
From: Mike Harris (redacted)
Sent: 22 June 2018 14:04
To: NP Programme Officer
Cc: Future Planning; Luscombe, Adam
Subject: RE: Brixham Peninsula Neighbourhood Plan - Comment on BPNP Forum response to Examiner questions
Attachments: NPA Response to the BPNP replies to the examiners questions.pdf
Importance: High

Dear Tom

Further to my note (below) yesterday, please see attached additional ecological comments from NPA which were noted to follow.

Kind regards

Mike

Mike Harris *BSc (Hons) MA MRTPI*
Senior Associate Town Planner

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From: Mike Harris
Sent: 21 June 2018 11:08
To: 'NP Programme Officer' (redacted)
Cc: 'Future Planning' (redacted) ; 'Luscombe, Adam' (redacted)

Subject: Brixham Peninsula Neighbourhood Plan - Comment on BPNP Forum response to Examiner questions
Importance: High

Dear Tom

Please see attached letter to the Examiner in respect of the BPNP response to her earlier questions.

I trust that you will be able to forward these for consideration. I have intentionally signed electronically to ease upload to the website.

Kind regards

Mike

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BRIXHAM PENINSULA NEIGHBOURHOOD PLAN HRA SCREENING

We write in response to the Brixham Peninsula Neighbourhood Plan (BPNP) Forum working group's reply (18th June 2018) to the examiner's questions (1st June 2018).

We are unclear why the concerns raised regarding the Habitat Regulations Assessment Screening (AECOM, December 2016) in the representations made by Stride Treglown (10th March 2017) as part of the Regulation 14 Pre-submission Consultation on the BPNP Draft Plan do not appear to have been addressed by the Neighbourhood Forum.

Further concerns with the updated HRA (AECOM, August 2017) were raised by Nicholas Pearson Associates¹ (NPA) in light of the ECJ decision in *People over Wind v Coillte Teoranta* judgement. We look forward to seeing how these significant concerns with the BPNP HRA will be addressed by the Neighbourhood Forum.

H3-10: Waterside Quarry

The BPNP Forum working group makes reference to additional assessment (a 'project' level HRA on Waterside Quarry by Professor John Altringham dated March 2018 and an assessment of that HRA by Natural England) and survey work undertaken on that site. We consider that if these assessments and survey work are being used to evidence why it is appropriate for Waterside Quarry to be allocated within the BPNP then they should be placed in the public domain for appropriate scrutiny.

H3-15: Torbay Trading Estate

We note the density calculations provided in paragraph 78 do not allow for a buffer to protect the potential Greater Horseshoe bat flyway. Such an approach could lead to likely significant effects on the Greater Horseshoe bat interest of the South Hams SAC.

H3-17: Brixham Police Station

We note that the SEA recognises the potential for this site to increase recreational pressure on the dry heath and calcareous grassland at the Berry Head (which is a component of South Hams SAC), but that assessment of this potential impact pathway is missing from the AECOM HRA.

¹ Habitats Regulations Assessment (HRA) Review and impact of the ECJ decision in *People over Wind v Coillte Teoranta C-323/17* (NPA, May 2018)