



Dartmoor Local Plan 2018-2036 Examination

Matter 1 – Procedural / legal requirements

Natural England's Written Statement to Address the Inspector's Questions

8th February 2021

Issue 3 Sustainability Appraisal (SA)

Q1. Have the likely environmental, social and economic effects of the Plan been adequately assessed in the SA?

Natural England do not consider that the environmental effects of the plan have been adequately assessed in the SA because:

- 1) site allocations are not supported by a 'Landscape and Visual Impact Assessment' (LVIA) and therefore there is insufficient landscape evidence to enable the LPA to conclude no harm to the protected landscape.
- 2) where the SA concludes negative impacts (on landscape) for allocations it does not conclude whether or how these can be mitigated. Para 6.18 in the SA & SEA Report (SD05) states that most of the site options investigated are likely to have minor negative effects. This is borne out by table 6.1 which gives many of the sites a score of (-) meaning "potential sustainability issues: mitigation and/or negotiation possible". SA Appendix V (SD10) then sets out detailed commentary for individual site options.

Taking, as an example, Proposal 7.6 Land at Holne road, Buckfastleigh (referred to in the SA as site 057) the text states "057 is adjacent to 093 but does not have a defined landscape sensitivity. 057 is a sloping site on the eastern edge of the settlement and will potentially have an effect on views across the settlement and the rural nature of the local landscape and is therefore considered to have minor negative effect."

So, for the example at Holne Rd although the SA provides a limited assessment of impact (albeit not as part of a more formal style LVIA), the site allocations have not been subject to detailed assessment of the impact on the National Park landscape and no specific measures for mitigation are put forward to inform the Plan. We note that some of the Plan proposals make explicit requirements to address landscape impacts but these do not appear to be supported by the conclusions of a formal style LVIA or the conclusion of the SA.

Natural England have also commented further regarding the need for LVIA in response to Matter 9, Issue 2, Question 1.

Q3. How has the SA informed the development of the Plan, including the choice of indicative housing delivery figure and any mitigation measures?

Para 6.18 in the SA & SEA Report (SD05) states that most of the site options investigated are likely to have minor negative effects but does not propose measures to mitigate the identified negative impacts.

Issue 4 Habitats Regulations

The Authority has submitted an HRA Screening and Appropriate Assessment Addendum (SD77). That deals with the significant adverse in-combination impacts arising from recreational disturbance on the Special Areas of Conservation (SACs) within the National Park. It responds to Natural England's comments on the HRA Screening and Appropriate Assessment Report (2019) (SD78).

Q1. In respect of the South Dartmoor Woods and Dartmoor SACs, are there effective measures in place to investigate and evaluate concerns about the future cumulative recreational impacts arising from new development outside the National Park boundary?

The Site Improvement Plans for these two SACs do not highlight recreational impacts as a threat or pressure for these sites. Site Improvement Plans are published by Natural England and set out the improvement programme for England's European sites. They also identify the nature of threats and pressure on those sites.

We welcome the revision made to the HRA in respect of South Dartmoor Woods SAC and Dartmoor SAC and note that the HRA now concludes there will be no likely significant effect arising from Plan policy on these two designated sites. Natural England concurs with that conclusion.

Q4. Would site specific policies requiring an Appropriate Assessment (AA) for the proposed allocations at Ashburton, Buckfastleigh and South Brent be sufficient to ensure no adverse impacts on the South Hams SAC?

The policy requirement for up to date survey data, which will provide the evidence needed to decide whether no AEOI can be concluded in the HRA at the application stage, is appropriate. At a telecall between DNPA and Natural England on 20th May 2020, Natural England suggested that reference should be made, in the text accompanying relevant site allocation policies, to the South Hams SAC GHB HRA Guidance that is published on DNPA's website. The guidance sets out the evidence that is needed, therefore, including a reference to it in the Plan will provide clarity for developers.

Q5. Would the approach to development within the National Park that would fall within the Plymouth Sound and Estuaries SAC/Tamar Complex Special Protection Area (SPA) Zone of Influence be justified in not requiring contributions towards the Strategic Mitigation Strategy (2019)?

Development falling within the zone of influence (ZOI) will need to mitigate impacts, arising from recreational disturbance, on the Plymouth Sound and Estuaries SAC/Tamar Complex Special Protection Area (SPA). The level of development within the National Park part of the ZOI is negligible within the context of growth across the whole ZOI. The parties have agreed that whilst new residential development within the National Park would be within the ZOI, it would not be required to make a financial contribution.

There is an agreed mitigation strategy in place which is funded by development falling within the ZOI within the administrative boundaries of Cornwall Council, Plymouth City Council, South Hams District Council and West Devon Borough Council. Natural England are therefore happy that mitigation can be funded and delivered.

The adjoining authorities will need to consider how long this arrangement should continue and whether, at a future date, the developer contributions should be re-calculated to take in to account the relatively small amount of projected development within Dartmoor.

Q6. In summary, have the requirements of the Habitats and Species Regulations 2010 been complied with, having regard to relevant national policy and guidance?

Natural England have 'signed-off' the HRA. However, we still have an outstanding concern that the inclusion of allocated land within the South Hams SAC has not been subject to HRA. We have made detailed comments on this matter in response to Matter 8, Issue 1, Question 4.

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