

Date: 19<sup>th</sup> August 2021  
Our ref: 360058  
Your ref: Totnes Neighbourhood Plan Regulation 16 consultation



Duncan Smith  
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**BY EMAIL ONLY**

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Dear Mr Smith,

**Totnes Neighbourhood Plan – Regulation 16 consultation**

Thank you for your consultation on the above dated 28 June 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 is a statutory consultee in neighbourhood planning and must be notified by the Local Planning Authority that the Plan proposal has been submitted to them by the Parish/Town Council or Neighbourhood Forum.

**Neighbourhood Plan – regulation 16 draft**

Policy C9: Steamer Quay – Natural England notes and welcomes the change to the policy wording from 'will be permitted' to 'will be supported', and accepts that this change makes the intention of the policy clearer, in that it does not allocate this site for 'leisure or river related development' but rather it sets out the general criteria against which the acceptability of a proposal will be tested, if a developer submits an application to the local planning authority for such a proposal. It does not preclude other types of development from coming forward.

**Habitats Regulations Assessment**

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by a consultant on behalf of the qualifying body (Totnes Town Council). As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Para. 1.7 – the competent authority for this Neighbourhood Development Plan HRA is South Hams District Council rather than Devon Council.

Para. 4.2 – the Plan area is within 10km of the Lyme Bay and Torbay SAC and this site also has public access/disturbance identified as a pressure/threat in the Site Improvement Plan. For completeness, the SAC should be considered for screening.

Para. 5.1 – the assessment concludes that the Plan can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

### **Strategic Environmental Assessment**

The submission documents don't appear to include the Regulation 9 Statement which sets out the reasons why it was determined that an environmental assessment is not required, as described in para. 028 Ref ID. 11-028-20150209 of the Planning Practice Guidance:

“Where it is determined that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination should be prepared. A copy of the statement should be submitted with the neighbourhood plan proposal and made available to the independent examiner.”

For any queries relating to the specific advice in this letter only please contact Stephanie Parker-Stephenson on 07799438517, or by email to [stephanie.parker-stephenson@naturalengland.org.uk](mailto:stephanie.parker-stephenson@naturalengland.org.uk). For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

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Natural England