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# Tiverton Neighbourhood Plan

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## Strategic Environmental Assessment & Habitats Regulation Assessment Screening Report

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Prepared on behalf of Tiverton Town Council by  
the Planning Department of Mid Devon District  
Council



April 2021

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## **1. Introduction**

This screening report is designed to determine whether the content of the emerging Tiverton Neighbourhood Plan (hereafter known as NP) requires a Strategic Environmental Assessment (SEA) in accordance with The Environmental Assessment of Plans and Programmes Regulations 2004 as amended by The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018.

This report will also screen to determine whether the NP requires a Habitats Regulation Assessment (HRA) in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended). A HRA is required when it is deemed that likely negative significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. Sites within a 10km range of the plan/project boundary are generally included within a HRA.

The legislative background set out in the following section outlines the regulations that require the need for this screening exercise. Section 3 provides a screening assessment of the likely significant environmental effects of the NP and the need for a full SEA. Section 4 provides a screening assessment of the likely significant effects of the implementation of the NP and the need for a HRA.

## 2. Legislative Background

A NP must meet the basic conditions, as set out in 8(2) of Schedule 4B of the Town and Country Planning Act 1990. This includes demonstrating that the NP does not breach, and is otherwise compatible with retained EU obligations.

### *Strategic Environment Assessment (SEA)*

The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is set out within the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended by The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018), or SEA Regulations. Detailed Guidance of the SEA requirements can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).

Paragraph 027 of the National Planning Practice Guidance (NPPG) notes that in some limited circumstances, where a NP is likely to have significant environmental effects, a SEA may be required. This should be undertaken in accordance with SEA regulations. There is no legal requirement for a neighbourhood plan to have a Sustainability Appraisal as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body must demonstrate how its plan or order will contribute to achieving sustainable development. Sustainability appraisal is one approach that can be used to demonstrate this which is also the approach used by Local Authorities for local development documents to meet the requirement of the EU Directive on SEA. If this approach is to be used by the Neighbourhood Plan guidance on sustainability appraisal for local plans and spatial development strategies can be referred to.

Section 3 of this report fulfils the legal requirement to identify if the NP requires screening for an SEA and outlines the criteria for establishing whether a full assessment is needed.

### *Habitats Regulation Assessment (HRA)*

It is required by the Conservation of Habitats and Species Regulations 2017 (as amended) and that assessment Habitat Regulations Assessment (HRA) of plans and programmes is carried out with regard to the Conservation Objectives of the European Sites (also referenced as Natura 2000 sites).. HRA refers to the assessment of the potential effects of a development plan alone or in combination with other plans and projects on one or more European sites. European Sites include Special Protection Areas (SPAs<sup>1</sup>), Special Areas of Conservation (SACs<sup>2</sup>), potential SPAs (pSPAs<sup>3</sup>), candidate SPAs (cSPAs<sup>4</sup>), Sites of Community Importance (SCIs<sup>5</sup>) and Ramsar Sites<sup>6</sup>.

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<sup>1</sup> SPAs are classified in accordance with Article 4(1) of the European Union Birds Directive<sup>6</sup> for rare and vulnerable birds (as listed in Annex I of the Directive), and under Article 4(2) for regularly occurring migratory species not listed in Annex I.

<sup>2</sup> SACs are designated under the European Habitats Directive and target particular habitat types (Annex 1) and species (Annex II). The listed habitat types and species (excluding birds) are those considered to be most in need of conservation at a European level.

<sup>3</sup> Potential SPAs are sites that have been approved by the Minister for formal consultation but not yet proposed to the European Commission, as listed on the GOV.UK website.

<sup>4</sup> Candidate SACs are sites that have been submitted to the European Commission, but not yet formally adopted, as listed on the JNCC's SAC list.

To fulfil the legal requirements to identify if likely significant effects will occur with the implementation of the NP on European Sites, a screening assessment has been undertaken in Section 4 of this report.

### 3. Strategic Environmental Assessment Screening

#### *Criteria for Assessing the Effects of Tiverton NP*

Criteria for determining the likely significance of effects referred to in Schedule 1 of The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) are set out below:

1. The characteristics of plans and programmes, having regard, in particular, to:
  - 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,
  - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
  - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
  - environmental problems relevant to the plan or programme,
  - 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).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
  - the probability, duration, frequency and reversibility of the effects,
  - the cumulative nature of the effects,
  - the transboundary nature of the effects,
  - the risks to human health or the environment (e.g. due to accidents),
  - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
  - the value and vulnerability of the area likely to be affected due to:
    - > special natural characteristics or cultural heritage,
    - > exceeded environmental quality standards or limited values,
    - > intensive land-use.
  - the effects on areas or landscapes which have recognised national, Community or international protection status.

*Source: Schedule 1 of The Environmental Assessment of Plans and Programmes Regulations 2004*

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<sup>5</sup> SCIs are sites that have been adopted by the European Commission but not yet formally designated as SACs by the UK Government

<sup>6</sup> Ramsar sites support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971)

## *SEA Screening Assessment*

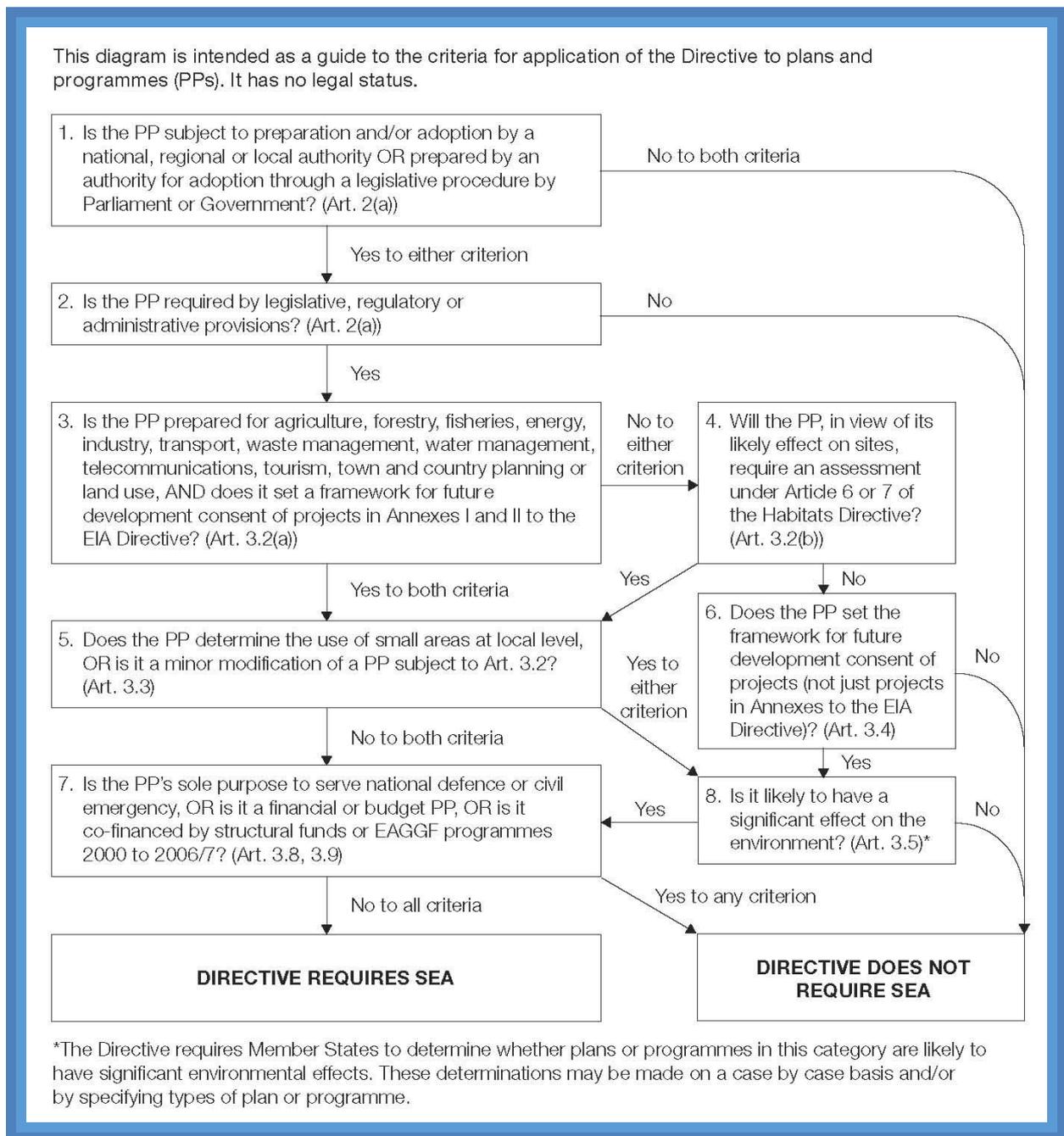
The basic conditions require NP to be in general conformity with the strategic policies contained in the development plan for the area of the authority. Mid Devon District Council adopted its Local Plan 2013 – 2033 in July 2020. The Local Plan 2013 - 2033 was subject to a full Sustainability Appraisal which included an SEA assessment. This ensured that there were no likely significant effects which would be produced from the implementation of the Plan and if so ensured that mitigation measures were in place.

The Tiverton NP area covers the large parish of Tiverton in Mid Devon. It comprises the largest market town of Tiverton with a population of around 21,000 people and a rural hinterland, extending from Bickleigh Bridge in the south to beyond Cove in the north, and to the west of Witleigh to East Mere. Other hamlets include Bolham, Chettiscombe and Chevithorne. The River Exe flows south through the west of the parish, carving out the river valley with steep, wooded sides. Apart from the lowland areas to the east, and the flood plains, the greater part of the parish comprises rolling farmland and wooded hilltops and valleys. Tiverton is a Main Town in accordance with Policy S10 of the Local Plan and will continue to develop in a balanced way as a medium sized market town serving a rural hinterland in the central part of Mid Devon and to the north. The remainder of the NP area falls within the countryside in accordance with Policy S14 whereby development will be required to preserve and where possible enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy.

An assessment of the proposed NP policies and their conformity to the policies of the adopted Local Plan, likely significant effects in regards to SEA criteria and potential impacts on relevant European sites is provided in Appendix 2. This assessment raises some potential conformity issues between the Local Plan and the emerging NP.

Guidance on SEA's written by the Department of the Environment produced a diagram showing the process for screening a planning document to ascertain whether a full SEA is required, see Figure 1.

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



The process in Figure 1 has been undertaken and the findings can be viewed in Table 1. Table 1 shows the assessment of whether the NP will require a full SEA. The questions in Table 1 are drawn from the diagram above which sets out how the SEA Directive should be applied.

*Table 1: Assessment of Requirement for SEA*

Stage	Y/N	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The Tiverton Neighbourhood Plan is being prepared by Tiverton Town Council and not by a national, regional or local authority. However, if the NP receives 50% or more votes in support at the referendum stage, the Neighbourhood Plan can be made by Mid Devon District Council.  Continue to section 2
2. Is the PP required by legislative, regulatory or administrative provisions? (Art 2(a))	N	Communities have a right to prepare a Neighbourhood Plan on behalf of the local community. However there is no legislative, regulatory or administrative requirement to prepare a Neighbourhood Plan. This plan however, if adopted, would form part of the statutory development plan, therefore it is considered necessary to answer the following questions to determine if an SEA is required.  Continue to section 3.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste 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))	Y	The Tiverton Neighbourhood Plan is prepared for town and country planning purposes and may include policies which address issues surrounding energy, transport, industry, employment and retail development which may fall under 7(a) of Annex I and 3(a) 10(b and e) of Annex II of the EIA Directive.  Continue to section 5.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	N	See screening assessment for HRA in section 4.
5. Does the PP 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)	Y	The Tiverton NP does not seek to allocate land for development). The NP extends and sets local context for some of Mid Devon District Council's Local Plan Policies.  Continue to section 8 (Note: For completeness, the NP has also been considered under sections 6 and 7 below)
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)?	Y	Once made, planning applications will be determined against the policies set out in the Tiverton Neighbourhood Plan.

(Art 3.4)		
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 4.8, 3.9)	N	N/A
8. Is it likely to have a significant effect on the environment? (Art 3.5)	N	See screening outcome in Section 3 (below) and Appendix 2.

### ***Screening Outcome***

The purpose of the screening at this stage of the plan-preparation is to identify the potential for significant environmental effects to occur from the implementation of the NP. Following the assessment in Table 1 (and Appendix 2), it is unlikely that any significant environmental effects will occur from the implementation of the NP. As such, it is considered that the NP does not require a full SEA to be undertaken.

## 4. Habitats Regulation Assessment Screening

The purpose of the screening at this stage of the plan-preparation is to identify whether any European Site might be exposed to likely significant effects as a result of implementation of the plan alone or in combination with other plans and projects, and therefore determine whether further stages of the HRA process are required.

The screening process should provide a description of the plan and an identification of the European Sites which may be affected by the plan and assess the significance of any possible effects on the identified sites. A 10km buffer zone has been applied to the identified European Sites which has then been mapped to determine if this coincides with the Tiverton Neighbourhood Plan Area. The 10km buffer was used in accordance with the distance agreed between Mid Devon District Council and Natural England for the Local Plan Review Habitats Regulation Assessment (HRA) March 2015. As this buffer was used for the Local Plan Review HRA, it is suitable to use a buffer of the same distance for the Neighbourhood Plan HRA.

### *Culm Grasslands Special Area of Conservation*

SAC EU Code

Area 787.7 ha. Approximately 4.8km west of the Tiverton Neighbourhood Plan area.

General site character

- Inland water bodies (standing water, running water) (1%)
- Bogs, Marshes, Water fringed vegetation, Fens (3.5%)
- Heath, Scrub, Maquis and Garrigue, Phygrana (25%)
- Dry grasslands, Steppes (2.5%)
- Humid grassland, Mesophile grassland (60%)
- Improved grassland (1%)
- Broad-leaved deciduous woodland (7%)

6401 Molina meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)

Culm Grasslands represents Molinia meadows in south-west England. This site contains extremely diverse examples of the heathy types of M24 Molinia caerulea – Cirsium dissectum fen-meadow, ranging from short, grazed swards through to stands that are transitional to scrub. Structural diversity accounts for the conservation of a wide range of flora and fauna, particularly of species characteristic of south-western Europe, such as meadow thistle Cirsium dissectum and whorled caraway Carum verticillatum.

4010 North Atlantic wet heaths with Erica tetralix

1065 Marsh Fritillary butterfly Euphydryas (Eurodryas, Hypodryas) aurina

Culm Grasslands in south-west England contains the largest cluster of sites for marsh fritillary Euphydryas aurina in the south-west peninsula. It is judged to be the most important location for the species in its major south-west stronghold.

### ***Screening Outcome***

The assessment undertaken in section 4 (and appendix 2) confirms that that the implementation of the NP will not result in any likely significant effects, alone or in combination, upon the Culm Grasslands SAC in relation to vulnerabilities identified in Section 4 on any European Sites. As such, it is considered that the NP does not require an appropriate assessment HRA.

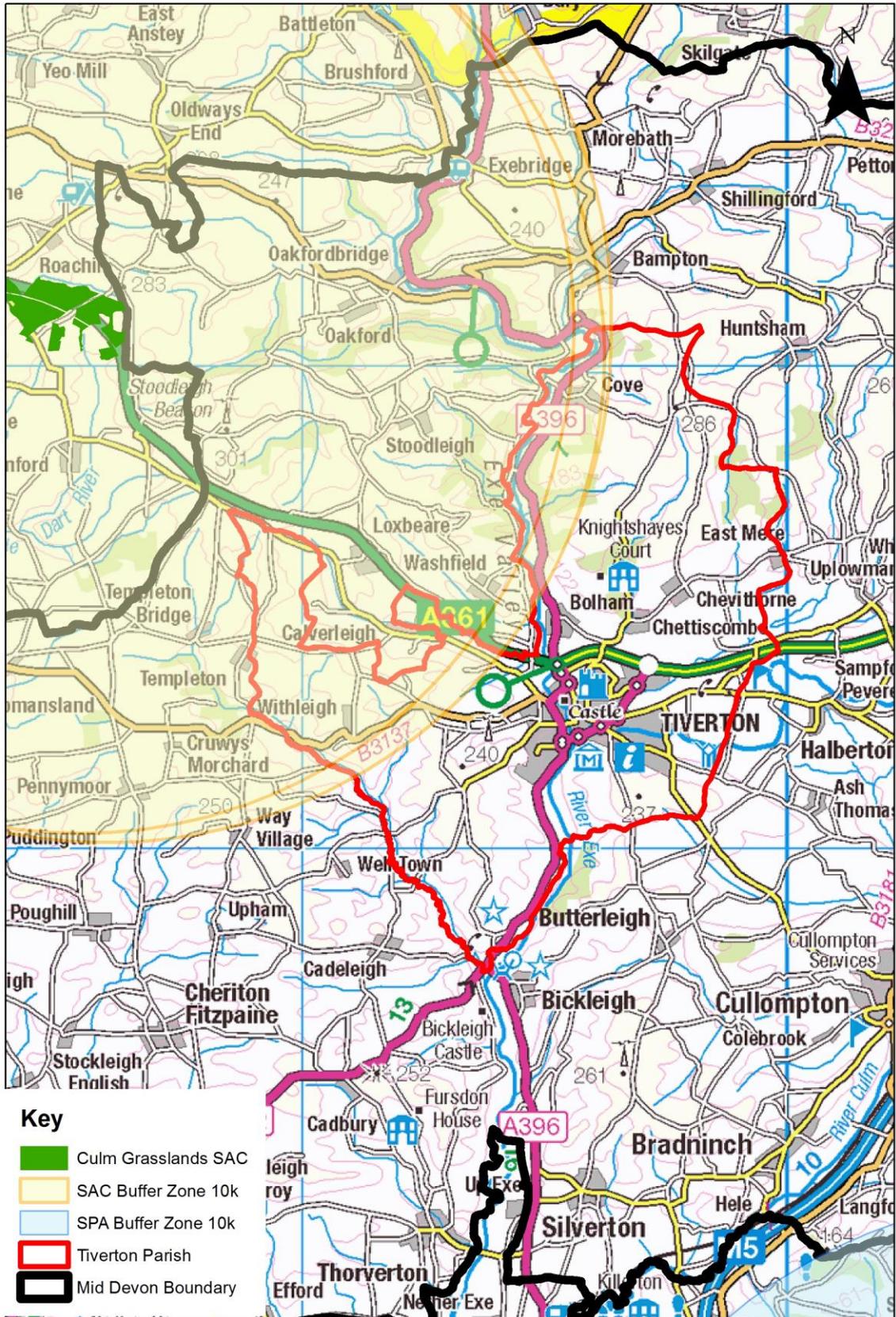
## 5. Conclusions and Recommendations of the Screening Assessment

This screening report is based on the emerging NP submitted to Mid Devon District Council October 2020 for consideration and screening. This screening report concludes that based on the policies currently presented, it is unlikely that there will be significant effects in relation to the SEA criteria or European Sites identified. As such, it is recommended that a full SEA and appropriate assessment HRA are not required for the NP.

Overall, the policies are in conformity with the Local Plan strategic policies; however some policies or aspects of policies have been identified as not in conformity. In these cases please see the detailed comments in the table in Appendix 2 for the reasons for non-conformity. The deletion or modification to ensure conformity is recommended for these policies. In some cases, policies may benefit from rewording to improve clarity and make the aims of the policy clearer. In some cases, policies are lacking a clear evidence base. Where policies identify thresholds or requirements, justification needs to be provided through evidence. This includes for example, how the policy will achieve the objectives set out in the justification, how the threshold figures or requirements in the policy have been derived, whether they will be viable, deliverable and reasonable for development to provide and what mechanisms will be in place to ensure the requirements of the policy are achievable.

It is suggested that consideration is given to National Planning Practice Guidance (NPPG) when drafting neighbourhood plan policies to ensure they are clear and unambiguous. Policies should be concise, precise and supported by appropriate evidence. They should also be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared. A number of the policies in the Tiverton Neighbourhood Plan repeat policies set out in the Local Plan. The policies aim to address generic issues such sustainable travel and protection of local heritage. Where such issues have been identified, more detailed comments relating to the relevant policy are provided in the table in Appendix 2. Although the Local Plan Review policies cover Mid Devon as a whole they will be applied on a case-by-case basis and will address the issues raised by development proposals in the context of Tiverton. Repeating policies can be problematic for decision makers and applicants who will be required to refer to two separate policies which generally aim to achieve the same objective although with slightly different wording. It also means that if a policy is similar to a Local Plan policy it is likely that the policy is not responding to the unique characteristics and planning context of the local area. It is recommended that consideration is given to the added value provided by these policies in light of existing Local Plan Review policies. Deletion or amendment of policies may be required to ensure that the Neighbourhood Plan is specific and unique to Tiverton.

**Appendix 1: Map of Tiverton Neighbourhood Plan Area in relation to 10km buffers from Protected Areas.**



## Appendix 2: SEA and HRA Screening Assessment

Table detailing the conformity between the Tiverton Neighbourhood Plan and the Local Plan 2013 - 2033 policies and the likely significant effects of each policy option in regards to the SEA criteria. As explained in section 4, the HRA screening assessment identified that the NP area is within a 10 km buffer from European sites. Therefore individual polices have also been assessed in relation to potential HRA impacts.

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
Policy T1: Location and Scale of Development	S2, S3, S6, S8, S10, S14	<p>The overall aims of the policy are in line with LP strategic policies in relation to the location and scale of development. However, the policy is not distinct to reflect and respond to the unique characteristics and planning context of Tiverton.</p> <p>Whilst not a conformity issue, the location and scale of development is a strategic matter, which has been established through the adopted Mid Devon Local Plan. The settlement boundary has also been established through local plan policy and we suggest that criterion A makes this clear in order to avoid any confusion over the correct settlement boundary for Tiverton.</p> <p>We would also suggest reference to 'Policies Map' is clarified to make clear to the reader that this relates to the Mid Devon Local Plan Policies Maps.</p> <p>Criterion iii) is currently weaker than national planning policy, which, in the case of less than substantial harm, requires that the harm is weighed against the public benefits of the proposal including, where appropriate, securing tis optimum viable use.</p> <p>We recognised the intention underpinning Criterion c), although</p>	<p>The Policy sets out the neighbourhood plan's approach to the location of development which seeks development to be focussed within the settlement boundary and adds restrictions to development outside this boundary. This policy option does not allocate development. No likely significant effects are identified in relation to the SEA criteria.</p>	<p>While this policy refers to development, it does not lead to development itself. Instead, it seeks to guide the location of development to be focussed within the settlement boundary and restricts development outside of this. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.</p>

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
		specific consideration needs to be given to brownfield land within the settlement boundary that falls within a conservation area whereby, S72(1) of the Planning (Listed Buildings and Conservation Areas Act 1990 applies.		
Policy T2: Meeting Local Housing Needs	S1, S2, S3	The policy option is in general conformity with the strategic policies of the local plan. Policy option is now sufficiently flexibly and includes reference to viability considerations.	The policy sets requirement for mix of housing types to meet local needs. This policy option does not allocate development no likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. The policy sets requirement of a mix of housing types to meet local needs. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T3: Providing Lifetime Affordable Housing	S2, S3	Policy is not in conformity with local plan policy. Policy S3 makes clear that only sites of between 6-10 dwellings outside of Tiverton, Cullompton and Crediton will be permitted to make a financial contribution sufficient to provide the affordable dwellings in another location. In all other circumstances, provision must be made on-site. We suggest that the NP policy option reflects this at it is currently more permissive of off-site financial contributions. We query whether this is the intent of this policy.	The policy sets out the NP's approach to providing lifetime affordable housing. This policy option does not allocated development No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It sets out the NP's approach to providing lifetime affordable housing. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T4: Character of Development	S1, S9, S10, S14, DM1	Criterion B (iii) not in conformity with local plan policy and currently represents a diminution of statutory requirements. We suggest that the policy is amended to align with the NPPF criteria and statutory requirements in regards to conservation areas and listed buildings. Development proposals will need to describe the	The policy option seeks to ensure that development preserves or enhances the character of the area. No likely significant effects are	The policy option does not allocate development. It sets out the NP's approach to preserving and enhancing the character of

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
		<p>significance of heritage assets affected including any contribution made by their setting. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. However, the NP policy option does not adequately reflect the application of NPPF policy in relation to substantial harm (and consideration of substantial public benefits) and less than substantial harm (and consideration of public benefits and securing optimum viable use).</p> <p>Whilst not a conformity issue, we suggest that 'Main Highway Network' is defined. It is currently unclear what is being referred to in criterion i.</p> <p>With regards to criterion c) we would suggest that rather than lower density, the policy could read 'this could be achieved through slightly lower density in order to provide a gradual transition and not a hard edge',</p>	<p>identified in relation to the SEA criteria.</p>	<p>development. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.</p>
Policy T5: Design of Development	S1, S9, S10, S14, DM1`	<p>Criterion iii) is not in conformity with strategic policies of the local plan or national planning policy including the National Design Guide. The Local Plan does not include a specific policy on number of storeys in order to provide the greatest flexibility of house types that meet the demand and ensure efficient use of land. The policy option would affect the delivery of strategic allocations and may affect development viability. It is considered that this criterion is currently inconsistent with current</p>	<p>The policy option sets out that development proposals should incorporate high quality design, which responds and integrates well with its surroundings. The policy option does not allocate development. No</p>	<p>The policy option does not allocate development. It sets out the NP's approach to preserving and enhancing the character of development. Therefore, the policy is not expected to result in negative effects on</p>

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
		<p>government policy.</p> <p>We would also suggest that the NP steering group considers whether there are any potential viability implications associated with the policy requirement for Building for Life. If so, the NP will need to provide additional evidence to justify the inclusion of this requirement within the plan.</p>	likely significant effects are identified in relation to the SEA criteria.	the integrity of the Culm Grasslands SAC.
Policy T6: Energy Efficiency and Design	S1, S9, S10, S14, DM1, DM2	<p>Policy in general conformity with strategic policies. However, whilst the policy aspirations are laudable, they need to be underpinned by robust and proportionate evidence, including consideration of the effect of the policy on development viability. In developing a robust understanding of viability implications, it may even be possible to go further within the policy, for example, requiring development to be net-zero emissions. The Council has existing evidence on costings, which can help input into any such analysis. In either case, any standards need to be underpinned by proportionate evidence, taking into account relevant market signals. We suggest that the phrase ‘all development’ proposals’ is clarified as it may not be possible for all types of development to meet the policy requirement. We suggest this is amended to ‘all developments which propose the construction of new home(s) or commercial development’</p> <p>In addition, criterion A(ii) proposed to introduce additional water efficiency requirements. Planning Practice Guidance makes clear that this standard should only be applied where there is a clear local need based on existing sources of evidence, consultations</p>	The policy seeks to ensure energy efficiency and low carbon design. No likely significant effects are identified in relation to the SEA criteria.	The policy options does not allocate development. It proposes higher energy efficiency standards for new development. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
		<p>with local water and sewerage company, the Environment Agency and catchment partnership as well as consideration of the impact on viability and housing supply. Further evidence is required to justify the inclusion of this requirement.</p> <p>We would suggest that Criterion C is amended to state ‘sensitive improvement of energy efficiency’ in relation to retrofitting historic buildings.</p> <p>We also note that this policy also includes a typographical error at criterion i)</p>		
Policy T7: Local Buildings and Structure of Merit	S1, S9, S10, S14, TIV1-6, TIV7, TIV8, TIV9, TIV10, TIV11, TIV12, TIV13, TIV14, TIV15, TIV16	<p>Policy in general conformity with strategic policies.</p> <p>Criterion B ii – “creative re-use” – May not be an application for the heritage asset itself. But an application which affects the character, setting etc.</p>	The policy seeks to identify locally significant heritage assets and ensure their protection. No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It seeks to identify locally significant heritage assets and ensure their protection. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T8: Green and Blue	S1, S9, S10, S14,	The policy in general conformity with local plan policy.	The policy option seeks to ensure adequate and appropriate green and blue	The policy option does not allocate development. It seeks to ensure adequate

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
Infrastructure and Delivering Biodiversity Net Gain	TIV1-6, TIV7, TIV8, TIV9, TIV10, TIV11, TIV12, TIV13, TIV14, TIV15, TIV16		infrastructure delivery and biodiversity net gain. No likely significant effects are identified in relation to the SEA criteria.	green and blue infrastructure and deliver biodiversity net gain. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T9: Local Green Spaces	S1, S9, S10, S14, DM24	<p>The policy is in general conformity with local plan policy. However, whilst not a conformity issue, there is a need to ensure all designations are fully evidenced having regard to the tests set out within paragraph 100 of the NPPF. Namely, the Local Green Space designation should only be used where the green space is:</p> <ul style="list-style-type: none"> <li>a) in reasonably close proximity to the community it serves;</li> <li>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</li> <li>c) Local in character and is not an extensive tract of land.</li> </ul> <p>The proposed approach to evidencing the designations is set out in Appendix D. This appears to be a proportionate and justified approach and it is understood that this process will be completed for all LGS designations.</p>	The policy option designate a series of Local Green Spaces in accordance with the NPPF. No likely significant effects are identified in relation to the SEA criteria.	The policy option proposes to designate a series of local green spaces. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
Policy T10: Locally Significant Views	S1, S9, S10, S14, TIV1-6, TIV7, TIV8, TIV9, TIV10, TIV11, TIV12, TIV13, TIV14, TIV15, TIV16	The policy is in general conformity with local plan policy. However, in this context it is difficult to determine what is meant by 'significant harmful impacts'. Whilst Appendix E provides a description of the identified locally significant views, further evidence is required to establish why these are locally significant, what features contribute to this, and the methodology that has been applied in order to identify these. Further detailed evidence will aid application of the policy for the determination of planning applications.	The policy option seeks to protect locally significant views in Tiverton. No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It identifies a series of locally significant views that contribute to the character of Tiverton. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T11: Supporting Local Agriculture and Opportunities for Diversification	S1, S2, S3, S9, S10, S14, TIV1-6, TIV7, TIV8, TIV9, TIV10, TIV11, TIV12, TIV13, TIV14, TIV15,	The proposed policy option is not in general conformity with local plan policy. Criterion A stipulates that 'Proposals for the development of agricultural land for additional or mixed purposes, which would significantly adversely affect the agricultural viability and productivity of the land on which they would be situated will not be permitted. The overarching intent of the policy is understood. However, given the rural nature of Mid Devon it is not possible to accommodate all development on brownfield land. In order to meet housing needs in full and help address affordability issues, there is a need for development to take place on greenfield, agricultural land. The NPPF and indeed the Local Plan already seeks to ensure that development recognises the intrinsic character and beauty of the countryside – including the economic and other benefits of the best and most	The policy option seeks to support local agricultural and opportunities for diversification. No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It seeks to support local agriculture and opportunities for diversification. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
	TIV16.	versatile agricultural land. However, the NP policy as currently drafted would undermine the delivery of the local plan strategy given that the policy would essentially prevent any housing or economic development on agricultural land.		
Policy T12: Provision of Leisure and Recreation Facilities	S1, S5, S10, S14, TIV1-6, TIV7, TIV8, TIV9, TIV10, TIV11, TIV12, TIV13, TIV14, TIV15, TIV16, DM22, DM24	The policy is not in general conformity with local plan policy. Criterion B is currently weaker than the standard set out within Policy S5 of the local plan, which establishes robust quantity and access standards for the provision of public open space. The Council queries whether this criterion is necessary and whether this would be best placed within the supporting text to the policy. With regard to the specific proposals identified in Criterion A, these need to be fully evidenced. The Council's emerging Playing Pitch Strategy may help with this.	The policy option seeks to provide for the increase need for leisure provision to support the growing population of Tiverton. No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It seeks to provide for leisure provision to support the growing population of Tiverton. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T13: Cultural and Community Venues	S1, S10, S14, DM23	The policy is in general conformity with the local plan. However, please note that the references to D1 and D2 are out of date. Please see guide to the Use Classes Order in England (from 1 September 2020) <a href="#">here</a> .	The policy option seeks to protect cultural and community venues across the NP area. No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It seeks to protect cultural and community venues across the NP area. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
				Grasslands SAC.
Policy T14: Allotments and Community Growing Spaces	S1, S10, S14, TIV1-6, TIV7, TIV8, TIV9, TIV10, TIV11, TIV12, TIV13, TIV14, TIV15, TIV16, DM24	The policy is in general conformity with the local plan. Although, the Council would suggest that the NP develops its evidence of allotments at risk in order to justify a more restrictive policy approach. Furthermore, whilst not a conformity issue, the NP group could consider allocating land for allotments. Any such allocations would need to be fully evidenced.	The policy options seeks to provide opportunities for allotments and community growing spaces. No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It seeks to provide opportunities for allotments and community growing spaces. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T15: Encouraging Safe and Sustainable Movement	S1, S8, S9, S10, S14, TIV1-6, TIV7, TIV8, TIV9, TIV10, TIV11, TIV12, TIV13, TIV14, TIV15,	The policy is in general conformity with the local plan. However, Criterion D is currently weaker than the adopted Policy DM5, which incorporates specific standards for bicycle parking facilities and electric vehicle charging point.	The policy seeks to encourage safe and sustainable movement. No likely significant effects are identified in relation to the SEA criteria.	The policy option does not allocate development. It encourages safe and sustainable movement. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.

Tiverton NP Policy Options	Relevant Local Plan Review Policies	Conformity between Tiverton NP options and Local Plan Review (LPR) Policy	Likely effects of the policy/option in regards to SEA criteria (p.3)	Likely effects on the Culm Grasslands SAC.
	TIV16, DM1, DM3, DM5			
Policy T16: Flexible Workspaces	S1, S10, S14, S6	The policy is in general conformity with local plan policy.	The policy seeks to promote flexible workspaces and therefore no likely significant effects are identified in relation to the SEA criteria.	The policy does not allocate development. It seeks to promote flexible workspaces. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.
Policy T17: Supporting a Sustainable Visitor Economy	S1, S10, S14, DM22	The policy is in general conformity with local plan policy.	The policy seeks to support the development and expansion of tourism facilities across the NP area. No specific development proposals/allocations are identified/ No likely significant effects are identified in relation to the SEA criteria.	The policy does not allocated development. It sees to support the development and expansion of tourism facilities across the NP area. Therefore, the policy is not expected to result in negative effects on the integrity of the Culm Grasslands SAC.

## **Appendix 3: Consultation Responses**