

Woodbury Neighbourhood Development Plan

Strategic Environmental Assessment Habitat Regulations Assessment Screening Report

Prepared by Officers of East Devon District Council

May 2024

(Updated June 2024 with Statutory Consultee
responses)

1.0 Introduction/Summary

- 1.1 The purpose of this report is to assess the proposals in the draft Woodbury Neighbourhood Development Plan ('the Plan'), covering the whole of Woodbury parish, to determine whether it requires a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). An SEA is required under this legislation for all plans which may have a significant effect on the environment.
- 1.2 This report also screens to determine whether or not the Plan requires a Habitats Regulations Assessment (HRA) in accordance with 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 or national site network).
- 1.3 In summary, the Plan does not allocate any sites for development and is largely protectionist in nature. It does include several policies that are supportive of small-scale/limited proposals for sustainable development (see Appendix 1), alongside policies designed to ensure natural and heritage assets are protected from harm, but these are not considered to go beyond what would be allowed under the policies of the adopted Local Plan which was itself subject to SEA and HRA.
- 1.4 The conclusion of the assessment is that the Plan is unlikely to have a significant effect on the environment so an SEA is not required to accompany the Plan. It is also unlikely to have a negative impact on any Natura 2000 sites so should not be subject to HRA.
- 1.5 This report has been sent to the three statutory consultees designated in the Regulations (Historic England, Environment Agency and Natural England). The comments received (see Appendix 2) have not given any reason to change the conclusions in this report.

2.0 Woodbury Neighbourhood Plan

- 2.1 The Neighbourhood Plan, covering the whole of the parish of Woodbury, has been in production over a number of years. Officers of East Devon District Council have been kept informed of progress and offered support and guidance to the Qualifying Body/Neighbourhood Plan Group at various intervals. Woodbury Parish Council now wish to move towards launching Pre-Submission (Regulation 14) consultation and this Screening Opinion has been prepared in advance of this, with reference to the Consultation Draft (reformatted April 2024) version of the Neighbourhood Plan (attached).
- 2.2 The Plan covers the period to 2031, aligned to the adopted East Devon Local Plan (2013-2031), which makes provision for 'modest growth' in Woodbury through the setting of a Built Up Area Boundary for the village. Affordable housing, under exceptions Policy of the Local Plan could also still take place. Further growth is planned at Woodbury (and Exton) under the emerging (Regulation 18 draft) of the new Local Plan (to 2040). The relationship with the emerging neighbourhood plan is the subject of on-going discussion between Officers and the NP Group.
- 2.3 The Plan 'Vision' sets out a desire for the Plan to "strengthen the necessary conditions for a viable and sustainable mixed community for the future", whilst helping to "preserve and enhance the integrity of both the built and natural environment". In order to further this vision, the Plan includes a total of 14 policies related to housing, infrastructure (transport and utilities/energy), parking, environment, business and community/leisure.
- 2.8 The Plan does not seek to make any allocations for development or identify any specific locations or quantum of development. The policies are focused on ensuring locally specific needs are taken into account, and identified local needs addressed, through development decisions and influencing proposals, particularly for housing development, that may come forward under Local Plan policy or speculatively. In addition, the Plan is also supportive of other types of development (such as related to small business development, tourism, re-use of rural buildings/rural diversification), but with no specific location and/or no quantum proposed.

3.0 SEA Screening

- 3.1 The basis for Strategic Environmental Assessments is the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), 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'.
- 3.3 At present there is no legal requirement for all Neighbourhood Plans to be subject to SEA. Planning Practice Guidance suggests that an SEA will not normally be required for a Neighbourhood Plan, stating that in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require strategic environmental assessment. Local authorities are legally obliged to assess the Plan proposals to determine whether they are likely to have significant environmental effects. and advise plan producers as to whether an SEA is required.
- 3.4 To ascertain if SEA is required, a "screening" exercise will be undertaken by East Devon District Council (via this report) to evaluate the proposals of the Plan against the criteria set out in the SEA Regulations. This criterion is set out in Schedule 1 of the SEA Regulations.
- 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.
- 3.5 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 SEA Screening Flowchart (from A Practical Guide to the Strategic Environmental Assessment Directive)

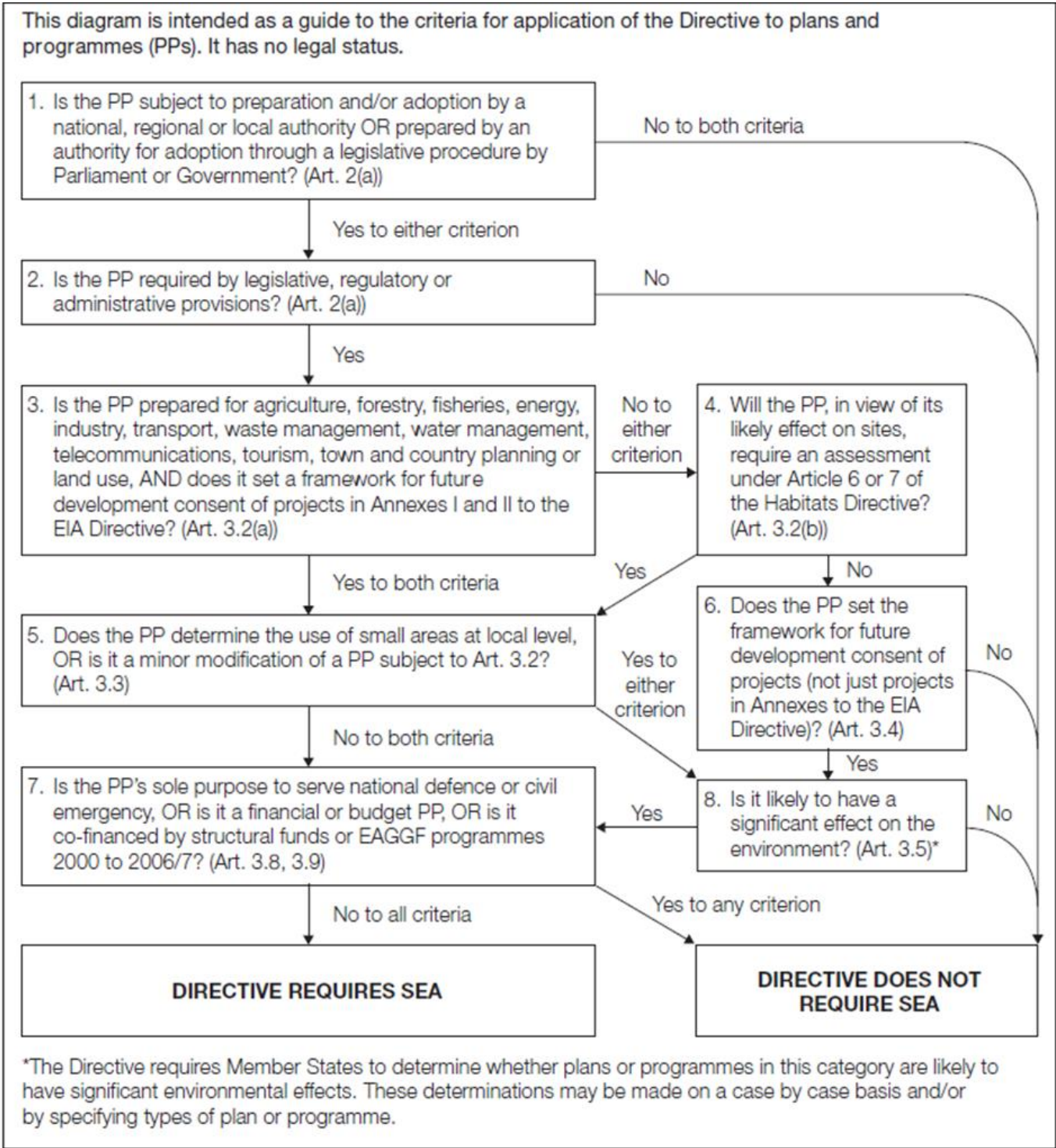


Figure 2: Screening assessment against the criteria for whether the Woodbury Neighbourhood Plan requires an SEA.

Stage	Y/N	Reason
1. 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?	Yes	The Plan will be prepared by Woodbury Parish Council and 'made' (adopted) by East Devon District Council as part of the statutory Development Framework, subject to a successful referendum.
2. Is the Plan required by legislative, regulatory or administrative provisions?	Yes	Localism Act 2011 There is no requirement to prepare a Neighbourhood Plan. However, 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.
3. 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? (Reg 5 (2))	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.
4. Will the Plan, in view of its likely effect on sites, require an assessment for future development under Articles 6 or 7 of the Habitats Directive?	Yes	See screening assessment for HRA environmental effects in table 1 of this report.
5. Does the Plan determine the use of small areas at local level, OR is it a minor modification of a Plan or programme subject to Reg 5 (6)	Yes	The Plan will determine the use of small areas at a local (parish) level.
6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)?	Yes	The Plan will be 'made' (adopted) and used as part of the development plan for determining planning applications in the Plan area.
7. Is the Plan's sole purpose to serve the national defence or civil emergency,	No	-

Stage	Y/N	Reason
OR is it a financial or budget Plan or Programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7?		
8. Is the Plan likely to have a significant effect on the environment? Reg 5 (4)	No	See screening assessment for environmental effects in table 1 of this report.
Outcome: Does Directive require SEA?	No	Directive does not require SEA

4.0 Screening Assessment for Environmental Effects

4.1 Under step 8 of the Application of the SEA Directive (Table 1 below), 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 impact of the Plan should be judged, as outlined in the SEA Regulations.

Table 1: Environmental Impact Screening Assessment

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the Plan likely to have a significant environmental effect?	Justification for Screening Assessment
Plan Characteristics:		
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	No	<p>The Plan sets out policies which will be used to determine proposals for development within the Neighbourhood Plan area once adopted. The Plan does not make site allocations or include policies for any specific scale or location of development in the Plan Area.</p> <p>The policy content of the adopted (and emerging new) Local Plan which are subject to SA will also apply to any proposals within the Neighbourhood Plan area. The adopted Local Plan allows for ‘modest growth’ at Woodbury village and for limited development in the rural area e.g. related to rural diversification, small business development and so on. The Woodbury Neighbourhood Plan is not considered to make provision for development beyond that which is provided for under the adopted Local Plan.</p>
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	No	The Plan must be in general conformity with the strategic policies of the adopted Local Plan, and have regard to national policies, in order to meet the ‘Basic Conditions’ which will be tested at independent examination. It must also be compatible with EU law (as retained) and the ECHR obligations (as retained). It is not considered to have an influence on other plans

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the Plan likely to have a significant environmental effect?	Justification for Screening Assessment
		other 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.	No	The Plan will contribute towards the achievement of sustainable development, as required by the “basic conditions” on which the Plan will be judged at independent examination. In the plan there is an emphasis on the protection of the natural environment and the promotion of sustainably located development.
Environmental problems relevant to the plan or programme.	No	There are environmental pressures from visitor numbers on the international protected sites of the Exe Estuary and Pebblebed heaths. The plan proposals are not however such that they are not considered to have a significant impact on these, given the mitigation strategy in place, nor on other existing environmental problems present in the parish of Woodbury. Rather, the Plan’s objectives and policy content seek to address a range of matters relevant to identified localised - as well as more general - environmental problems relevant to the parish of Woodbury and a Habitat Mitigation strategy is in place requiring mitigation of the impact of recreational pressure from new development by financial contribution.
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).	No	These community legislation types are not relevant to the Plan and will not need to be considered.

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the Plan likely to have a significant environmental effect?	Justification for Screening Assessment
Effects and Area Characteristics:		
<p>The probability, duration, frequency and reversibility of the effects, with consideration to:</p> <ul style="list-style-type: none"> • Biodiversity; • Population; • Human health; • Fauna; • Flora; • Soil; • Water; • Air; • Climatic factors; • Material assets; • Cultural heritage including architectural and archaeological heritage; • Landscape; and • The interrelationship between the above factors. 	No	<p>The Plan will influence development that will likely come forward over the Plan period (to 2031 (aligned to the adopted Local Plan period)) and therefore any impact will be long term and not easily reversible. However, the Plan does not allocate any sites for development or include any specific proposals, nor support and promote a level of development beyond that which was envisaged and allowed for, in broad terms, by the Local Plan (and accompanying Villages Plan) which was itself the subject of SEA, and a mitigation strategy to address likely effects adopted. The impact is therefore considered likely to be small.</p> <p>The Plan also contains a range of specific policies which seek to protect local green spaces, promote active and sustainable modes of travel, use of renewable energy, safeguard and secure new and improved native planting/landscaping and biodiversity provision and enhancement, as well as protection of heritage assets (policies 3, 5, 6, 7, 8, 9, 10, 11).</p>
The cumulative nature of the effects.	No	The cumulative nature of the effects are not considered to have potential in combination for significant adverse effect on the environment.
The trans-boundary nature of the effects.	No	There are not considered to be any proposals in the Plan which will have a significant trans-boundary effect.
The risks to human health or the environment (e.g. due to accidents).	No	There is not considered to be potential for risks to human health as a direct result of the Plan proposals.
The magnitude and spatial extent of the effects (geographical	No	The Plan is concerned only with shaping and influencing development at the local level only, within the defined Neighbourhood Area geography (which covers the

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the Plan likely to have a significant environmental effect?	Justification for Screening Assessment
area and size of the population likely to be affected).		<p>primarily rural parish of Woodbury, incorporating the villages of Woodbury, Woodbury Salterton and Exton, with a total population comprised 1,369 households (2021 Census). No quantum or location of development is proposed by the Plan and the limited development which could be supported by the draft policies are considered unlikely in their magnitude and spatial extent to be significant in a wider District context and effects are not expected to be realised over a wide geographic area.</p>
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> • special natural characteristics or cultural heritage; • exceeded environmental quality standards or limit values; • intensive land-use; • effects on areas or landscapes which have a recognised national, community or international protection status. 		<p>The Neighbourhood Area includes areas of high value and vulnerability. Most significantly nationally / internationally, this includes part of the Exe Estuary SPA, SSSI and RAMSAR site in the west and the East Devon Pebblebeds SAC, SSSI and NNR in the east which are key features of biodiversity sensitivity.</p> <p>The Pebblebed Heaths and Exe Estuary are areas of significant visitor pressure from recreation and tourism use, which was considered through the SEA and HRA for the Local Plan and from which the South-East Devon mitigation strategy in place would apply to new residential development in the Neighbourhood Area which lies entirely within Pebblebeds and Exe overlapping buffer/mitigation zones.</p> <p>The eastern side of the Neighbourhood Area contains a concentration of other areas of importance, including areas lying within the East Devon National Landscapes designation (former Area of Outstanding Natural Beauty), areas of ancient woodland and/or County Wildlife Sites, and a cluster of Scheduled Ancient Monuments comprising the former site of Woodbury Castle and 4 bowl barrows.</p> <p>In addition, there are pockets of traditional orchard confirmed as Priority Habitat scattered across the Neighbourhood Area, including at / adjacent to Woodbury and Woodbury Salterton.</p> <p>The centre of Woodbury village is a Conservation Area and there are numerous listed buildings (mainly Grade</p>

Criteria for determining the likely significance of effects (Schedule 1 of SEA regulations)	Is the Plan likely to have a significant environmental effect?	Justification for Screening Assessment
		<p>II and the Grade I listed church) concentrated here and also at Woodbury Salterton. The plan includes a policy seeking to protect existing heritage assets (designated and non-designated) in the parish.</p> <p>No sites are proposed for allocation and the thrust of the Plan is generally protective in nature. No significant impact is anticipated on any of these sites as a result of the policies in the Plan, and the Plan includes policies that seek to protect and enhance the special qualities of the Plan Area, alongside those in the Local Plan and national policy and legislative framework.</p>

4.3 The maps below show the locations of the areas of value and vulnerability.

Figure 3a: Woodbury Neighbourhood Area Key Areas of Value and Vulnerability

Woodbury Areas of Value and Vulnerability

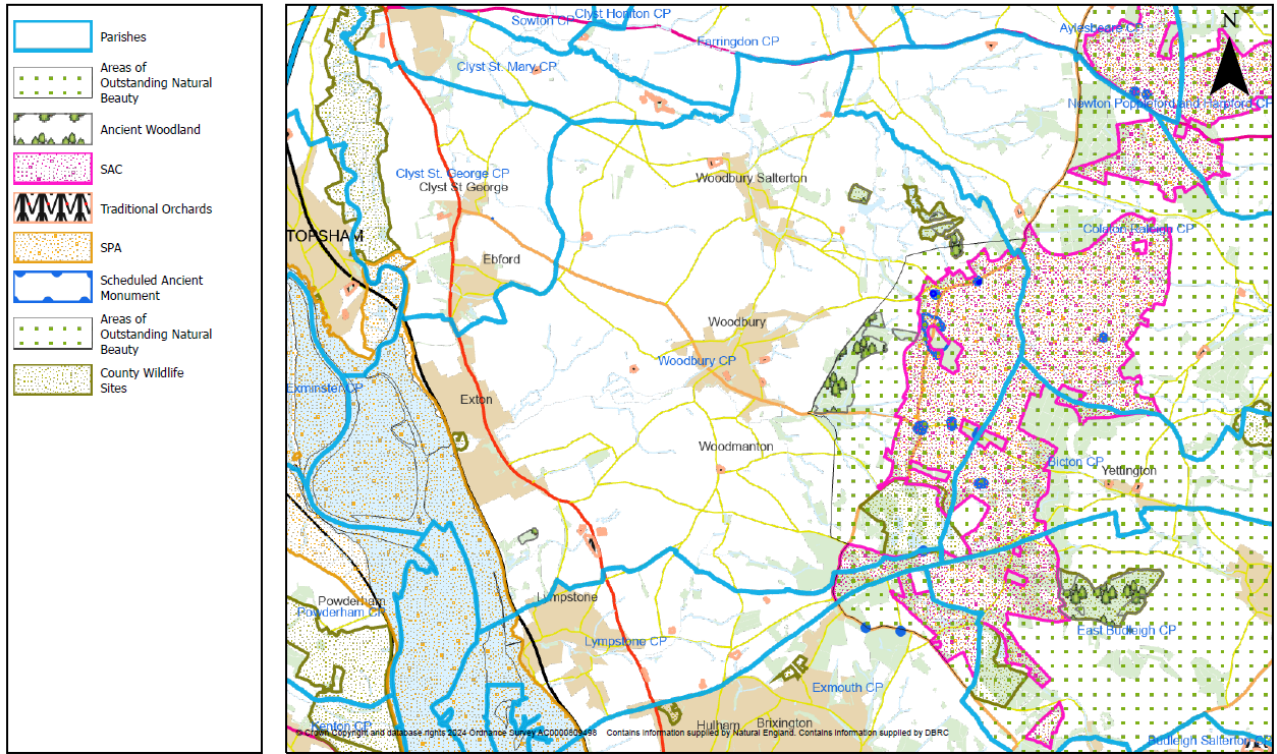
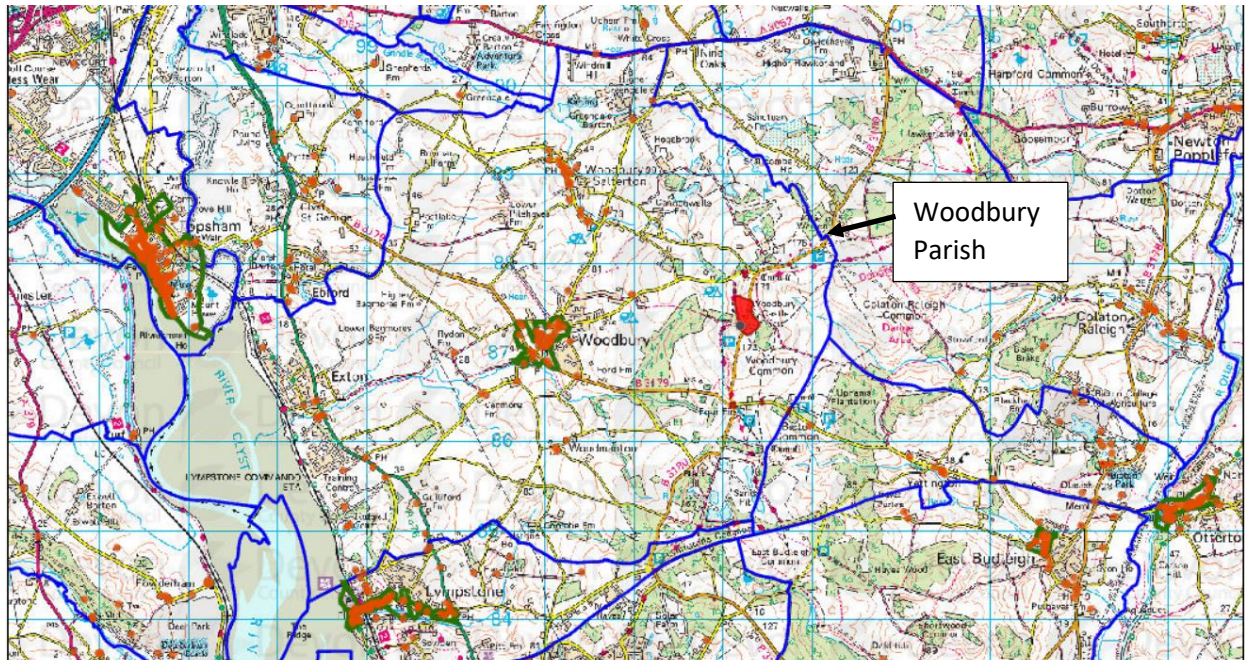


Figure 3b: Woodbury Neighbourhood Area Key Areas of Value and Vulnerability (historic environment)



07/05/2024, 12:45:04

- Conservation Areas
- Scheduled Monuments
- Listed Buildings
- Parish

1:50,000
0 0.42 0.85 1.7 mi
0 0.5 1 2 km
OS data © Crown Copyright and database right 2023. Ordnance Survey 100019783

5.0 SEA Screening Conclusion

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 and supports a level of development broadly in conformity with the adopted East Devon Local Plan, itself subject to SEA. The Plan does not establish any specific quantum or locations for new development and is largely protectionist in nature, setting out criteria that will apply to any planning proposals, alongside the policies of the Local Plan.

5.4 Therefore, taking the above assessment into consideration, notwithstanding that the Plan Area of Woodbury parish is located in an environmentally sensitive area in the district, the nature of the draft Woodbury Neighbourhood Plan is considered unlikely to have any significant environmental impact beyond that has previously been identified through the SEA of the Local Plan. Should impacts arise, there is a Mitigation Strategy in operation which would secure mitigation payments from new housing in particular linked to offsetting impact of any increases in visitor numbers/recreational pressures arising, including through the implementation of management plans and the provision of alternative green spaces (SANGS). It is therefore concluded that the impact of the policies in the plan are not considered to required further analysis through a bespoke SEA.

6. Habitat Regulations Assessment (HRA) Screening

6.1 As noted above, the Consultation draft version of the Woodbury Neighbourhood Plan (April 2023) forms the basis of this screening assessment. Any variations or additions to the aims, objectives, policies and proposals may require a further screening. A screening report was produced as part of the production of the adopted Local Plan - Footprint Ecology Report - and has been taken into account in undertaking this screening assessment.

6.2 The HRA needs to satisfy the following Regulation:

- Habitat Regulation 105 & 106 of The Conservation of Habitats and Species Regulations 2017 (referred to as Habitat Regulations 2017 (as amended) in this document)

The 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 or national site network, 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 There are European Site(s) of relevance to the Woodbury Neighbourhood Plan because the Parish lies wholly within the habitat zone buffer areas (see Figure 3) associated with the Exe Estuary (RAMSAR, SPA, SSSI) and Pebblebed Heaths (SAC, SPA, SSSI) meaning that the impact upon these sites should be assessed. Natural England will be consulted on this document by the District Council.

6.6 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 does not propose any specific quantum or location for new development nor allocate any sites for development. It is recognised that the sensitive Pebblebed Heaths and Exe Estuary protected areas are under recreational pressure and the Plan does contain policies to support limited development, as well as including policies to seek to protect and enhance existing green spaces and habitats. The scale of such development is not considered to exceed that which would be supported in line with Local Plan policy, which itself was the subject of HRA by Footprint Ecology.

3. 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 (Table 2) below appraises the effect of policies within the Neighbourhood Development Plan which may 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 If the plan proposes new development within the River Exe and Pebblebed Heaths buffer zones and has the potential to increase recreational pressure on these areas, we need to conclude that there is a Likely Significant Effect and so an Appropriate Assessment must be carried out.

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

European Site	Qualifying Features	Threats/Pressures	Pathways of Impact (arising from development relating to the Woodbury 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 Woodbury 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)), and applying the precautionary principle, there is potential for development that could be supported through the Woodbury NDP to increase recreational use of the Exe Estuary and Pebblebed Heaths, particularly as both designations overlap in part with the NDP Area. 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 is being prepared.
- 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 parished area of Woodbury 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 Woodbury Neighbourhood Plan area. 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 It is therefore 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 The Neighbourhood Plan is not considered to propose a level of development over and above that in the adopted Local Plan (which was itself subject to HRA). It is considered that the scale of development that could be supported through the neighbourhood plan can be appropriately mitigated through the existing strategic mitigation that exists. It should be noted that work in progressing on the preparation of the new Local Plan for East Devon and this includes an updated Mitigation Strategy (commissioned). Whilst this will not be in place for some time, it will apply in due course to proposals being considered under the Woodbury Neighbourhood Plan policies once adopted.
- 8.3 Are there any other projects or plans that together with the Neighbourhood Plan could impact on the integrity of a European Site? **No. On the basis of the assessment above, it is considered that, in combination with the Local Plan Policy, there will be no impact on the integrity of the European sites.**

Appendix 1 – Woodbury Neighbourhood Plan draft policies

See Table overleaf

Policy Reference and Title	Draft Policy Wording
<p>1</p> <p>New Housing Development</p>	<p>P1.1 Housing development proposals for multiple dwellings must provide a mix of sizes and types which reflect identified needs from any scheme specific and wider public consultation specifically including for affordable housing and opportunities for self-build as recommended and as identified through an up to date Housing Needs Survey.</p> <p>P1.2 Developments for housing and community facilities shall meet local needs. For housing schemes this must include affordable housing with specific focus on the provision for social rent.</p> <p>P1.3 High design quality should conform to the local character as set out in the Woodbury Design Guidance document (Appendix D).</p> <p>P1.4 Development must be in sustainable and accessible locations and will have due regard to access to regular and reliable public transport and reduced dependency or car use whilst also recognising the importance of disabled access.</p> <p>P1.5 Future developments should avoid adverse direct environmental impacts and where not possible must demonstrate that they will mitigate against any adverse environmental effect on the Parish and protect local open spaces</p>
<p>2</p> <p>Retention of Affordable Homes</p>	<p>P2.1 New dwellings originally built and intended to be used as affordable housing must be made available in way that they can be retained as affordable housing.</p>
<p>3</p> <p>Accessibility of Development</p>	<p>P3.1 Proposals for development must demonstrate how, through a Transport Assessment, how safe access to sustainable transport, including dedicated cycleways, walkways and public transport, have been included in the scheme.</p> <p>P3.2 Any new housing developments must provide pedestrian access to link up with existing or proposed footpaths, ensuring that the public can walk safely to bus stops, schools and other village facilities including providing safety measures to enable the safe crossing of roads.</p>

Policy Reference and Title	Draft Policy Wording
<p>4</p> <p>Assessment of Cumulative Impact</p>	<p>P4.1 Any development of more than ten dwellings within the Parish must have an assessment of the cumulative impact on the environment which takes of account any other development that has been granted or is known to be strategically planned within the Parish or adjacent to the Parish boundary. Developments that are assessed as having a net negative impact will not normally be supported, unless suitable mitigation or overriding public benefit can be demonstrated.</p> <p>P4.2 An example of a negative impact of an adjacent development is that of Goodmoors Farm, Exmouth which will cause an increase of traffic through the Parish.</p>
<p>5</p> <p>Green Energy Initiatives</p>	<p>P5.1 New power generation will only be supported where renewable energy will be used</p> <p>P5.2 Green initiatives will be encouraged in all new developments.</p> <p>P5.3 Any new development must be accessible to sustainable transport.</p>
<p>6</p> <p>Vehicle Parking Requirements</p>	<p>P6.1 All planning applications resulting in a net new dwelling must meet the following criteria:</p> <ol style="list-style-type: none"> 1. Off-street parking of dimension of at least 2.4m x 4.8m to allow for disabled access must be provided in the ratio of one parking space for a one-bedroom home, two car parking spaces for two and three bedroom homes and three parking spaces for four and more bedroom homes. 2. In the case of Houses with Multiple Occupation, the ratio must be one off-street parking space per bedroom. 3. Proposals must not result in the loss of off-street car parking spaces for existing dwellings unless it can be demonstrated that there is a surplus of existing off-street spaces serving said dwellings. 4. Access for emergency vehicles must be ensured. 5. Cycle storage must be provided.

Policy Reference and Title	Draft Policy Wording
<p>7</p> <p>Landscape Enhancement</p>	<p>P7.1 Proposals for development must detail how existing trees, Devon banks and hedges will be protected or enhanced. New planting of trees, Devon banks and hedges are encouraged to increase tree cover and hedgerows within the Parish. Where new landscaping is proposed native species of local provenance are favoured and the siting of trees must take account of their canopy and root development.</p> <p>P7.2 Local views from viewing points such as the top of Globe Hill and entries to the settlements as well as views of the Churches need to be safeguarded.</p>
<p>8</p> <p>Biodiversity Enhancement</p>	<p>P8.1 For any new development, wherever possible, existing habitats and ecosystems must be protected. All significant developments requiring planning application must demonstrate the delivery of biodiversity net gain with the use of a recognised biodiversity metric.</p> <p>P8.2 The minimum biodiversity net gain will be in line with East Devon District Council policies and is required to be on the application site or within the Parish.</p>
<p>9</p> <p>Support for wildlife within new developments</p>	<p>P9.1 There will be a preference for developments within the Parish which:</p> <ol style="list-style-type: none"> 1. Include an average rate of one integral swift brick per unit/residential dwelling, more for larger buildings 2. Protect or establish permeable and ideally planted boundaries, e.g. hedges, or fences with small gaps at the base in each garden, that permit movement of hedgehogs; 3. Include solitary bee boxes, bee bricks and 'insect house'; 4. Retain existing and plant new native trees, shrubs and hedges to create green corridors for wildlife to move through the development to adjacent habitats.
<p>10</p> <p>Conservation of Heritage</p>	<p>Any designated or non-designated heritage assets in the Parish, and their settings, must be conserved and where possible enhanced for their historic significance and importance with particular regard to their local distinctiveness, character and sense of place.</p>

Policy Reference and Title	Draft Policy Wording
<p>11</p> <p>Green Spaces</p>	<p>P11.1 Proposals for development on green and community spaces will not be allowed other than in very special circumstances, for example, unless it is demonstrated that such development will result in a net increase in the worth or community value of that space or assets, and features on it, or there is new provision of equal or enhanced community value.</p> <p>P11.2 If existing facilities are to be taken out of use for any purpose, then new facilities must be provided and these will be considered in the context of existing facilities.</p> <p>P11.3 Where existing community spaces are no longer utilised for their earlier purpose, alternative community uses will be looked upon favourably.</p>
<p>12</p> <p>Small Business Development</p>	<p>P12.1 Other than where allocated for development in the East Devon Local Plan, or otherwise clearly allowed for under local plan policy, the expansion of established business premises will not be allowed for beyond existing business premises operational boundaries.</p> <p>P12.2 Small extensions to the buildings of existing businesses or the sympathetic conversion of existing buildings will be supported where all the following are all met:</p> <ol style="list-style-type: none"> 1. the proposal does not compromise any other policies in this Plan and the Local Plan; and 2. the premises is within an accessible location with no significant increase in vehicle movement; and 3. it would not adversely harm the amenities of adjoining or nearby occupiers.

Policy Reference and Title	Draft Policy Wording
<p>13</p> <p>Rural Diversification</p>	<p>P13.1 The re-use of farm and other rural buildings will be permitted for business or tourism purposes provided that the proposed use is small scale and where on an operational farm it is sub-servient to the farm and its operations and where any development:</p> <ol style="list-style-type: none"> 1. would not have a significant adverse impact on the surrounding landscape; 2. would not adversely harm the amenities of adjoining or nearby residential occupiers; 3. where the building in question can be converted to a standard that meets the design guidelines set out in Appendix D; 4. the building is not considered inappropriate on amenity or landscape or highway grounds in which case permitted development rights should be removed.
<p>14</p> <p>Equine Activities</p>	<p>P14.1 Equestrian development will be permitted if it:</p> <ol style="list-style-type: none"> 1. is of a scale and/or an intensity of equestrianism use which will be compatible with the landscape and its special qualities. As a guide, 0.5 ha of grazing per animal should be provided; demonstrates clever design which responds to local character and distinctiveness including location and siting; 2. has a location which satisfactory relates to existing infrastructure, where necessary, which includes vehicular and field access. In isolated locations field shelters may be erected but should be established adjacent to existing vegetation. Where this is insufficient to screen the building, native planting should be provided; 3. re-uses existing buildings where ever practicable and viable. Covered ménages or arenas should utilise existing agricultural buildings; 4. locates new buildings, stables, yard areas and facilities adjacent to existing buildings provided they respect the amenities of surrounding properties and uses. They should be established as a block, near to existing dwelling or farm building from which they will be managed, to improve security, reduced visual impact and minimise the footprint; 5. provides new or supplementary native planting, hard landscape features of boundary treatments consistent with local character, where appropriate;

Appendix 2 – Consultee Responses

Environment Agency

By Email:

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

Sent: Thursday, May 9, 2024 2:52 PM

To: Planning Policy <PlanningPolicy@eastdevon.gov.uk>

Subject: RE: Woodbury Neighbourhood Plan - SEA/HRA Screening Opinion Consultation

Dear Angela,

Thank you for your consultation of 8th May 2024 providing us with the opportunity to comment in respect of the Woodbury Neighbourhood Plan SEA/HRA screening opinion.

In general we consider that it is unlikely that neighbourhood plans will result in any significant environmental effects unless the plan allocates or encourages development over that set out in the Local Plan. Otherwise we consider that any potential for environmental effects from growth in the parish should already have been addressed through the Sustainability Appraisal (SA) which supported the adopted Local Plan.

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

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: Wednesday, June 12, 2024 2:33 PM

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

Subject: Woodbury Neighbourhood Plan - SEA Screening Opinion - Formal Response

Dear Angela,

Thank you for inviting us to comment on the screening opinion for the Strategic Environmental Assessment (SEA), commissioned for the Woodbury Neighbourhood Plan (8 May 2024).

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.

We note that the draft Neighbourhood Plan is modest and does not seek to allocate sites for development. Furthermore, there does not seem to be anything else that would give us cause for concern in the emerging suite of policies. Given this, we agree with your assessment that a full Strategic Environmental Assessment is not required.

We hope that this helps. We have no other detailed comments to make at this time.

We look forward to being consulted again at the Regulation 16 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](tel:01179750715) | Mobile: [07548 642067](tel:07548642067)

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



Historic England

Natural England

Copy of text from PDF letter sent by Email 11 June 2024:

Woodbury Neighbourhood Plan - SEA/HRA Screening Opinion Consultation

Thank you for your consultation on the above dated and received by Natural England on 8 May 2024.

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 Request: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA)

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.**

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.

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".

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.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk

Yours sincerely

Sally Wintle

Consultations Team

