

APPENDIX B

HRA Screening Matrix to Identify the Likelihood of Significant Effects

from the

Teignbridge District Council Design Guide Committee Draft

January 2018

Assessment undertaken by Teignbridge District Council

Habitat Regulations Assessment

European wildlife sites receive special protection under the Conservation of Habitats and Species Regulations 2010 (Habitat Regulations). Section 61 of the Habitat Regulations states that:

- 61.**—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 - (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

Section 102 of the Habitat Regulations clarifies that this requirement extends to land use plans as well as other types of plan. Local Plans, Supplementary Planning Documents and Development Frameworks qualify as such Plans.

When read in conjunction with the Habitat Regulations Assessment (HRA) of the Teignbridge Local Plan, this document constitutes the Habitat Regulations Assessment of Teignbridge District Council's January 2018 Draft Urban Design Guide. The Local Plan HRA details the European sites, explores the issues associated with all Local Plan policies and allocations, considers in-combination proposals and proposes mitigation where required.

European wildlife sites in or near Teignbridge, which might be affected by Teignbridge plans are:

- South Hams Special Area of Conservation (SAC);
- Exe Estuary Special Protection Area (SPA), Ramsar site and European Marine site;
- Dawlish Warren SAC;
- East Devon Pebblebed Heaths SPA and SAC;
- Dartmoor SAC;
- South Dartmoor Woods SAC; and
- Lyme Bay to Torbay candidate SAC.

Links to key documents:

<http://www.teignbridge.gov.uk/localplan> (Local Plan)

<http://www.teignbridge.gov.uk/CHttpHandler.ashx?id=37947&p=0> (HRA of Local Plan)

<http://www.teignbridge.gov.uk/CHttpHandler.ashx?id=37949&p=0> (Screening Matrix for HRA of Local Plan)

<http://www.teignbridge.gov.uk/hra> (Exe Estuary, Dawlish Warren and Pebblebed Heaths Joint Approach)

<https://www.teignbridge.gov.uk/media/1747/ne-south-hams-sac-planning-guidance-nov-2011.pdf> (Natural England's South Hams SAC Planning Guidance)

The Design Guide

The Design Guide aims to provide a framework and reference point to achieve high quality development within the Teignbridge district. The Design Guide does not: include development policies; allocate land for development; or facilitate development, except in that it recommends how applicants can best design their proposals to be acceptable in design terms.

It is intended to adopt the Design Guide as a Supplementary Planning Document (SPD). If approved by committee, the current draft of the Design Guide will be subject to public consultation, prior to revisions and return to committee.

Habitat Regulations Assessment of the Design Guide

This document screens the January 2018 draft Design Guide for any likely significant effects on European wildlife sites. Further Habitat Regulations Assessment of the revised version will be undertaken, before returning to committee for adoption. Natural England's 2006 guidance recommends assessing plans against the following checklist:

Checklist of Reasoning to determine likelihood of a negative effect on a European site from draft English Nature guidance 2006	
No negative effect	0. The development would occur away from the European site and would have no direct or indirect effects
	1. The policy will not itself lead to development (i.e. it relates to design or other qualitative criteria for development, or it is not a land use planning policy)
	2. The policy makes provision for a quantum/type of development, but the location is to be selected following considerations of options in other LDD's or is discussed in later policies in this LDD.
	3. No development could occur through this policy alone, because it is implemented through subordinate policies which are more detailed and therefore more appropriate for AA
	4. Concentration of development in urban areas will not affect European site and will help steer development and land use change away from European Site and associated sensitive areas
	5. The policy will help to steer development away from European Site and associated sensitive areas
	6. The policy is intended to protect the natural environment, including biodiversity
Potential negative effect	7. The policy is intended to conserve or enhance the natural, built or historic environment, and enhancement measures will not be likely to have any effect on a European site.
	8. The policy steers a quantum or type of development towards, or encourages development in, an area that includes a European Site or an area where development may indirectly affect a European site
Likely to have a significant effect	9. The policy makes provision for a quantum, or kind of development that in the location(s) proposed would be likely to have a significant effect on a European Site. The proposal must be subject to Habitats Regulations Assessment to establish, in light of the site's conservation objectives, whether it can be ascertained that the proposal would not adversely affect the integrity of the site.

The draft Urban Design Guide will not itself lead to development, but seeks to improve the quality of developments facilitated by other Plans by encouraging better design. Some of the design principles encourage design sympathetic to the built, historic and natural environments, including designing green infrastructure beneficial to biodiversity.

Screening Matrix to Identify the Likelihood of Significant Effects

The findings of the current assessment are presented in the Screening Matrix below.

Screening Matrix								
Document	Likely Significant Effect Screening	Likely Significant Effect on SACs and SPAs						Outcome of the Screening
		South Hams	Dawlish Warren	Exe Estuary	Pebblebed Heaths	Dartmoor SACs	Lyme Bay	
Design Guide January 2018 Draft	1, 7							No LSE anticipated

Key to Screening Matrix	
Traffic lights system	
Green	Site or policy that will have no likely adverse significant effect
Amber	Action may have an effect but not significant (minor residual)
Red	Action likely to have significant effect

Conclusion

This assessment concludes that there will be **no likely significant effect** on a European wildlife site from the provisions of the January 2018 Draft Design Guide. However, future changes to this document will require further assessment.