed for development however fall within the boundary of the CVRP.</p>

4.3 Clyst Honiton Neighbourhood Area contains few recognised/identified areas of value and vulnerability except for 10 listed buildings or structures (these are St Michael’s Church and headstones and gateposts; Milestone at SX987937; Higher Holbrook and Treasbeare Farmhouse) which are identified on the map overleaf:

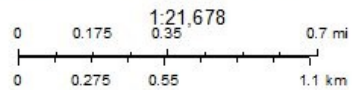
Clyst Honiton Areas of Value & Vulnerability



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Priority Habitat Inventory - Priority Habitats Inventory (South) (England) © Natural England

- Coastal and floodplain grazing marsh
- Deciduous woodland
- Good quality semi-improved grassland
- No main habitat but additional habitats present
- Purple moor grass and rush pastures
- Traditional orchard
- Scheduled Monuments



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Figure 3: Clyst Honiton Parish Areas of Value and Vulnerability (Natural and Historic Environment)

5.0 SEA Screening Conclusion Outcome

- 5.1 Regulation 5(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”) provides that an environmental assessment (an SEA) must be carried out in a number of circumstances, including where the plan or programme, in view of the likely effect on sites, has been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (i.e. appropriate assessment by way of an HRA).
- 5.2 However, this requirement is subject to an exception contained in Regulation 5(6) which provides that an environmental assessment need not be carried out for a plan or programme “which determines the use of a small area at local level” unless the plan has been determined to be likely to have significant environmental effects. Whether the plan is likely to have significant environmental effects needs to be determined by reference to the criteria in Schedule 1 of the 2004 Regulations. These criteria are set out in a series of questions in section 4 of this report.
- 5.3 The assessment in section 4 recognises that the plan is of a small scale. Whilst Clyst Honiton village itself is not recognised as a sustainable settlement suitable for growth in the adopted or emerging new Local Plan for East Devon, it lies adjacent to the ‘west end’ which is (and expected to continue to be) a focus for on-going strategic development, and the level of growth at the local level promoted through the Neighbourhood Plan is allowed for through provision made in the adopted East Devon Local Plan, itself subject to SEA, and likewise within the quantum of development envisaged by the adopted (and emerging updated) South East Devon European Site Mitigation Strategy, which, similar to the Local Plan, is intended to be flexible in its application (subject to monitoring). The Plan establishes scales and locations for new development and sets out criteria that will apply to any planning proposals that seek to address the impact of development. No likely significant effects of the proposed development have been identified through the Screening exercise.
- 5.4 **Therefore, with regard to the SEA, overall there is sufficient evidence available to conclude that harm will not occur to the environment as a result of the Plan and it is not considered that a Strategic Environmental Assessment is required. The mitigation for heritage impact, archaeology etc. would be considered at the detailed design stage with reference to the detailed assessments undertaken and accompanying the pre-submission consultation on the Plan.**

6.0 Habitat Regulations Assessment (HRA) Screening

6.1 This screening is based on the draft Regulation 14 version of the Clyst Honiton Neighbourhood Plan and draft Regulation 21 version of the NDO for the Bypass site, and proposes development as set out in section 2 of this report. As noted earlier, this report updates an earlier screening from 2020 undertaken on brief information available at that time. Any further variations or additions to the aims, objectives, policies and proposals may require further screening. A [HRA was produced as part of the production of the Local Plan](#) and has been taken into account in undertaking this screening assessment.

6.2 The HRA needs to satisfy the following Directive Article and Regulation:

- i) Article 6(3) of the Habitats Directive 92/43/EEC
- ii) Habitat Regulation 105 & 106 of The Conservation of Habitats and Species Regulations 2017 (referred to as Habitat Regulations 2017 in this document)

The Habitats Directive and Habitat Regulations 2017 afford protection to plants, animals and habitats that are rare and vulnerable in a European context.

6.3 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.

6.4 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’.

6.5 There are no European Site(s) of relevance to the Clyst Honiton Neighbourhood Plan within the Neighbourhood area itself. However, the Exe Estuary Ramsar, SPA and SSSI lies c3km at its nearest point to the south west of the Neighbourhood Area whilst the East Devon Pebblebed Heaths lie c4.3km at its nearest point to the east/south east (both distances as the crow flies). The Neighbourhood Area lies wholly within the habitat zone buffer areas associated with both of these Sites meaning that the impact upon them should be assessed.

6.6 HRA screening must address the question “Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?”. The table below appraises the effect of allocations or policies within the Neighbourhood Development Plan which have the potential to significantly affect European sites within or with a pathway of impact from the Plan. The precautionary principle must be used when assessing whether adverse effects are significant.

6.7 As new development is proposed within the River Exe and Pebblebed Heaths buffer zones and has the potential to increase recreational pressure on these areas, it is concluded that there is a Likely Significant Effect so an Appropriate Assessment must be carried out.

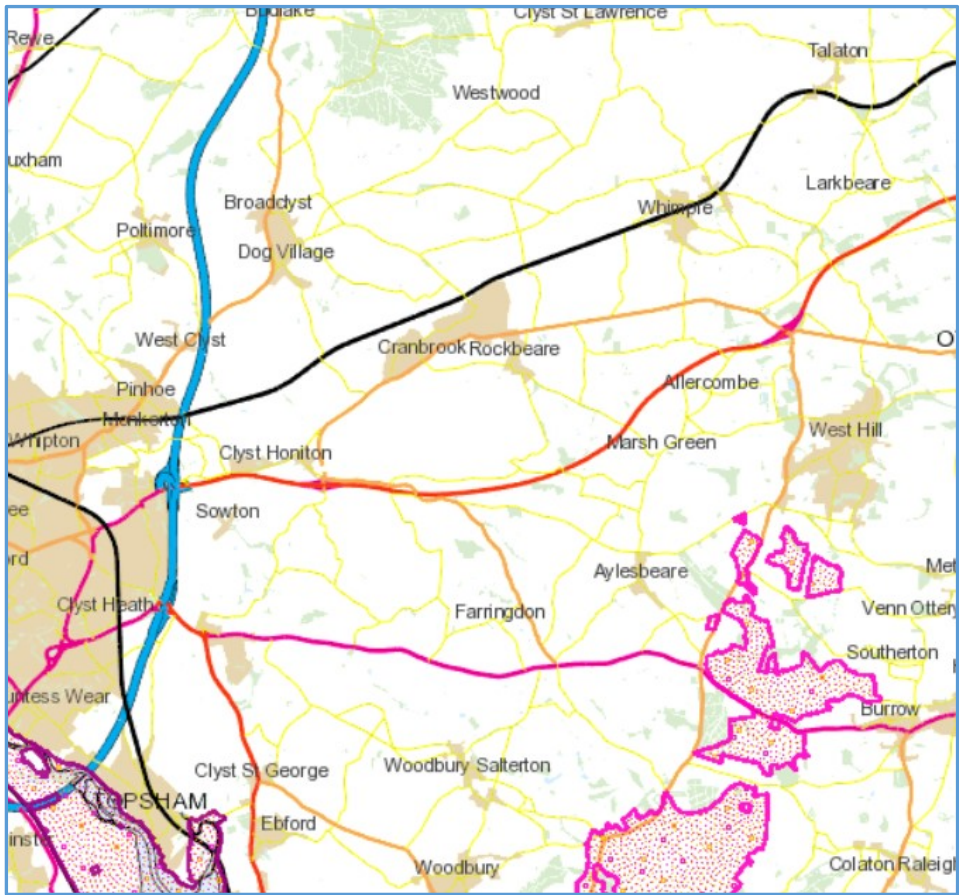
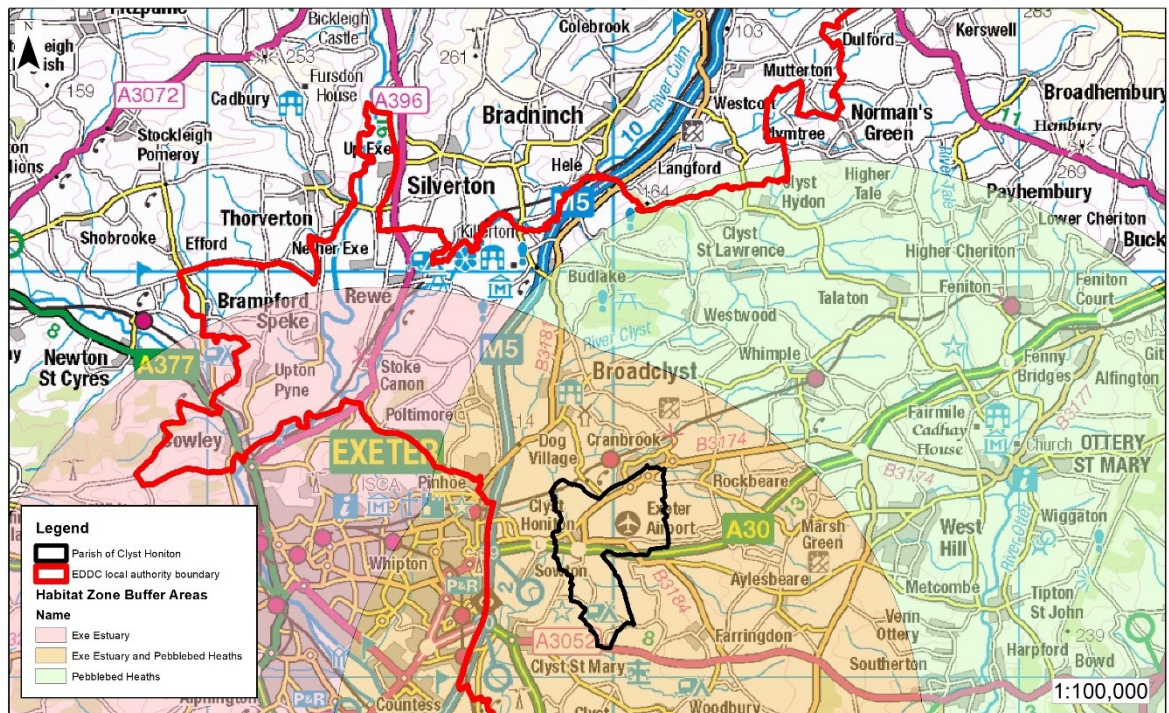


Figure 4: Map showing the position of Cyst Honiton in relation to the nearest Natura 2000 sites



Habitat Regulation Areas

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Figure 5: Map showing Cyst Honiton parish lies wholly within the Habitat Buffer Zones

Table 2: Appraisal of Impact of the Clyst Honiton Neighbourhood Plan on European Sites

European Site	Qualifying Features	Threats/Pressures	Pathways of Impact (arising from development relating to the Clyst Honiton NDP)	Likely significant effects (including in combination)	Screen in or out
Exe Estuary (RAMSAR, SPA, SSSI)	<ul style="list-style-type: none"> • Avocet (<i>Recurvirostra avosetta</i>), Non-breeding • Black-tailed godwit (<i>Limosa limosa islandica</i>), Non-breeding • Dark-bellied brent goose (<i>Branta bernicla bernicla</i>), Non-breeding • Dunlin (<i>Calidris alpina alpina</i>), Non-breeding • Grey plover (<i>Pluvialis squatarola</i>), Non-breeding • Oystercatcher (<i>Haematopus ostralegus</i>), Non-breeding • Slavonian grebe (<i>Podiceps auritus</i>), Non-breeding • Waterfowl assemblage, Non-breeding 	<p>Land based recreation:</p> <p>Walking, dog walking, bathing, birdwatching, golf.</p> <p>Wildfowling, controlled by leases from Crown Estate in consultation with RSPB and EN.</p> <p>Wildfowling undertaken over private land.</p> <p>Water based recreation:</p> <p>Power boating, sailing, angling, canoeing, kite surfing, windsurfing, personal hovercraft, surf life-saving.</p>	Impact of recreational activity and disturbance, particularly during the nesting/breeding season	Yes	In
Pebblebed Heaths	<ul style="list-style-type: none"> • H4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> 	<p>Land based recreation:</p>	Impact of recreational activity and disturbance	Yes	In

European Site	Qualifying Features	Threats/Pressures	Pathways of Impact (arising from development relating to the Clyst Honiton NDP)	Likely significant effects (including in combination)	Screen in or out
(SAC, SPA, SSSI)	<ul style="list-style-type: none"> • H4030 European dry heaths • S1044 Southern damselfly, Coenagrion mercurial 	<p>Walking, dog walking, horseriding, cycling, birdwatching, golf.</p> <p>Wildfowling, controlled by leases from Crown Estate in consultation with RSPB and EN.</p> <p>Wildfowling undertaken over private land.</p>			

7.0 Appropriate Assessment

- 7.1 In combination with the level of growth provided for in the adopted East Devon Local Plan (to 2031) (and currently anticipated in the emerging Local Plan (to at least 2040)), there is potential for the development identified in the Clyst Honiton NDP to increase recreational use of the Exe Estuary (approximately 3.3km south of the proposed development at its closest point) and Pebblebed Heaths (approximately 4.3km to the southeast/east). Potential for recreational disturbance was identified by the HRA of the adopted East Devon Local Plan (and those of neighbouring authorities), and as a result a multi-agency mitigation strategy is being implemented by a partnership of affected Local Authorities (East Devon District Council, Exeter City Council, Teignbridge District Council and Devon County Council). New Local Plans for East Devon, Exeter and Teignbridge for the period to at least 2040 are currently emerging, and a new joint Mitigation Strategy has been commissioned.
- 7.2 From a considerable body of research for the current mitigation strategy, the pattern of recreational activity affecting the designated sites has been established. From this evidence, a zone of influence (ZOI), from which residents might reasonably be expected to travel to carry out leisure activities on the designated sites has been identified. As noted elsewhere, the whole of the Neighbourhood Area of Clyst Honiton is within the ZOI (or buffer zone) for both the Exe Estuary and the Pebblebed Heaths. Strategic mitigation is in place through 'Strategy 5 Environment' of the adopted East Devon Local Plan (2016-2031), via the multi-agency mitigation strategy ("[South East Devon European Site Mitigation Strategy](#)"). This is by means of a financial contribution taken from new residential development and the contributions used for mitigation measures agreed with the conservation bodies, such as provision of Sustainable Alternative Natural Green Space (SANGS), signs, notices, education and awareness raising. This will therefore apply to the development within the buffer zone proposed through the Clyst Honiton Neighbourhood Plan, as recognised in the draft Plan and NDO. Transitional arrangements will be put in place once the new Mitigation Strategy is approved and are expected to apply similarly, with SANGS (on site or off site) protected in perpetuity (defined as an 80 year period).
- 7.3 Specifically with regard to development in the west end of East Devon, a very large country park (the '[Clyst Valley Regional Park](#)') has been established and this will be further extended using the financial contributions in accordance with Strategy 10 of the adopted Local Plan. Part of the Clyst Honiton Neighbourhood Area, and large parts of the neighbouring parishes lies within the CVRP boundary and is within walking or cycling distance of many residents. Therefore, the location and proximity of this park to Clyst Honiton provides a real recreational alternative to the further away, Exe Estuary and Pebblebed Heaths.

Clyst Valley Regional Park and Clyst Honiton

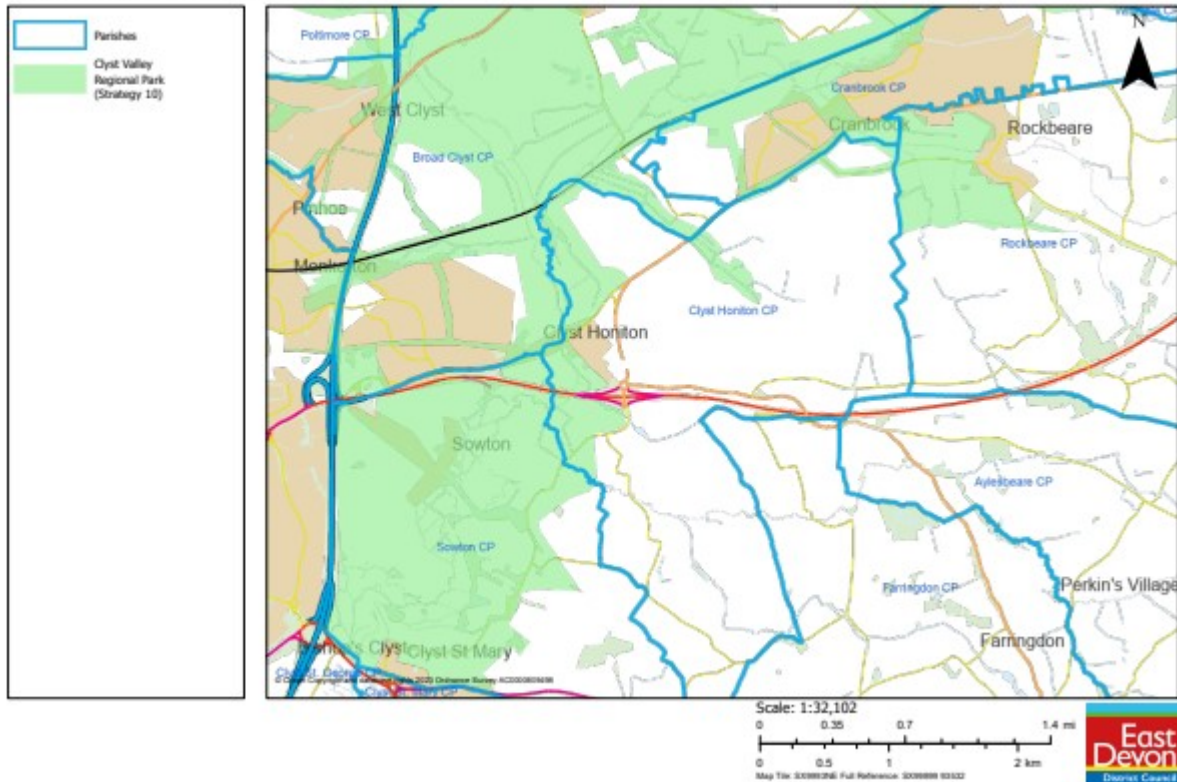


Figure 6: Extent of Clyst Valley Regional Park within and in proximity of Clyst Honiton Parish

7.4 With reference to the inherent flexibility of the Mitigation Strategy (see [Footprint Ecology, HRA of the East Devon Local Plan, 2015](#)), recent housing monitoring of completions/forecasts in both the strategy area and the Local Plan, and the fact that the development proposed through the Clyst Honiton would contribute to the mitigation (under current and transitional arrangements going forward), it is possible to conclude that, (i) the possible effects are considered to have been appropriately assessed and, (ii) measures are in place to ensure that any effects are addressed prior to development being granted consent, or development commencing. Therefore, as such that there will be no impact on the integrity of the Exe Estuary or Pebblebed Heaths.

8. Habitat Regulations Assessment Conclusion/Screening Outcome

- 8.1 The assessment demonstrates that there is potential for significant effects on two European sites, the Exe Estuary RAMSAR, SPA, SSSI and the Pebblebed Heaths SAC, SPA, SSSI through recreational pressure from residents. An Appropriate Assessment has been carried out and strategic mitigation is in place through Strategy 5 of the East Devon Local Plan, implemented through the South East Devon European Site Mitigation Strategy which is designed to accommodate the identified level of development envisaged in itself.
- 8.2 It is considered that the modest level of development proposed through the neighbourhood plan can be appropriately mitigated through the existing strategic mitigation that exists. As work progresses on the preparation of the new Local Plan for East Devon, and the updated Mitigation Strategy (commissioned). Whilst this will not be in place for some time, it will explicitly take account of any existing commitments and planned growth, including any allocations in the Clyst Honiton Neighbourhood Plan (if and when 'made').
- 8.3 It is therefore considered that, in combination with the Local Plan Policy, there will be no impact on the integrity of the European sites.**

Appendix 1 – Consultee Responses

Environment Agency

By Email:

From: SPDC <SPDC@environment-agency.gov.uk>

Sent: Monday, August 21, 2023 8:21 AM

To: Angela King <AKing@eastdevon.gov.uk>

Subject: RE: Clyst Honiton Neighbourhood Plan and NDO Updated SEA/HRA Screening Opinion

Dear Angela,

Thank you for your email. In line with our agreed remit for neighbourhood planning, we will not be providing comments on the screening opinion for the updated SEA/HRA. However, as the plan does seek to allocate development, we have already provided bespoke comments on the Regulation 14 NDP draft and the NDO also. I attach these for your information.

Kind regards,

Harriet Fuller

Sustainable Places Planning Advisor

Environment Agency | Manley House, Kestrel Way, Exeter EX2 7LQ

Email: SPDC@environment-agency.gov.uk

Tel: Ext: 07769 912857 / Int: MS Teams

Historic England

By Email:

From: Thompson, Alan <Alan.Thompson@HistoricEngland.org.uk>

Sent: 09 August 2023 21:54

To: Angela King <AKing@eastdevon.gov.uk>

Subject: Clyst Honiton Neighbourhood Plan - consultation on SEA Screening opinion - formal response

Angela King,

Thank you for inviting us to comment on the screening opinion for the Strategic Environmental Assessment (SEA), commissioned for the Clyst Honiton Neighbourhood Plan (5 July 2023).

Our role as a national statutory consultee for Neighbourhood Planning focuses mainly on ensuring there is no risk of undue harm to heritage assets. The most common way that risk of harm emerges in Neighbourhood Plans is when new, site-specific allocations for development are being made.

Where a neighbourhood plan recommends a site to be allocated for development, there is a risk that heritage assets may be harmed as a result of that development. Therefore, when such allocations are proposed, we look to see that they are supported by appropriate evidence to demonstrate conformity with national policy for the protection and enhancement of the historic environment, as set out in the National Planning Policy Framework (NPPF). Such evidence ought to demonstrate that there is not the potential for significant environmental effects, in terms of harmful impact to heritage assets.

We note that the draft Neighbourhood Plan does make a number of specific site allocations for both housing and employment. Given this, we would usually expect to see a heritage-based justification that explored the potential risk of harm to heritage assets at each named site. It would be normal to have a brief assessment, at each named site: a narrative and recommendations as to how any proposed development might avoid, or mitigate potential harm.

The evidence and justification for the Bypass Allocated Site (Policy SA3) has been adequately made through the AECOM Heritage Desk Based Study (DBS). This document is rigorous, thorough, and likely to form a solid foundation as a heritage evidence-base for the various other site allocations proposed within the plan. However, in our view, It is still necessary to make an explicit justification for each site in terms of potential harm to heritage assets, based on this evidence base.

As the situation stands, we respectfully disagree with your opinion that a full SEA would not be required. However, given the modest scope of the Neighbourhood Plan, the obligations to protect heritage under the NPPF could be discharged in a

more light-touch way than a full SEA. In our view, compliance could be far more easily achieved by providing a brief narrative for each allocated development site that addresses the potential for harm to the specific heritage assets revealed in the DBS. This work would need to be carried-out by a professional with heritage bona fides.

It would be helpful to see the suggested site allocation boundaries overlaid on a map (or zoomed-in maps) of relevant heritage assets. This would make the relationships clearer, particularly with respect to the settings of various heritage assets.

We have no further comments to make at this point in time. I hope that our comments have been helpful. We look forward to having the opportunity to comment further at the Regulation 16 consultation stage.

Kind Regards,

Alan

Alan Thompson | Historic Places Adviser

Historic England | South West

1st Floor Fermentation North | Finzels Reach | Hawkins Lane | Bristol | BS1 6WQ

Direct Line: 0117 975 0715 | Mobile: 07548 642067

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



Natural England



Date: 14 July 2023
Our ref: 440831
Your ref: Clyst Honiton Neighbourhood Plan and NDO Updated SEA/HRA
Screening Opinion

Angela King
East Devon District Council
aking@eastdevon.gov.uk

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Angela King

Clyst Honiton Neighbourhood Plan and NDO SEA and HRA

Thank you for your consultation on the above dated 05 July 2023 which was received by Natural England on 05 July 2023

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.

Screening Report: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) (East Devon District Council, May 2023)

Natural England's previous response to the Regulation 14 consultation on the Clyst Honiton Neighbourhood Plan included, 'Please note that the LPA should satisfy themselves that the level of development proposed in the Clyst Honiton Neighbourhood Plan can be appropriately mitigated through existing strategic mitigation. This would be of particular concern where the level of proposed development in the Neighbourhood Plan differed to that within the Local Plan, in its 'made' and 'emerging' forms.'

As this has now been addressed in East Devon District Council's SEA and HRA Screening Report, **it is Natural England's advice, on the basis of the material supplied with the consultation, that:**

- **significant effects on statutorily designated nature conservation sites or landscapes are unlikely; and,**
- **significant effects on Habitats sites¹, either alone or in combination, are unlikely.**

¹ Habitats sites are those referred to in the [National Planning Policy Framework](#) (Annex 2 - glossary) as "any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites".

The proposed neighbourhood plan is unlikely to significantly affect any Site of Special Scientific Interest (SSSI), Marine Conservation Zone (MCZ), Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland. The plan area is unlikely to have a significant effect on a National Park, Area of Outstanding Natural Beauty or Heritage Coast, and is unlikely to impact upon the purposes for which these areas are designated or defined.

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- 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.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

For any queries relating to the specific advice in this letter only please contact Jemma Short at jemma.short@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondence to consultations@naturalengland.org.uk.

Yours sincerely

Jemma Short
Lead Adviser (Sustainable
Development) Devon, Cornwall
and Isles of Scilly Area Team
Natural England