

Date: 04 October 2021
Our Ref: 369226
Your Ref: Milton Abbot, Chillaton and Kelly Neighbourhood Plan:
Regulation 16 Consultation: 16th August to 27th September 2021



Duncan Smith
Neighbourhood Planning
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

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

BY EMAIL ONLY

NeighbourhoodPlan@swdevon.gov.uk

T 0300 060 3900

Dear Duncan,

Milton Abbot, Chillaton and Kelly Neighbourhood Plan: Regulation 16 Consultation

Thank you for your consultation on the above dated 10th August 2021.

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.

Natural England welcomes the emerging Neighbourhood Plan and would like to make the following comment. We wish to reiterate our advice provided at the Regulation 14 consultation stage regarding the settlement boundary and site allocation.

Policies in the MACK Neighbourhood Plan

We note and welcome that the Plan now sets out Policy for the proposed Milton Abbot settlement boundary (Policy 9-5) and for the proposed site allocation (Policy 9-6) at Land West of Village (MA Site E).

Policy 9-5 supports development within the settlement boundary. The settlement boundary includes parcels of land that are potentially in sensitive locations, being within the setting of the Tamar Valley Area of Outstanding Natural Beauty (AONB).

The introductory text for the Policy does provide some explanation of how the Settlement Boundaries were identified but this does not provide adequate evidence of the methodology and the Neighbourhood Planning Group should be advised to prepare a Settlement Boundary Review paper.

The Boundary review should explain the purpose of the proposed settlement boundary, to describe the methodology and criteria used in deciding where to position it, to justify the inclusion of any undeveloped land within the boundary, and to explain the reasoning for the changes made to the proposed Settlement Boundary as set out in the Plymouth & South West Devon Joint Local Plan's 'Thriving Towns and Villages Settlement Boundary Topic Paper'.

Strategic Environmental Assessment (SEA) environmental report

Natural England notes and supports the changes made to the SEA Objectives in light of our comments made at the Regulation 14 stage.

The SEA is informed by a Site Assessment report which adequately assessed the landscape and visual impacts of the proposed site options and concluded whether, or not, there was potential for the impacts to be mitigated. However, there are undeveloped plots of land within the settlement boundary, where a presumption in favour of development applies, that have not been subject to proportionate landscape and visual impact assessment. Natural England, therefore, are concerned that the settlement boundary policy is not supported by appropriate evidence to provide adequate protection to the Tamar Valley AONB.

The landscape evidence should be used to inform both the settlement boundary review paper and the appraisal of Policy 9-5 through the SEA.

Habitats Regulation Assessment screening report

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the plan is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the

Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Stephanie Parker-Stephenson on 07799438517. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Stephanie Parker-Stephenson
Lead Adviser (Sustainable Development)
Devon, Cornwall and Isles of Scilly