

Torquay Harbour Area Action Plan
Development Plan Document

**Habitats Regulations
Assessment
Screening Report**

Regulation 27
Pre-Submission Publication



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Habitats Regulations Assessment: THAAP Regulation 27

Torquay Harbour Area Action Plan

Regulation 27 Pre-Submission Publication

Habitats Regulations Assessment

Screening Report

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Preface

Purpose of this Document

This document presents the findings of the Screening Stage of the Habitats Regulations Assessment (HRA) for the Torquay Harbour Area Action Plan DPD. The Screening Report aims to protect habitats and species of European nature conservation importance.

This report has been compiled for consultation purposes and your comments are welcomed (please see details below to comment). It is accompanied by a Non-Technical Summary.

We Want Your Views

The Strategic Planning Group welcomes feedback on this report and particularly in regard to your views on the following:

Do you have any comments or suggestions relating to any part of HRA Screening Report?

If you wish to comment on this report please use the contact details below.

The consultation period extends in parallel to that of the THAAP Regulation 27 which runs from 8th November to 17th December 2010.

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For further information regarding this Habitats Regulations Assessment or to request an alternative format or language please contact the Strategic Planning Group Tel: 01803208804 or e-mail sa@torbay.gov.uk

Reference copies of this Report and related documents and leaflets are available at the Council's Libraries, Connections Offices and at Roebuck House, Torquay.

This report and accompanying Non-Technical Summary can also be accessed via the Internet on <http://www.torbay.gov.uk/ldf>

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1 Introduction

1.0.1 Torbay Council is currently preparing its Development Plan Document (DPD), the Torquay Harbour Area Action Plan (THAAP). The DPD provides a planning framework to assist the regeneration of Torquay Harbour and its immediate surroundings. The THAAP is the first DPD to make site-specific allocations in Torbay.

1.0.2 In June 2007, Torbay Council commissioned Enfusion to undertake Sustainability Appraisal (incorporating Strategic Environmental Assessment [SEA]) and Habitats Regulations Assessment (HRA) screening of the THAAP DPD and 2 further Local Development Documents. The HRA was undertaken on the Draft Consultation Document (Regulation 25) in October 2009 and updated in July 2010 to include the Pre-Submission Publication (Regulation 27).

1.0.3 Habitats Regulations Assessment is also commonly referred to as Appropriate Assessment (AA) although the requirement for AA is first determined by an initial 'screening' stage undertaken as part of the HRA. This report details the process and finding of this first screening stage.

1.1 Requirement for Habitats Regulations Assessment

1.1.1 The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) protects habitats and species of European nature conservation importance. The Habitats Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

1.1.2 Articles 6 (3) and 6 (4) of the Habitats Directive require HRA to be undertaken on proposed plans or projects which are not necessary for the management of the site but which are likely to have a significant effect on one or more Natura 2000 sites either individually, or in combination with other plans and projects ⁽¹⁾. In 2007, this requirement was transposed into UK law in Part IVA of the Habitats Regulations (The Conservation (Natural Habitats, & c.)(Amendment) (England and Wales) Regulations 2007). These regulations require the application of AA to all land use plans. Government guidance also requires that Ramsar sites (which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within HRA/AA.

1.1.3 The purpose of HRA is to assess the impacts of a land-use plan, in combination with the effects of other plans and projects, against the conservation objectives of a European Site and to ascertain whether it would adversely affect

1 Determining whether an effect is 'significant' is undertaken in relation to the designated interest features and conservation objectives of the Natura 2000 sites. If an impact on any conservation objective is assessed as being adverse then it should be treated as significant. Where information is limited, or there is uncertainty regarding the likely effects, the precautionary principle applies

1 Introduction

the integrity ⁽²⁾ of that site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects. The scope of the HRA is dependent on the location, size and significance of the proposed plan or project and is first determined by screening.

1.2 Guidance for HRA/Appropriate Assessment

1.2.1 Draft guidance for AA ‘Planning for the Protection of European Sites: Appropriate Assessment’, has been produced by the Department for Communities and Local Government (DCLG, August 2006). A partnership of consultants ⁽³⁾ has also prepared guidance (Appropriate Assessment of Plans, August 2007) to assist planning bodies in complying with the Habitats Directive and the Royal Society for the Protection of Birds (RSPB) has also produced guidance on HRA to support the planning community ⁽⁴⁾.

1.2.2 The application of HRA to Local Development Documents is an emerging field and in the absence of official Government guidance the approach applied for the THAAP DPD is based on the best available guidance and emergent practice. The method applied considers HRA in four main stages – outlined in Table 1.1. This report addresses the first screening stage of the HRA.

Stage 1	
Screening	<ul style="list-style-type: none"> Identify international sites in and around the plan/strategy area Examine conservation objectives (if available) Analyse the policy/plan and its key components Identify potential effects on Natura 2000 sites Examine other plans and programmes that could contribute to ‘in combination’ effects
	<ul style="list-style-type: none"> <i>If no effects likely – report that no significant effect.</i> <i>If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to stage 2</i>
Stage 2	
Appropriate Assessment	<ul style="list-style-type: none"> Collate information on sites and evaluate impact in light of conservation objectives Consider how plan ‘in combination’ with other plans and programmes will interact when implemented (the Appropriate Assessment)

2 Integrity is described as the sites’ coherence, ecological structure and function across the whole area that enables it to sustain the habitat, complex of habitats and/or levels of populations of species for which it was classified, (ODPM, 2005)

3 Scott Wilson, Levett-Therivel Sustainability Consultants, Treweek Environmental Consultants and Land Use Consultants.

4 Dodd AM, Cleary BE, Dawkins JS, Byron HJ, Palframan LJ & Williams GM (2007) The Appropriate Assessment of Spatial plans: a guide to why, when and how to do it. RSPB, Sandy.

	<ul style="list-style-type: none"> • Consider how effect on integrity of site could be avoided by changes to plan and the consideration of alternatives • Develop mitigation measures (including timescale and mechanisms)
Stage 3	
Assessment of alternative solutions	<ul style="list-style-type: none"> • <i>Report outcomes of AA and develop monitoring strategies</i> • <i>If effects remain following the consideration of alternatives and development of mitigations proceed to stage 4</i>
Stage 4	
Assessment where no alternatives and adverse impacts remain	<ul style="list-style-type: none"> • Identify 'imperative reasons of overriding public interest' (IROPI) • Identify/ develop potential compensatory measures <p>Difficult test to pass, requirements are onerous and untested to date</p>

Table 1.1 Habitats Regulations Assessment: Key Stages

1.3 Consultation

1.3.1 The Habitats Regulations require the plan making/competent authority (Torbay Council) to consult the appropriate nature conservation statutory body (Natural England [NE]). Natural England (Devon Office) was involved in the early development of a method for undertaking the HRA work in 2006 (although this has since been revised to account for changing practice in the field), including the decision on which European sites should be 'screened' for Appropriate Assessment. Further discussion has been held with the Devon Office of NE in 2007 and January 2008, and NE has also assisted by providing information relating to the conservation objectives of the sites. NE indicated that the only potential concern relating to the effects of the THAAP on European sites would be in relation to an increase in water-based traffic around Berry Head to Sharkham Point SSSI, a component of the South Hams SAC, however this would be unlikely to have a likely significant effect on the South Hams SAC. NE also indicated they may have concerns about increased recreational impact on the South Hams SAC, however this would be a matter to address in the HRA Screening of the Core Strategy, not the THAAP ⁽⁵⁾.

1.3.2 The Habitats Regulations leave consultation with other bodies and the public to the discretion of the plan making authority. Where possible, guidance recommends that this consultation be undertaken alongside the consultation for the plan. The HRA Screening Report was published alongside the Torbay Council THAAP Regulation 25 Consultation Document.

5 Pers comm: 22/04/08

1 Introduction

1.3.3 Natural England provided the following comments on the HRA Screening report ⁽⁶⁾ :

- Recommended minor amendments, including recognition that the vulnerabilities of bat populations extends to feeding and commuting routes (amendment made to page 14).
- Comments relating to the Possible SAC (pSAC): Poole Bay-Lyme Bay, and the likelihood that this would need to be subject to HRA if it becomes a Candidate SAC-which may occur prior to the adoption of the AAP. (This is addressed at page 9 and in the report's conclusion).

1.4 Purpose and Structure of Report

1.4.1 This report documents the process and findings of the Screening Stage of HRA for the Torbay Council THAAP DPD. Following this introductory section the document is organised into three further sections:

- Section 2- outlines the method used for the screening process.
- Section 3- outlines process and summary findings of the screening process and assessment.
- Section 4- outlines the key conclusions.

6 Email, S Dunsford, Natural England. 24/03/2010

2 Method

2.0.1 In accordance with the guidance and current practice, conducting the screening stage of the HRA for Torbay Council THAAP DPD used the method outlined below. This approach combines both a plan focus and a site focus.

- The plan focus first screens out those elements of the plan unlikely to affect European site integrity and then considers the impacts of the remaining elements on European sites, including the potential for ‘in-combination’ impacts.
- The site focus considers the environmental conditions of the site and the factors required to maintain site integrity, and looks at the potential impacts the plan may have on the designated interest features and conservation objectives of the site.

2.0.2 HRA experience to date has indicated that maintaining a site based approach as core to the HRA/AA method more closely reflects the intent of the Habitats Directive. This means that subsequent avoidance and mitigation measures [developed if required during the AA stage 2] seek to focus on the conditions necessary to maintain site integrity (e.g. avoiding specific types of development/ activity at sensitive areas).

2.0.3 The HRA Screening of the Preferred Options THAAP was undertaken in March 2008, and revised in July 2009 to ascertain whether the changes made to the Draft Consultation Document (Regulation 25) would materially affect the result of the earlier HRA Screening. It was then updated in July 2010 to incorporate consultation comments received.

2.0.4 The key tasks employed for the HRA Screening are set out in the table below.

<p>Task 1</p> <p>Identification of Natura 2000 sites and characterisation</p>	<ul style="list-style-type: none"> • Identification of European sites both within Torbay and in a buffer zone of 20km around the Borough boundary⁽⁷⁾. • Information was obtained for each European site, based on publicly available information and consultation with Natural England where appropriate⁽⁸⁾. • This included information relating to the sites’ qualifying features; conservation objectives (where available); vulnerabilities/ sensitivities and geographical boundaries.
<p>Task 2</p> <p>Strategy review,</p>	<ul style="list-style-type: none"> • Screening of the Preferred Policy Options and the identification of likely impacts (including a review of the strategy to determine likely impacts). (this was followed by further screening of the Draft Consultation Document (Regulation 25

7 Buffer zone distance based on current good practice.

8 www.jncc.gov.uk, www.natural-england.org.uk, LUC, SWRA, Feb 2007) The Habitats Regulations Assessment of the Draft Regional Spatial Strategy for the South West, Final Report.

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policy screening and identification of likely impacts	
Task 3 Consideration of other plans and programmes	<ul style="list-style-type: none">• Consideration, where appropriate, of other plans and programmes that may have in-combination effects with the THAAP DPD. Summary of screening outcomes and recommendations.
Task 4 Screening Assessment	<ul style="list-style-type: none">• Summary of screening outcomes and recommendations.

Table 2.1 HRA Screening Stage: Key Tasks

2.0.5 As part of this screening process consideration was also given to related HRA work and Sustainability Appraisal (SA)/ Strategic Environmental Assessment (SEA) work being undertaken in neighbouring authorities and in the wider region. This work was undertaken in March 2008. This included the HRA Report of the Draft Regional Spatial Strategy for the South West (LUC, Feb 2007), the HRA Screening Report of Teignbridge District Council Core Strategy (Jan 2007), Appropriate Assessment Advice on South Hams District Council Core Strategy (Dec 2006) and the HRA Screening of Dartmoor National Park Authority (Dec 2007). A summary of the findings of this work is provided in Appendix 1 of this report.

3 Screening

3.1 Identification of European sites and characterisation

3.1.1 There are no European sites present within the THAAP boundary area, however, plans and programmes have spatial implications that can extend beyond the intended plan area boundaries. In particular, it is also recognised that distance in itself is not a definitive guide to the likelihood or severity of an impact as factors such as the prevailing wind direction, river flow direction, and groundwater flow direction will all have a bearing on the relative distance at which an impact can occur. This means that a plan directing development some distance away from a European site could still have effects on the site and, therefore, needs to be considered as part of the screening process.

3.1.2 There are five (5) European sites within a 20km search area of the THAAP boundary, and these are listed below in Table 3.1. Summary site characterisations are also provided below. Detailed information on each European site, including conservation objectives and site vulnerabilities, is provided in Appendix 2. The location of the 5 sites, in relation to the Torbay Local Government boundary is shown on the Map at Figure 3.1.

Site	Designation
South	SAC
South Dartmoor Woods	SAC
Dawlish Warren	SAC
Exe Estuary	SPA
Exe Estuary	Ramsar

Table 3.1 European Sites within a 20 km buffer zone of the THAAP area

3.1.3 South Hams SAC is situated in the south coast of England and covers an area of 129.53ha. The site is divided into 5 separate sites, including the Berry Head- Sharkham Point SSSI component, adjacent to the town of Brixham. It is considered to include one of the best areas of European dry heath and semi-natural dry grasslands and scrubland facies in the UK. It also supports a number of rare and scarce vascular plants typical of the oceanic southern temperate and Mediterranean-Atlantic elements of the British flora. South Hams SAC is thought to hold the largest population of greater horseshoe bat (*Rhinolophus ferrumequinum*) in the UK, and is the only one containing more than 1,000 adult bats (31% of the UK species population). Vulnerabilities to this population arise through disturbance to the cave systems, disused quarries and mine-shafts used by the bats as a result of public access and recreational activities. The vulnerabilities of the bat population are not limited to within the SAC itself, damage to wider countryside feeding and commuting routes can also have a detrimental impact on the population.

3 Screening

3.1.4 South Dartmoor Woods SAC lies within Dartmoor National Park and covers an area of 2157.15ha. The site contains old sessile oak woods with Ilex and Blechnum, which is the primary reason for its selection. It also contains regionally important assemblages of lower plants and dry Lobarion communities that are unique in Western Europe. The SAC includes grazed and ungrazed woodland, old coppice and high forest stands. There has been a long-term decline of lichens in the woodland as a result of air pollution/or climate change. Areas of the site are also subject to heavy recreational pressure, grazing and uncontrolled fires.

3.1.5 Dawlish Warren SAC extends across the mouth of the River Exe covering an area of 58.84ha. The site is considered to be one of the best areas in the UK for humid dune slacks and contains a significant presence of shifting and fixed dunes. This dune system supports the Petalwort (*Petalophyllum ralfsii*) and is considered to be the best area in the UK for this species. Dawlish Warren is a popular seaside resort and visitor pressure is considerable. The shifting dunes along the shoreline are subject to erosion and are consequently fenced to direct visitors. Much of the fixed dune grassland is a golf course and is therefore subjected to wear and the maintenance of tees, greens and fairways.

3.1.6 Exe Estuary SPA/Ramsar sites are located in Devon on the English south coast extending 10 km south from Exeter to the open sea at Dawlish Warren and covers an area of 2345.71ha. The sites comprises the waters, foreshore, low-lying land, three saltmarshes and an unusual double spit across the mouth of the estuary, and the sand dunes of Dawlish Warren. The mud- and sand-flats support Eelgrass (*Zostera* spp.) and *Enteromorpha* beds, and contain an abundance of invertebrates including extensive Mussel (*Mytilus edulis*) beds, which together provide rich feeding habitats for wintering waders and wildfowl. Over winter the area regularly supports Slavonian Grebe; Avocet; Brent Goose; Dunlin; Oystercatcher; Black-tailed Goodwit and Grey Plover. This complex of coastal habitats supports internationally important numbers of Dark-bellied Brent Goose (1509 individuals) and Waterfowl. The sites are vulnerable to a variety of influences, such as recreational activities and dredging.

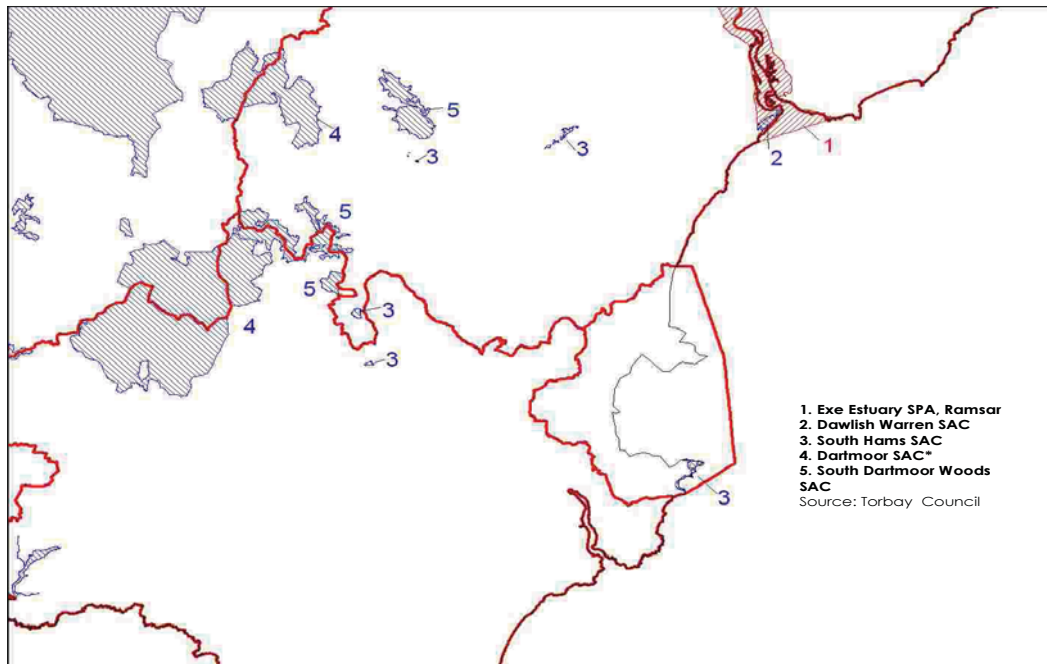


Figure 3.1 Map showing location of European sites within 20km of Torbay Local Government Area

Note: Dartmoor SAC is further than 20km from the THAAP boundary, so has been excluded from this report, however this European site will be relevant when undertaking further HRA work on other strategies.

Possible SAC - Poole Bay - Lyme Bay

3.1.7 In February 2010, Natural England, the Joint Nature Conservation Committee and the Countryside Council for Wales staged a formal consultation on 10 possible marine Special Areas of Conservation and 2 potential Special Protection Areas in English, Welsh and offshore waters around the UK. One of these possible SACs (pSACs) is known as the Poole Bay to Lyme Bay pSAC, and the site map for the possible SAC includes areas inshore from Torbay Harbour, Tor Bay and also to the north of Torquay.

3.1.8 Whilst the designation of this site may have implications for the Torquay Harbour AAP, at the time of preparation of this HRA Screening the site is in early stages of the designation process; the boundaries are still subject to confirmation and the site has yet to be submitted to the European Commission (whereby it will become a candidate SAC and be subject to Habitats Regulations Assessment).

3.1.9 Lyme Bay and Torbay Marine SAC were finally declared as a candidate SAC (cSAC) among other 14 Marine SACs in August 2010 (a few weeks after completion of this report). A separate Annex to the THAAP HRA Screening Report will be produced to screen the THAAP policies for any likely significant effects on the new Marine cSAC.

3 Screening

3.2 Plan Review, Policy Screening and identification of likely impacts

Torquay Harbour AAP: Summary Review

3.2.1 The Torquay Harbour Area Action Plan DPD provides a planning framework to assist in the regeneration of Torquay Harbour and its immediate surroundings. The purpose of the document is to provide a coordinated approach to regeneration of the Harbour area, complementing the regeneration initiatives promoted by the Torbay Development Agency (TDA).

Torquay Harbour AAP: Screening of Policies

3.2.2 Screening of the policies involved identifying the policies that will not have an effect on European sites. The approach taken was in accordance with Natural England guidance for HRA on Regional Spatial Strategies and Sub-Regional Strategies.⁽⁹⁾ Policies considered to have 'no effect' were screened out on the basis of the following criteria:

1. The policy itself will not lead to development.
2. The location of the development is unknown, and will be selected following consideration of options in lower plans.
3. The policy will have no effect because development is dependent on implementation of lower tier policies.
4. The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.
5. The policy will steer development away from European sites and associated sensitive areas.
6. The policy is intended to protect the natural environment, including biodiversity.
7. The policy is intended to conserve or enhance the natural, built or historic environment, and such enhancements are unlikely to affect a European site.

3.2.3 A Policy Screening of an earlier version of the DPD was undertaken in March 2008. A further policy screening of the revised Regulation 25 Draft Consultation Document was undertaken in July 2009, with the results of this second screening (including the rationale for a screening decision of 'no effect') provided in Appendix 3. The Screening of the Draft Consultation Document found that only the following 3 policies had the potential for negative effects on European sites and warranted further consideration:

- Policy THS A Sustainable Harbour Area

9 The Assessment of Regional Spatial Strategies and Sub-regional strategies under the Provisions of the Habitats Regulations: Draft (David Tyldesley Associates, for English Nature, 2006).

- Policy TH3 Transport and Access
- Policy TH 14 The Inner Harbour

Identification of potential/likely impacts- site based approach

3.2.4 The identification of potential and likely impacts was undertaken using a site focus, which considered the environmental conditions of the site and the factors required to maintain site integrity; it also considered the potential pathways of impacts arising from the policies.

3.2.5 The potential pathways identified relate to water-based recreation and transport, which could increase as a result of the 3 policies and may lead to noise and disturbance at the South Hams SAC and Exe Estuary SPA/Ramsar. The assessment of these impacts is provided in Appendix 4 and summarised in the screening assessment findings at Task 4 below.

3.3 Consideration of in-combination effects

3.3.1 It is a requirement of Article 6(3) of the Habitats Directive that HRA examines the potential for plans and programmes to have a significant effect not just individually but 'in combination' with other plans and programmes (PPs). Undertaking an assessment of other PPs requires a pragmatic approach (given the extensive range of PPs underway in the region). For this screening, consideration of other PPs has focused on those likely to lead to significant development or infrastructure which may potentially impact on any of the European sites identified.

3.3.2 The PPs considered at this stage are listed below and reviewed in detail in Appendix 1. This work was undertaken in 2008, and updated in July 2009 and July 2010. The RSS has been abolished in the summer of 2010. However, this report considers the HRA of the draft RSS as a reference paper.

- Habitats Regulation Assessment of the Habitats Regulation Assessment of the Draft Regional Spatial Strategy for the South West 2006-2026 (SWRA 2006)& Secretary of State Proposed Changes to the RSS(2008).
- Devon County Council Structure Plan 2001-2016
- Devon County Council Local Transport Plan 2006-2011
- Devon County Council Waste Local Plan (adopted) 2006
- Devon County Council Minerals Local Plan (adopted) 2004
- Torbay Council Local Plan 1995-2011
- Torbay Council Local Development Framework Core Strategy (ongoing)
- Torbay Council Local Transport Plan 2006-2011
- Torbay New Growth Point: Programme of Development 2008
- South Hams LDF Core Strategy (adopted)
- Tourism in Torbay: Tourism Strategy 2005-2015
- Torbay Community Plan 2007 +: Turning the Tide
- The New English Riviera: The Mayors Vision for a future Torbay
- The New English Riviera: Action Framework Plan

3 Screening

- Tor Bay Harbour and Maritime Strategy (2006 – 2016) ‘catching the wave’
- Lyme Bay and South Devon Shoreline Management Plan(SMP)1998
- South Devon and Dorset SMP Review 2009 (SMP 2)
- South Hams District Council LDF Core Strategy 2006
- Teignbridge District Council LDF Core Strategy (withdrawn)
- Exeter City Council LDF Core Strategy (adopted)

3.3.3 In considering the effects of other plans and programs, where available, the HRA work undertaken for those plans was consulted. A summary of findings from relevant HRA reports can also be found in Appendix 1. It includes:

- HRA Report of the Draft Regional Spatial Strategy for the South West (LUC, Feb 2007)
- Appropriate Assessment Advice on South Hams District Council Core Strategy 2006
- HRA Screening of Teignbridge District Council Core Strategy Jan 2007
- HRA Screening Dartmoor National Park Authority (Version 1) December 2007

3.3.4 The Plans and Programs review was then used to consider in-combination effects, assisting in the completion of the HRA Screening matrices at Appendix 4, and in undertaking task 4, outlined below.

3.4 Screening Summary

3.4.1 In line with the screening requirements of the Habitats Regulations, an assessment was undertaken to determine the potential significant effects of the DPD on the integrity of the five European sites that lie within a 20km radius of the Torbay administrative boundary. This assessment was based on:

- The information gathered on European sites (Appendix 2)
- The review of the THAAP- Regulation 25 Draft Consultation Document and likely impacts and the DPD policy screening (Appendix 3)
- The review of other relevant plans (Appendix 1)
- The consideration of potential likely impacts and consideration of in-combination effects (Appendix 4)

3.4.2 The Screening Assessment is set out in the tables at Appendix 4 and the results of the assessment are summarised in Table 3.2 below.

European Sites	AA required alone?	AA required in combination?
	x No	x No
	√ Yes	√ Yes
	? Uncertain	? Uncertain
South Hams SAC	x	x

<p>The Area Action Plan concentrates development in an existing urban area (Torquay Harbour) steering it away from the South Hams SAC. Increased land-based recreational disturbances are not likely to occur from the THAAP.</p> <p>Consideration was given to noise and disturbance as a result of a potential increase in water-based recreation due to the implementation of THAAP policies. However this has been screened out, as disturbance usually relates to land-based recreation and there is no evidence to suggest that this is currently a problem.</p>		
<p>South Dartmoor Woods SAC</p> <p>The Torquay Harbour AAP concentrates development in existing urban areas. The South Dartmoor Woods SAC is over 15 km from the Harbour Area, and there are no likely significant effects resulting from the THAAP on this European site.</p>	x	x
<p>Dawlish Warren SAC</p> <p>Dawlish Warren SAC is over 15 km from Torquay Harbour. The THAAP is considered unlikely to have likely significant effects on the site, which is designated for its dune environments and herbaceous species.</p>	x	x
<p>Exe Estuary SPA , Ramsar</p> <p>The only potential impact pathway identified for the THAAP is an increase in recreational boating, which has the potential to increase water borne traffic in and around the Exe Estuary. Due to the distance involved, the level of water-based traffic entering the Estuary from Torquay Harbour is likely to be minimal. Any disturbance would likely be minimal as water-based recreational activities are more likely to occur in summer, whereas the Exe Estuary site is more vulnerable to noise disturbance in winter. It is therefore determined that the THAAP will not have likely significant effects on the Exe Estuary SPA and Ramsar sites.</p>	x	x

Table 3.2 HRA Screening Table Summary European Sites within a 20 km buffer zone

3.4.3 In summary, the Screening assessment found that the Torquay Harbour Area Action Plan will not have likely significant effects on any of the European sites. Whilst the potential for adverse effects from the Torbay Core Strategy has been noted, at this stage it is not necessary to assess these impacts any further as this will be subject to Habitats Regulations Assessment in its own right.

4 Conclusions

4 Conclusions

4.0.1 This HRA screening process identified five European sites that lie within a 20km search area from the THAAP boundary and considered the potential likely significant effects arising from the Torquay Harbour Area Action Plan on those sites. The findings of the screening process are that the Area Action Plan will have no likely significant effects, on any existing European sites (either alone or as a result of 'in-combination' effects from other plans and programmes being developed and implemented simultaneously in the area). This can be attributed to the nature of the DPD, which is to consolidate development and regenerate the existing built-up area of Torquay Harbour, which is a significant distance from the majority of currently designated European sites. As the DPD may lead to increased water-based transport, it was considered there was a potential for noise and disturbance impacts on European sites within reach by boat or ferry. However, this Screening Assessment has considered this potential and concluded that any increase in water-based transport likely to occur as a result of the DPD is unlikely to have a significant negative effect.

4.0.2 Natural England has been consulted through the production of this Screening report, and concurred that the DPD is unlikely to have a significant effect. Natural England has, however advised that further work may be required on the Core Strategy, particularly in relation to effects on the South Hams SAC and this view has been supported by the work undertaken to date on in-combination effects of plans and programs. In accordance with the Habitats Directive, each of the documents forming the LDF, including the Site Allocations and Core Strategy DPDs will be subject to a Habitats Regulations Assessment screening to identify whether there are likely to be significant effects on European sites.

4.0.3 Natural England has also advised that there are likely to be implications for the Torquay Harbour AAP if the Poole Bay- Lyme Bay Possible Marine SAC is submitted to the European Commission as a candidate SAC, especially in relation to water quality. At the time NE commented on the THAAP HRA Screening Report, the boundaries of this Possible SAC are subject to confirmation. However, Lyme Bay and Torbay Marine SAC were finally declared as a candidate SAC (cSAC) among other 14 Marine SACs in August 2010. A separate Annex to the THAAP HRA Screening Report will be produced to screen the THAAP policies for any likely significant effects on the new Marine cSAC.

Glossary

TERM/ ACRONYM	FULL TITLE	DEFINITION
AA	Appropriate Assessment	The process under Article 6(3) of the Habitats Directive whereby the potential effects of a plan or project upon a Special Protection Area or Special Area of Conservation are assessed to determine whether an adverse effect can be avoided. Also the term for the discreet Stage 2 of Habitats Regulations Assessment.
AMR	Annual Monitoring Report	Part of the Local Development Framework. Will assess the implementation of the Local Development Scheme and the extent to which the policies in Local Development Documents are being successfully implemented.
Conservation objectives		A statement of the nature conservation aspirations for a site, expressed in terms of the favourable condition required for the habitats and / or species for which the site was selected.
DPD	Development Plan Document	Part of the 'portfolio' of documents which make up the Local Development Framework. These form the development plan for the Local Authority and include Core Strategy, Site Specific Allocations of land and Area Action Plans. Other Development Plan Documents, including generic development control policies, can be produced.
DCLG	Department of Communities and Local Government	This is a Central Government department charged with the responsibility for planning.
European sites		Sites within the European Union (EU) network of classified Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) designated under Article 4 of the EU Habitats Directive (EEC/92/43). Also referred to as Natura 2000 sites.
Habitats Directive		The commonly used name for the European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna. The Habitats Directive establishes a network of internationally important sites designated for their ecological status.
In-combination effects		The cumulative effects caused by the project or plan under consideration together with the effects of any existing or proposed projects or plans.

Glossary

TERM/ ACRONYM	FULL TITLE	DEFINITION
Integrity		Integrity is described as the sites coherence, ecological structure and function across the whole area that enables it to sustain the habitat, complex of habitats and/or levels of populations of species for which it was classified.
IROPI	Imperative reasons of overriding public interest	Set out in Article 6(4) of the Habitats Directive, permits, in limited circumstances, a plan or project to go ahead even after an AA has identified an adverse effect to a European site.
JNCC	Joint Nature Conservation Committee	The statutory adviser to Government on UK and international nature conservation.
LDF	Local Development Framework	New system for planning, introduced by the Planning and Compulsory Purchase Act 2004, which replaces existing Local Plans currently prepared under the Town and Country Planning Act 1990 (as amended).
LDS	Local Development Scheme	To implement the new development plan system (the LDF), the Council must prepare and monitor a three year management plan, known as the Local Development Scheme (LDS).
LDD	Local Development Document	The LDF consists of a 'portfolio' of Local Development Documents which will provide and deliver the spatial planning strategy. LDDs are likely to be a mix of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs), together with a Statement of Community Involvement (SCI) and Annual Monitoring Report (AMR).
Mitigation measures		Measures taken to reduce the impact on site integrity to the point where it no longer has adverse effects.
Natura 2000 sites		Sites within the European Union (EU) network of classified Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) designated under Article 4 of the EU Habitats Directive (EEC/92/43). Also referred to as European sites.
NE	Natural England	National environmental agency, whose remit includes integrated resource management, nature conservation, biodiversity, landscape, access and recreation.
Precautionary Principle		Where there is incomplete information about the nature or extent of an effect the precautionary principle requires action to be taken to prevent harm in the absence of complete certainty about the adverse effects.
PPS	Planning Policy Statement	Previously known as Planning Policy Guidance Notes these are issued by the Office of the Deputy Prime Minister and set out the Government's land use planning policies for England under the new planning system. They must be taken into account in preparing the development plan. They are a material consideration in

TERM/ ACRONYM	FULL TITLE	DEFINITION
		determining planning applications, and generally supersede development plan policies if they are of a later date.
PSAC	Possible SAC	A site that has been formally advised to the UK Government for designation as a SAC, but has not yet been submitted to the European Commission (at which point it will become a Candidate SAC).
Ramsar sites		Sites which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance (Ramsar Convention).
RSS	Regional Spatial Strategy	RSSs will replace RPGs and Structure Plans as a result of the Introduction of the Planning and Compulsory Purchase Act 2004. RSSs will form part of statutory development plan system.
S106	Section 106 Agreement	Legal agreement between the Council and a developer relating to planning obligations.
SA	Sustainability Appraisal	Assessment that considers social, environmental and economic effects of a plan.
SAC	Special Areas of Conservation	Internationally important areas designated under the EC Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna.
cSAC	Candidate Special Area of Conservation	A candidate area for the SAC (see above).
SEA	Strategic Environmental Assessment	Derived from the SEA Directive 2001/42/EC which took effect in July 2004. SEA involves the systematic identification and evaluation of the impacts of a strategic action (e.g. a plan or programme) on the environment. Applies to documents such as the Local Development Framework.
SPD	Supplementary Planning Document	Part of the 'portfolio' of documents which make up the Local Development Framework (above) under the new planning system. They provide supplementary information in respect of the policies in the Development Plan Documents.
SPA	Special Protection Area	Internationally important areas designated under Article 4 of the Birds Directive (Directive 79/409/EEC) to conserve the habitats of certain listed rare or vulnerable species and the habitats of regularly occurring migratory species.

Glossary

TERM/ ACRONYM	FULL TITLE	DEFINITION
SSSI	Sites of Special Scientific Interest	Nationally important areas of land, designated under Section 28 of the Wildlife and Countryside Act 1981 by English Nature as being of a special interest by reasons of their flora, fauna, geological or physiogeographical features.

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REGIONAL

The Draft Regional Spatial Strategy for the South West 2006-2026 & Secretary of State's Proposed Changes to the RSS 2008.	
<p>The Draft RSS is a spatial strategy which sets out the future sustainable development objectives for the region as a whole, along with policies addressing these objectives and the development of specific sub-regions. It also identifies the broad locations towards which new housing and associated development will be steered.</p> <p>"The regional future this Strategy is working towards can be summed up as one where:</p> <ul style="list-style-type: none"> ● all communities enjoy the benefits of further development and where housing needs are satisfied; ● the economy continues to prosper; ● rural parts of the region fulfil their economic potential with vibrant market towns at their core; ● Bristol becomes a major European city; ● Plymouth continues its renaissance and becomes the economic hub of the far South West; ● Swindon, Exeter, Cheltenham/ Gloucester, Bournemouth/ Poole, Weston-super-Mare and Taunton develop as important focal points for economic growth; ● regeneration of the Cornwall towns, Forest of Dean and Torbay and other priority areas continues to have effect; ● growth is supported by necessary infrastructure in step with development". 	<p>The draft RSS sets out a proposed level of residential and employment development for Torbay and other Authorities in the South West, which will then be implemented through individual Local Development Frameworks. The plan provides that:</p> <p>'To stimulate economic development at Torbay (Torquay, Brixham and Paignton) provision for job growth in the Torbay TTWA should be made for about 11,700 jobs over the plan period. Provision should be made for an average of about 500 dwellings per annum within and adjoining Torbay's urban area over the plan period.'</p> <p>Note: The Secretary of State's proposed Changes to the RSS propose an increase to 750 dwellings per annum for Torbay (15,000 dwellings over the plan period).</p> <p>'Development at Torbay will focus on the intensification of its existing urban area through the re-use of previously developed land and buildings, including urban renewal, maximising densities whilst seeking high-quality design standards. Where capacity constraints within the urban area restrict the ability to deliver the required housing and employment provision, urban extensions should be brought forward through the Torbay LDD, to complement this urban focus approach, assessing locations immediately adjoining the Torbay urban area.'</p>

	<p>Investment will be made in key infrastructure to enable the achievement of the development proposed in this Policy.</p> <p>Potential impacts on European sites through overall quantum of development, and further specified impacts (summarised in the section following -summary of HRA findings).</p>
<p>The report provides the findings of the complete HRA for the Draft South West RSS and its Implementation Plan.</p>	<p>Policy SR36 Torbay</p> <p>The HRA states that 'The policy makes provision for a type of development in Torbay but the specific location of the development is to be selected following consideration of options in lower tier plans. Appropriate Assessment will therefore be needed for local development plan documents once specific locations have been identified.'</p> <p>SR37 Torbay TTWA</p> <p>The HRA states that 'The policy steers a quantum and type of development towards areas where development may indirectly affect South Hams SAC and Dartmoor SAC.' This will lead to 'House building and related infrastructure, traffic and mixed use development' with the following potential impacts:</p> <ul style="list-style-type: none"> ■ Physical loss: of habitat and foraging area, fragmentation. (South Hams SAC) ■ Physical damage: through habitat severance and fragmentation. (South Hams SAC, Dartmoor SAC) ■ Water table: changes in water levels and flows due to abstraction, drainage etc. ■ (South Hams SAC, Dartmoor SAC)

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	<ul style="list-style-type: none"> ■ Toxic contamination: air, soil and water pollution, tipping. (South Hams SAC, Dartmoor SAC) ■ Non-toxic contamination: Eutrophication due to sewage treatment works discharge. (South Hams SAC, Dartmoor SAC) ■ Non-physical disturbance: human presence, artificial lighting, traffic. (South Hams SAC) <p>Recreational impacts may lead to :</p> <ul style="list-style-type: none"> ■ 'Physical damage: erosion, trampling. (Dartmoor SAC) ■ Non-physical disturbance: human presence and pets. (South Hams SAC, Dartmoor SAC)
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COUNTY

Devon County Council Structure Plan 2001-2016	
Aim of the document	Elements of the plan that could cause 'in-combination' effects
<p>The Structure Plan sets out the strategic planning framework for the development and use of land within Devon. It includes policies and proposals which provide the basis for decisions made by the individual Structure Plan Authorities, District Councils and other agencies when preparing Local Development Documents, planning for physical, social and economic infrastructure.</p> <p><i>Vision: A future for Devon that meets the needs of residents for a safe and healthy environment, a vibrant community life and a dynamic and prosperous economy.</i></p> <p>It is implemented through the high level policy aims:</p>	<p>The plan, which will be superseded by the South West RSS, on adoption, includes a number of key policies that may impact on European sites. Generally, these relate to the overall quantum of development, but also policies relating to increased infrastructure provision, strategic development sites, and Ports facilities.</p> <p>Policy ST13: Torbay Principal Urban Area</p> <p>At the Torbay PUA priority should be given to:</p> <ol style="list-style-type: none"> 1. promoting greater self-sufficiency, particularly in terms of the balance between the provision of homes and jobs while conserving the area's environmental quality;

<ul style="list-style-type: none"> ■ Conservation and enhancement of the Devon environment ■ Prudent use of resources ■ Community self-sufficiency ■ Meeting the need for housing ■ A dynamic and healthy economy ■ A sustainable transport network ■ Meeting the need for infrastructure 	<ol style="list-style-type: none"> 2. developing and diversifying the economy through economic restructuring, regeneration in the town centres, investment in new strategic facilities for the tourism industry and offering a range of economic investment opportunities; 3. providing additional housing at a level sufficient to meet local needs and supporting growth and regeneration; 4. improving the road, rail and public transport networks and links to the wider hinterland; 5. enhancing the strategic transport routes to other parts of Devon, the Region, the rest of the UK and Europe, taking advantage of the opportunities resulting from the proposed Kingskerswell Bypass. <p>Proposal ST17: Housing and Employment Land Provision</p> <p>To provide for the development of about 65,500 dwellings and 700 ha of employment land in the period 2001 to 2016, to be distributed as follows:</p> <ul style="list-style-type: none"> ■ Torbay – 4,300 dwellings (290 annual average) <p>Proposal ST19: Strategic Development Sites</p> <p>Strategic Development Sites for employment are proposed in or adjacent to the Plymouth, Exeter and Torbay PUAs, and additional strategic provision is also identified at the Barnstaple Sub Regional Centre. These Sites must be of a sufficient scale to accommodate major economic development proposals, and be developed in a sustainable way to a high environmental standard. They should be located where they can be accessed from the Strategic Road Network and have a high degree of accessibility from the main public transport networks.</p> <p>Policy TR13: Ports</p> <p>Port facilities and their associated infrastructure should be maintained and developed in order to ensure that the following ports fulfil their strategic function:</p>
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	<p>1. Plymouth as a commercial and fishing port linked to the European Transport Network;</p> <p>2. Teignmouth as a commercial port;</p> <p>3. Bideford as a commercial port; and</p> <p>4. Brixham as a fishing port.</p> <p>Proposal TR17: Strategic Network Investment Proposals</p> <p>The following major scheme is programmed to commence in the period 2001 to 2016.</p> <ul style="list-style-type: none"> ■ A380 / A3022 Torbay Ring Road – Tweenaway Junction
<p>Devon County Council Local Transport Plan 2006-2011</p> <p>*Note Devon and Torbay Local Transport Plan 3 is under preparation</p>	
<p>Aim of the document</p>	<p>Elements of the plan that could cause 'in-combination' effects</p>
<p>The Vision for the future of transport in Devon is of a county that has high quality transport networks which:</p> <ul style="list-style-type: none"> ■ Enable people to get to where they want, at a time that suits them. ■ Enable businesses to operate efficiently, creating prosperity and job opportunities. ■ Enable visitors to enjoy Devon's unique tourism resources and high quality environment. ■ Do not dominate or degrade the environment. <p>The Aims of the transport strategy developed to deliver this vision are to:</p>	<p>The Devon Local Transport Plan will be the primary focus for the delivery of the</p> <p>Devon Transport Strategy, through the successful implementation of its detailed investment programmes. The Plan has identified a series of thematic local transport plan objectives, which will provide a framework for the detailed programmes and priorities for investment over the period 2006 to 2011, these are:</p> <ul style="list-style-type: none"> ■ Objective 1: Tackling Traffic Congestion ■ Objective 2: Delivering Accessibility ■ Objective 3: Making Roads Safer

<ul style="list-style-type: none"> ■ Ensure the safety of users of Devon's transport networks. ■ Enhance the accessibility of services and facilities so that no-one is socially excluded. ■ Balance the provision of different means of transport so that, wherever possible, the private car is not the only option. ■ Provide everyone with accurate and accessible information about the transport choices available to them. ■ Manage Devon's transport networks so that journey times are consistent and reliable. ■ Minimise the environmental impacts of transport. ■ Create places and spaces which people enjoy and in which they feel safe. ■ Provide opportunities for, and encourage, walking, cycling, and other outdoor leisure and recreation, to increase levels of physical activity and improve health. 	<ul style="list-style-type: none"> ■ Objective 4: Improving Air Quality ■ Objective 5: Improving Recreation, Leisure and Tourism ■ Objective 6: Promoting Health and Well-being ■ Objective 7: Improving Public Spaces <p>Potential effects on European sites may relate to direct impacts (from infrastructure projects), air pollution impacts, and increased accessibility, which could lead to increased visits to European sites.</p>
<p>Devon County Council Waste Local Plan (adopted) 2006</p>	
<p>*Note: Preparation of the Devon County Minerals and Waste Development framework is underway and when adopted will replace the Waste Local Plan. A Core Strategy document is under preparation.</p>	
<p>The County Council was required as Waste Planning Authority to include strategic policies relating to waste management in its Structure Plan, and to prepare more detailed policies within a Waste Local Plan. This provides guidance to both the waste industry and the public on the land use policies in relation to waste management facilities in the County. Together with the Devon Structure Plan and the District-wide Local Plans, the Waste Local Plan will form part of the Development Plan for Devon which will be used to assess all planning applications for new waste development. The Devon County Waste Local Plan does not include policies relating to Plymouth, Torbay, Dartmoor</p>	<p>Potential for impacts on European sites, dependent on location of waste management facilities.</p> <p>POLICY WPP3: SITES FOR MINOR WASTE MANAGEMENT FACILITIES</p> <p>Additional minor waste management facilities are proposed at the following locations:</p> <p>ED33 Withyhayes</p>

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<p>and Exmoor National Parks, as these Authorities are responsible for preparing their own Waste Policies. However, the Plan does take into account the wastes generated in these areas, as they may be processed or disposed of at sites within the Plan area.</p>	<p>MD02 Ashley</p> <p>MD14 Punchbowl</p> <p>SH10 Laphorne Cross</p> <p>SH12 Marlands</p> <p>TE12 Shutterton Industrial Estate</p> <p>TE16 Kenbury Wood, Kennford</p> <p>TE19 Ruby Farm, Abbotskerswell</p> <p>TE25 Yannon Lane, Kingskerswell</p> <p>TO01 Anvil Corner, Holsworthy</p> <p>WD10 Exeter Road, Okehampton</p> <p>The sites highlighted in bold are minor waste management facilities within 10km of Torbay Council's administrative boundary.</p> <p>SH10 Laphorne Cross</p> <p>Potential Uses - Possibility of introducing a greenwaste composting facility at this site.</p> <p>SH12 Marlands</p> <p>Potential Uses - Inert waste recycling, waste transfer and greenwaste composting.</p> <p>TE19 Ruby Farm</p>
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	<p>Potential Uses - Greenwaste composting, inert waste recycling and an extended waste transfer facility received planning permission in December 2005. There is also potential for installing energy recovery from the wood burning incinerator.</p> <p>TE25 Yannon Lane</p> <p>Potential Uses - May be potential for inert waste recycling and the composting of greenwaste.</p>
<p>Devon County Council Minerals Local Plan (adopted) 2004*</p> <p>*Note: Preparation of the Devon County Minerals and Waste Development framework is underway and when adopted will replace the Minerals Local Plan. A Core Strategy document is under preparation and has reached Issues and Options stage (2008).</p>	
<p>The objectives of the Minerals Local Plan are as follows:</p> <ol style="list-style-type: none"> 1. To strike a balance between the demand for all mineral resources and the need to protect the environment, having regard to the principles of sustainable development. 2. To maintain a stock of permitted reserves (a landbank) for aggregate minerals, in accordance with current Government advice. 3. To encourage the most appropriate use of all mineral resources and the re-use of waste minerals and secondary aggregates, in order to reduce the requirement for new primary resources to a minimum. 4. To protect the quality and the diversity of the County's earth science and nature conservation interest, historic environment, water environment and landscape character. 	<p>Sites within close proximity to Torbay Council's administrative boundary.</p> <p>Inset Plan 34 Zig Zag – The site produces various aggregate products from working its own reserves as well as continuing to supply coloured mortars from the importation of aggregates from various sources.</p> <ul style="list-style-type: none"> ● Proposal: Inset 34.1 <p>The MPA will encourage the establishment and protection of a suitable Greensand exposure in the Zig Zag Quarry to complement the existing Aller Sand Pit SSSI.</p>

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<p>5. To identify Mineral Working Areas which will provide for the continued extraction of minerals, having regard to the need to avoid demonstrable harm to interests of acknowledged importance.</p> <p>6. To ensure, in consultation with local communities, that mineral sites are progressively restored to a beneficial after-use.</p> <p>7. To prevent the sterilisation of proven mineral resources by other forms of development.</p> <p>8. To identify those mineral sites which the County Council will seek to remove the possibility of their reopening by the service of Prohibition Orders.</p>	<p>Inset Plan 35 Stoneycombe - Quarrying of the limestone involves blasting and subsequent crushing and screening to prepare the rock for sale. The site also contains a pre-cast concrete manufacture, coated roadstone manufacture and a ready mixed concrete plant. Mineral production generates large quantities of silt from the stone working process.</p> <ul style="list-style-type: none"> ● PROPOSAL: INSET 35.1 <p>The MPA will analyse the results of the monitoring of the water environment in order to ensure that quarrying does not result in unacceptable adverse impacts on the underlying geology and karst features.</p> <ul style="list-style-type: none"> ● PROPOSAL: INSET 35.2 <p>The MPA will monitor lorry movement from the site to ensure that the agreed lorry routeing scheme is adhered to.</p> <ul style="list-style-type: none"> ● PROPOSAL: INSET 35.3 <p>The MPA will review the lorry routeing agreement if and when the Kings kerswell By-pass is constructed.</p> <ul style="list-style-type: none"> ● PROPOSAL: INSET 35.4 <p>The MPA will seek to preserve the remaining part of Milltor Mator Common.</p>
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Lyme Bay and South Devon Shoreline Management Plan (SMP) 1998
 & South Devon and Dorset SMP Review 2009 (SMP 2)

Aim of the document	Elements of the plan that could cause 'in-combination' effects
<p>The Shoreline Management Plan (SMP) sets sustainable coastal defence strategies for the future management of the shoreline. The document sets out a number of overall shoreline management objectives, which can be divided into three levels; Core Coastal Defence Management Objectives, General Strategic Management Objectives and Management Unit-Specific Objectives. The shoreline is broken down into a number of Coastal Process Units and given specific objectives for that area.</p> <p>The preferred strategic option relating to the coast in Torbay is to <i>selectively hold the line</i>.</p> <p>The South Devon and Dorset SMP Review 2009(SMP2) is currently in draft form and out to consultation. The 2 relevant policy units for the THAAP are:</p> <ul style="list-style-type: none"> ● 6b46 Beacon Cove to Torre Abbey Sands (Torquay Harbour) and ● 6b47 Torre Abbey Sands. <p>The policy objective for both units is to hold the line- the long-term plan being to minimise the risk of flooding and erosion to currently defended areas.</p> <p>The South Hams SAC is partially located alongside the policy units 6b58 and 6b59, Brixham, and the long-term policy is to hold the line, but to have no active intervention on hard rock stretches of the coast, which are likely to resist erosion in the long term.</p>	<p>The approach taken to coastal defences may impact upon coastal habitats through direct land take and changes to coastal processes.</p>

LOCAL-TORBAY

Torbay Council Local Plan 1995-2011	
Aim of the document	Elements of the plan that could cause 'in-combination' effects

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<p>The Torbay Local Plan was adopted in April 2004 and sets out a range of policies and proposals. Although working to Devon Structure Plan housing figures (rather than Regional Spatial Strategy figures), it contains a number of developments that have not yet been implemented. The Local Plan also proposes to achieve a large proportion of new housing (at least 65%) on previously developed urban land during the plan period to 2011.</p>	<p>As a result of Local Government Review (April 1998) Torbay Council inherited responsibilities as the Waste Planning Authority (WPA), in addition to its existing role as the Waste Collection Authority (WCA). It also became the Mineral Planning Authority (MPA). Waste and Minerals policies are currently set out in the Waste & Minerals Chapter of the Adopted Torbay Local Plan (1995-2011). These policies deal with the land use implications of the production, collection, reprocessing and disposal of waste in Torbay and with the land-use issues arising from the winning and working of minerals.</p> <p>The Local Plan will be superseded by the Development Plan Documents and Supplementary Planning Documents that will make up the Local Development Framework.</p>
<p>The Core Strategy will set out the broad aims and objectives for sustainable development in Torbay over the next 20 years. It outlines how the Council will deliver strategic development needs including housing, employment, leisure and retail. The Core Strategy will provide a framework for meeting the priorities of the Community Plan and Mayor's vision, where these involve the use of land.</p>	<p>A revised Regulation 25 Issues and Options Core Strategy paper was consulted on in September 2009. It considered five possible strategies for growth:</p> <ul style="list-style-type: none"> ■ Option (1) Constrained Development Approach. ■ Option (2) Urban Focus & Limited Greenfield Development Approach ■ Option (3A) Mixed Greenfield Approach. ■ Option (3B) Greenfield Approach- Single Urban Extension ■ Option (3C) Greenfield Approach- Northern Torbay Approach <p>This consultation further informed the future development of the Core Strategy Document.</p>
<p>Torbay Council Local Transport Plan 2006 -2011</p>	

<p>*Note Devon and Torbay Local Transport Plan 3 is under preparation</p>	
<p>Torbay Local Transport Plan 2006-2011 aim:</p> <p>To provide range of measures that can be used to provide the greatest outcomes and which provide value for money to improve the Torbay transport network, in keeping with the priorities of the Plan.</p> <p>The LTP seeks to deliver the spatial transportation strategy set out in Policy TS of the Adopted Torbay Local Plan. This seeks to reduce the environmental impact of transport systems, to reduce the need to travel by car and to encourage sustainable transport measures.</p>	<p>The Local Transport Plan priorities are:</p> <ul style="list-style-type: none"> ● Accessibility; ● Air Quality; ● Congestion; ● Road Safety; and ● Quality of Life. <p>Increased accessibility could be a potential source of in-combination effects through allowing better access to European sites. The overall LTP objectives for accessibility are:</p> <ul style="list-style-type: none"> ● Ensure good access to all key services and facilities from all parts of Torbay; ● Fully consider access when identifying new sites for key services; ● Maximise the level of access by all modes through the imposition of stringent section 106 and 278 agreements; ● Ensure that transport is not an impediment for people with disabilities and other disadvantaged groups; and ● Ensure good access to Torbay from outside and provide easily accessible information on travel options to and within Torbay. <p>The following action has been identified to deliver improved access to key services in Brixham:</p> <p>Brixham Town Centre (£500,000) (Torbay Local Plan Policy T6) – This scheme would fund the enhancement of the central area of Brixham, in support of the Brixham Regeneration Scheme. Balancing the needs of users of the town</p>

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	<p>centre will be critical, as the scheme would involve improvements to pedestrian and bus stop infrastructure as well as removing conflicts between different modes. This scheme will help to reduce air pollution in the area, improve accessibility and increase footfall in shopping streets (Indicators LTP1, LTP8, L5, L1).</p>
<p>Torbay New Growth Point: Programme of Development 2007 (Refreshed 2008)</p>	
<p>Aim of the document</p>	<p>Elements of the plan that could cause 'in-combination' effects</p>
<p>The Growth Point Programme is a tool for meeting the Community Plan objectives and delivering a step change in sustainable development in Torbay. It seeks to deliver sustainable development, to meet Torbay's pressing needs for housing and economic regeneration. In particular this programme identifies infrastructure constraints that need to be overcome in order to unlock development potential. The capacity on the A380 'western corridor' is considered to be a major issue as it is the main road serving the south of Torbay.</p>	<p>MEETING TORBAY'S HOUSING GROWTH</p> <p>In-combination effects may arise from increased housing growth and additional development at Brixham, discussed in this document. However the Core Strategy will implement this.</p> <p>Short Term – 2007/08</p> <p>The regeneration of Brixham Harbour side, waterfront and central car park will be progressed to provide mixed use development including residential, retail and employment uses.</p> <p>Medium Term - 2008/2011</p> <p>Regeneration proposals in Torquay Harbour side and town centre, together with Paignton town centre, are likely to be commenced by 2011 with associated delivery of new housing as part of mixed use developments. The implementation of regeneration proposals in Brixham is also likely to take place partly in this period, particularly at Freshwater Quarry.</p> <p>INFRASTRUCTURE NEEDED TO DELIVER SUSTAINABLE GROWTH</p>

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	<p>There is a need to improve accessibility to the south of Torbay along the A380 West of Paignton, which is known as the “Western Corridor”. Resolving the infrastructure constraint is essential to implementing a range of development in the south of Torbay including:</p> <ul style="list-style-type: none"> ● Allowing a modal shift to more sustainable forms of travel by improving conditions and ease of travel for pedestrians, cyclists and public transport. ● Housing at Great Parks (up to 500 dwellings on sites proposed in the Torbay Local Plan). ● Improving accessibility of existing employment land at Yalberton and Long Road. ● Employment proposals at Long Road South and Yalberton Road, which are set out in the Local Plan. ● Regeneration proposals in Brixham. ● Any further development proposals to emerge through the Local Development Framework Core Strategy.
Turning the Tide for Tourism in Torbay Strategy 2010 – 2015	
Aim of the document	Elements of the plan that could cause ‘in-combination’ effects
<p>The revised strategy, ‘Turning the Tide for Tourism in Torbay’ will build on the success of the Tourism in Torbay 2005-2015 strategy.</p> <p>The strategy will move forward with much greater emphasis placed on market led product development and modernising the current tourism offering.</p>	<p>The key potential in-combination effects arise from the product development of the major towns in English Riviera:</p> <ul style="list-style-type: none"> ● Torquay ● Paignton ● Brixham ● Babbacombe ● Cockington
Torbay Community Plan 2007-2027	

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<p>Aim of the document</p>	<p>Elements of the plan that could cause 'in-combination' effects</p>
<p>The Torbay Community Plan sets out a vision for Torbay based upon four themes: Pride in the Bay; Stronger Communities; Learning and Skills for the Future and the New Economy.</p>	<p>Unlikely to have an effect- it is the LDF Core Strategy which is the spatial implementation of the Community Plan vision and which is therefore more likely to cause in-combination effects.</p>
<p>New English Riviera Action Framework Plan and Vision 2008</p>	
<p>Aim of the document</p>	<p>Elements of the plan that could cause 'in-combination' effects</p>
<p>The New English Riviera Action Framework Plan and Vision sets out a vision for a New English Riviera. The New English Riviera establishes a strong identity for a future Torbay based upon its built and natural heritage. The document outlines locations where the vision will be realised, including the intensification of Torquay, forming the city centre, the reinvention of Paignton as a garden city, the opportunity to make the Clennon Valley a place of living and learning, and Brixham as a creative Harbour. The Action Framework Plan showcases 19 transformational projects showing the potential of regeneration concepts in the Bay.</p>	<p>The key potential in-combination effects relate to development at Brixham, with the potential to affect the South Hams SAC. The key projects outlines in the Action Framework are:</p> <p>Brixham Town Centre Development Cluster:</p> <ul style="list-style-type: none"> ● Brixham Town Centre mixed use and creative industries hub <p>Brixham Waterfront and Harbour Development Cluster:</p> <ul style="list-style-type: none"> ● Fish Market ● Freshwater and Oxen Cove Development ● Brixham Northern Arm ● Breakwater Hard Development.
<p>Torbay Harbour and Maritime Strategy (2007 – 2017) 'catching the wave'</p>	
<p>Aim of the document</p>	<p>Elements of the plan that could cause 'in-combination' effects</p>

<p>The strategy identifies the issues and opportunities facing Torbay Harbour and the Bay's maritime environment in the future, and sets out a cohesive and forward thinking plan to ensure that the harbour not only operates effectively, but that appropriate use is made of all water and harbour side facilities and opportunities are maximised.</p> <p>The objective of the strategy is to protect and enhance what we have whilst at the same time deriving sustainable economic and social benefit. The underlying principle is that this strategy will have sustainable development at its core, so that we can deliver our economic, social and environmental objectives.</p>	<p>This strategy will seek to position the Bay, and its waterside offer, as vibrant, exciting and interesting; providing quality events and activities, together with a warm welcome; whilst raising the profile and reputation of the excellent local catch – the fruit of the sea. To achieve this, a clear action plan must be in place and supported across Torbay. The main pillars of this action plan are:</p> <ul style="list-style-type: none"> ■ Strategy and policy; ■ Operation and service delivery; ■ Research; ■ Infrastructure development; ■ Coastal zone management and sustainability; and ■ Product development, events and promotion <p>Infrastructure development has the greatest potential for in-combination effects as it proposes that the TDA will:</p> <ul style="list-style-type: none"> ■ improve and increase our mooring provision ■ assess the potential for harbour expansion, particularly considering <ul style="list-style-type: none"> ● A Northern Arm, Brixham ● Improvements to BrixhamInner Harbour ● Extension of East Quay at Paignton Harbour ● Expansion of existing infrastructure to create additional sheltered water space ● A Town Dock ● Inner harbour pontooning at Torquay harbour ■ support the development of the harbour as a commercial and recreational port ■ endeavour to improve facilities for the embarkation and disembarkation of passengers from pleasure boats and visiting vessels
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	<ul style="list-style-type: none"> ■ consider best practice in harbour regeneration elsewhere to assess the potential for Torbay ■ work with private sector operators to consider commercially viable opportunities for the enclosed water space, including floating restaurants, and vessels of special interest.
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Table 1.1

OTHER LOCAL AUTHORITIES

South Hams LDF Core Strategy (Adopted)	
Aim of the document	Elements of the plan that could cause 'in-combination' effects
<p>The Core Strategy contains the planning vision and strategy for the district, setting out overall levels of new housing and employment land over the period 2001-2016. It also explains the Council's preferred general distribution of that development.</p>	<p>Overall the Core Strategy requires 6,000 new homes on allocated sites across the District by 2016. The Strategy aims to accommodate the majority of new development in the new community at Sherford (4,000 houses by 2016), close to Plymouth and at the Plymouth Urban Fringe in the South Hams part of the Plymouth Principal Urban Area (500 houses). Remaining allocations will be met through development in existing market towns and centres. The Core Strategy aims to accommodate 50 per cent of new housing on previously developed land. It also requires the provision of 62 hectares of employment land between 2001 and 2016, with 42 hectares of this located at the Plymouth Principal Urban Area (at Sherford New Community, Langage Employment Estate and Roborough). Most of the remaining allocations are at the Area Centres of Dartmouth, Ivybridge, Kingsbridge and Totnes.</p>

<p>The document examines whether the South Hams District Council Core Strategy is likely to have any significant effects on European sites.</p> <p>The report identified seven Natura 2000 sites that could potentially be affected by the LDF Core Strategy, these were:</p> <ul style="list-style-type: none"> ■ Dartmoor SAC; ■ Plymouth Sound & Estuaries SAC; ■ Tamar Estuaries Complex SPA; ■ South Hams SAC; ■ South Dartmoor Woods; ■ Blackstone Point; and ■ South Devon Shore Dock SAC. 	<p>The South Hams Core Strategy concentrates development at the Sherford New Community, close to the Plymouth PUA, and at the PUA itself. It is considered that the Sherford development has the greatest potential (in terms of the overall Core Strategy) to impact upon European sites of nature conservation significance, due to the scale of the development and its proximity to Plymouth Sound & Estuaries SAC, Tamar Estuaries Complex SPA and Dartmoor SAC.</p> <p>Due to the focus of the remaining housing and employment on existing market towns, on previously developed land, the potential for impact on European sites is considered negligible, and no further assessment is considered necessary. However, the potential for impacts may need to be re-assessed if further clarification or changes to development boundaries are made in future Development Plan Documents.</p> <p>Notwithstanding the above, the Core Strategy is considered to contain significant mitigating factors to ensure no adverse impacts on European sites. This includes work undertaken for the SA/SEA of the Core Strategy, and the inclusion of strong policies that ensure protection of sites of nature conservation importance.</p>
<p>Teignbridge District Council LDF Core Strategy</p> <p>*Note the Teignbridge Core Strategy DPD was withdrawn in November 2007- the information below is retained to inform the Torbay HRA work through providing an indication of likely new development.</p>	
<p>Aim of the document</p> <p>The Core Strategy is the principal policy document that sets out the strategic approach to spatial planning in Teignbridge for 2001-2016. Its policies broadly set out how to deliver that strategic approach.</p>	<p>Elements of the plan that could cause 'in-combination' effects</p> <p>The document establishes the role and function of settlements in the plan area, including the main towns and Classified Rural Settlements, and those parts of Teignbridge which are the countryside. It will provide for 7,250 new homes</p>

Appendix 1 Relevant Plans Review

	<p>including 2,500 on sites to be specifically identified through the plan process, access to jobs through 60 hectares of new employment land, and contains policies for transport, open space and community facilities.</p> <p>Future development in the District is focused on the Newton Abbot Sub-Regional Centre, where there will be a mixed use urban extension, comprising about 1500 new homes to 2016 and a further 200 post 2016 with associated job opportunities, infrastructure, community facilities and a retail park.</p> <p>The LDF Core Strategy for Teignbridge has the potential for impacts on Dawlish Warren SAC, Exe Estuary (SPA/Ramsar) and the South Hams SAC.</p>
<p>The document examines whether the Teignbridge District Council Core Strategy is likely to have any significant effects on European sites.</p> <p>Teignbridge District contains the Dawlish Warren SAC and sections of the Exe Estuary SPA and South Hams SAC. The interest features of the Exe Estuary Ramsar site have been included in the assessment as it overlaps with the SPA. Impacts on other European sites have been considered not to be significant on Natural England's advice.</p>	<p>Conclusion of screening analysis</p> <p>The screening analysis identified necessary measures to avoid significant impacts, which included recommendations to make alterations to Core Strategy policy and text wordings. The Council states that adopted management plans for Dawlish Warren and the Exe Estuary assist in controlling recreational impacts on these European sites. In other cases the means of avoiding significant impacts, such as provision of green infrastructure, will be drawn up through later stages of the LDF.</p> <p>Summary of recommended changes</p> <p>CS11 Newton Abbot Direction of growth – add reference to protection of horseshoe bat features under green infrastructure section of policy.</p>

	<p>CS14 make a more precise policy wording so it is clear that urban regeneration at Dawlish would have regard to European sites. CS16 Add reference to protection of the South Hams SAC and bat features in this policy for the Rural Areas.</p> <p>CS18 Add text to ensure Dawlish Warren Holiday Development Area boundary has regard to significant impacts on European protected sites.</p> <p>CS19 Add reference to European protected sites to countryside policy.</p> <p>CS21 Adopt a more precise wording so that it is clear that coastal zone development will have regard to European sites.</p> <p>CS27 add that green infrastructure can reduce recreational pressures on European sites.</p> <p>“It is the view of the Council that all the significant impacts of the Core Strategy can be avoided by making the recommended changes to policy wordings as above”.</p> <p>A “Finding of no significant effects report” can then be completed.</p>
Exeter City Council LDF Core Strategy	
Aim of the document	Elements of the plan that could cause ‘in-combination’ effects
<p>The Core Strategy sets out the vision, objectives and strategy for the spatial development of the City. In particular, it explains how proposed levels of employment and housing growth may be accommodated and how, and to what extent, forecast levels of retail growth may be met. The City Council carried out a consultation on the Preferred Options Paper and the Sustainability Appraisal in November 2006.</p>	<p>The Core Strategy will make provisions for at least 6,700 dwellings and 85 hectares of employment land between 2001 and 2016 and for 7,875 dwellings and up to 60 hectares of employment land between 2006 and 2021.</p> <p>The LDF Core Strategy for Exeter has the potential for impacts on Dawlish Warren SAC and Exe Estuary (SPA/Ramsar).</p>

Appendix 1 Relevant Plans Review

	Note: No Appropriate Assessment publicly available to date.
HRA Screening Dartmoor National Park Authority (Version 1) December 2007	
<p>The document sets out the Habitat Regulations Assessment of land use plans produced by Dartmoor National Park Authority. It includes the assessment of the National Park Management Plan and each Development Plan Document (DPD) of the Dartmoor National Park Local Development Framework (LDF). The document sets out the screening stage of the assessment.</p> <p>Three Special Areas of Conservation are examined in the document; these are Dartmoor SAC, South Hams SAC and South Dartmoor Woods SAC.</p>	<p><i>“It considered that Core Strategy policies, in setting the ‘general principles’ for development, demonstrate a fundamental concern for the protection, conservation and enhancement of habitat and biodiversity interests at this level.”</i></p> <p>The screening concludes that there is the potential for new development at Buckfastleigh to have an impact upon Greater Horseshoe Bat maternity roost and hibernation sites at the South Hams SAC. The Authority states that the protection of European sites and species will be secured by careful drafting of policies in subsequent DPDs, which will be informed by the detailed Appropriate Assessment of the Core Strategy.</p> <p>The screening assessment of the Dartmoor National Park Management Plan Ambitions concluded that they also had the potential to have a significant effect on one or more of the SACs. It was identified that Ambition 10 (recreation and enjoyment) has the potential for significant effects on greater horseshoe bat maternity roost site (South Hams SAC) through recreation damage, in particular in combination with other plans.</p>

Appendix 2 European Site Characterisation

Appendix 2 European Site Characterisation

Torquay Harbour Area Action Plan DPD: European Sites within a 20km buffer zone (Screening Table)

Site	SOUTH HAMS SAC. Located within: Torbay Unitary & Devon County Authorities. Area (ha): 129.53
Qualifying Interests	<p>SAC</p> <p>Annex I habitats primary reason for selection:</p> <ul style="list-style-type: none"> ■ European dry heaths ■ Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>) <p>Annex I Habitats qualifying feature:</p> <ul style="list-style-type: none"> ■ Vegetated sea cliffs of the Atlantic and Baltic coasts ■ Caves not open to the public ■ Tilio-Acerion forests of slopes, screes and ravines <p>Annex II species primary reason for selection:</p> <ul style="list-style-type: none"> ■ Greater horseshoe bat<i>Rhinolophus ferrumequinum</i>
Conservation Objectives	<p>Component SSSI: Berry Head to Sharkham SSSI</p> <p>The conservation objectives for the European interests on the SSSI are :</p> <ul style="list-style-type: none"> ■ To maintain, in favourable condition the Caves not open to the public, European Dry Heaths, Semi-natural dry grasslands and scrub facies on calcareous substrate, Vegetated sea cliffs of the Atlantic and Baltic Coasts. ■ To maintain, in favourable condition, the habitats for the population of greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>) <p><i>Note: maintenance implies restoration if the feature is not currently in favourable condition.</i></p>

<p>Key Environmental Conditions (factors that maintain site integrity)</p>	<p>Component SSSI: Haytor and Smallacombe Iron Mine</p> <p>The conservation objectives for the European interests on the SSSI are :</p> <ul style="list-style-type: none"> ■ To maintain, in favourable condition Caves not open to the public. ■ To maintain, in favourable condition, the habitats for the population of greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)
	<p>Component SSSI: Buckfastleigh Caves</p> <p>The conservation objectives for the European interests on the SSSI are :</p> <ul style="list-style-type: none"> ■ To maintain, in favourable condition the Caves not open to the public. ■ To maintain, in favourable condition, the habitats for the population of greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)
	<p>Component SSSI: Bulkamore Iron Mine</p> <p>The conservation objectives for the European interests on the SSSI are :</p> <ul style="list-style-type: none"> ■ To maintain, in favourable condition the Caves not open to the public. ■ To maintain, in favourable condition, the habitats for the population of greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)
	<p>Component SSSI: Chudleigh Caves and Woods</p> <p>The conservation objectives for the European interests on the SSSI are :</p> <ul style="list-style-type: none"> ■ To maintain, in favourable condition the <i>Tilio - Acerion</i> forests of slopes, screes and ravines, and the Caves not open to the public. ■ To maintain, in favourable condition, the habitats for the population of greater horseshoe bat (<i>Rhinolophus ferrumequinum</i>)
	<ul style="list-style-type: none"> ■ Appropriate management of the heathland is required to maintain the structural diversity including undisturbed bare ground, age structure and vegetation mosaic. * ■ Maintaining hydrological conditions. * ■ Maintain natural woodland processes and diverse woodland structure. *

Appendix 2 European Site Characterisation

<p>■ The roosts of the Greater horseshoe bat are sensitive to disturbance (internal and external) and would need to be limited to acceptable levels.*</p> <p>■ The internal conditions (temperature, light, ventilation, stability etc) of the cave systems, disused quarries and mine-shafts that support the Greater horseshoe bat population should be maintained.</p> <p>■ Any development or intrusion that may influence these factors would leave the suitability of the site and the species at risk. The most likely cause of disturbance to the site is the unauthorised entry into the roosts and indirect threats that could stem from the disturbance of feeding areas, impacts on flight paths, light and noise pollution.</p>	<p>■ % Area meeting PSA target</p>	<p>■ % Area favourable</p>	<p>■ % Area unfavourable recovering</p>	<p>■ % Area unfavourable no change</p>	<p>■ % Area unfavourable declining</p>	<p>■ % Area destroyed / part destroyed</p>	
	Berry Head to Sharkham Point SSSI (11 units)						
	91.39%	86.58%	4.81%	8.61%	0.00%	0.00%	0.00%
	Bulkamore Iron Mine SSSI (6 units)						
	75.48%	75.48%	0.00%	0.00%	24.52%	0.00%	0.00%
	Haytor and Smallcombe Iron Mines SSSI (5 units)						
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Buckfastleigh Caves SSSI (5 units)						
	100.00%	39.98%	60.02%	0.00%	0.00%	0.00%	0.00%
	ChudleighCaves And Woods SSSI (8 units)						
	94.54%	94.54%	0.00%	5.46%	0.00%	0.00%	0.00%
	Site Vulnerabilities	<p>■ Direct loss of habitat through development allocations pressures and transport developments</p> <p>■ Direct loss of habitat through neglect or inappropriate management</p>					

	<ul style="list-style-type: none"> ■ Increased deposition from industrial processes ■ Public access ■ Recreational pressure – caving/climbing activities ■ Direct loss, disturbance and alteration of micro-climate of roost sites for Greater Horseshoe Bats ■ Loss of feeding areas (within 2km of roost site for juvenile bats and 6km of roost site for adult bats))(i.e. woods, grazing) *** ■ Impacts on flight paths, e.g. loss or change in management of hedgerows used for navigation by bats; alteration of street lighting regimes in areas used by bats *** ■ Light and noise pollution ■ Sea level changes * ■ Potential impacts of port development in Torbay area (Brixham) *
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Table 2.1

Sources : * denotes information sourced from the Appropriate Assessment of the RSS for the South West: Appendix 3 – Appropriate Assessment Site Schedules.

**Natural England: <http://www.english-nature.org.uk/Special/sss/>

*** Council Officers

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<p>Site</p>	<p>SOUTH DARTMOOR WOODS SAC. Located within: Devon County Authority. Area (ha): 2157.15</p>
<p>Qualifying Interests</p>	<p>SAC</p> <p>Annex I habitats primary reason for selection:</p> <ul style="list-style-type: none"> ■ Old sessile oak woods with Ilex and Blechnum in the British Isles <p>Annex I Habitats qualifying feature:</p> <ul style="list-style-type: none"> ■ European dry heaths
<p>Conservation Objectives</p>	<p>Component SSSI's :Yarner Wood and Trendlebere Down (part)</p> <p>The conservation objectives for the European interests on the SSSI's are :</p> <ul style="list-style-type: none"> ■ To maintain western acidic oakwoods with <i>Ilex</i> and <i>Blechnum</i> (W16, W17 & some W11 & W10e) and upland dry heath in favourable condition <p>Component SSSI's : Hoine Woods, Bovey Valley Woodlands and part of Yarner Wood and Trendlebere Down</p> <p>The conservation objectives for the European interests on the SSSI's are :</p> <ul style="list-style-type: none"> ■ (subject to natural change-if necessary), to maintain western acidic oakwoods with <i>Ilex</i> and <i>Blechnum</i> (W16, W17 & some W11 & W10e) and upland dry heath in favourable condition <p>Component SSSI's : Hoine Woods</p> <p>The conservation objectives for the European interests on the SSSI's are :</p> <ul style="list-style-type: none"> ■ (subject to natural change-if necessary), to maintain western acidic oakwoods with <i>Ilex</i> and <i>Blechnum</i> (W16, W17 & some W11 & W10e) and upland dry heath in favourable condition

Appendix 2 European Site Characterisation

Key Environmental Conditions (factors that maintain site integrity)	<ul style="list-style-type: none"> ■ Appropriate management of the heathland is required to maintain the structural diversity including undisturbed bare ground, age structure and vegetation mosaic. * ■ Maintaining hydrological conditions and regimes. * ■ Appropriate management (no burning, extensive summer grazing) of vegetation structure and diversity with particular attention to bryophytes, dwarf shrubs and graminoids. * ■ Maintain natural woodland processes and diverse woodland structure. * ■ Maintain high air quality. 					
	% Area meeting PSA target	% Area favourable	% Area unfavourable recovering	% Area unfavourable no change	% Area unfavourable declining	% Area destroyed / part destroyed
Condition of SSSI Units (Compiled 4th Jan 08) **	Bovey Valley Woodlands SSSI (14 units)					
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	Hembury Woods SSSI (2 units)					
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	Holne Woodlands SSSI (18 units)					
	100.00%	51.44%	48.56%	0.00%	0.00%	0.00%
	Sampford Spiney SSSI (15 units)					
	97.72%	87.34%	10.38%	0.00%	2.28%	0.00%
	Shaugh Prior Woods SSSI (5 units)					
	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%
	Teign Valley Woods SSSI (7 units)					
	100.00%	92.22%	7.78%	0.00%	0.00%	0.00%

Yarner Wood & Trendlebere Down SSSI (8 units)					
	100.00%	100.00%	0.00%	0.00%	0.00%
Site Vulnerabilities	<ul style="list-style-type: none"> ■ Heavy recreational pressure. ■ Long-term decline in lichens due to air pollution and/or climate change. ■ Dry heath subject to heavy grazing and uncontrolled fires (arson). ■ Dry heaths are vulnerable to eutrophication through nitrogen deposition. 				

Note: * denotes information sourced from the Appropriate Assessment of the RSS for the South West: Appendix 3 – Appropriate Assessment Site Schedules.

Source: **Natural England: <http://www.english-nature.org.uk/Special/ssi/>

Appendix 2 European Site Characterisation

Site	DAWLISH WARREN SAC. Located within: Devon County Authority. Area (ha): 58.84
Qualifying Interests	<p>SAC</p> <p>Annex I habitats primary reason for selection:</p> <ul style="list-style-type: none"> ■ Humid dune slacks <p>Annex I Habitats qualifying feature:</p> <ul style="list-style-type: none"> ● Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes') ● Fixed dunes with herbaceous vegetation ('grey dunes') * Priority feature <p>Annex II species primary reason for selection:</p> <ul style="list-style-type: none"> ■ Petalwort <i>Petalophyllum ralfsii</i>
Conservation Objectives	<p>Component SSSI: Dawlish Warren</p> <p>The conservation objectives for the European interests on the SSSI are:</p> <ul style="list-style-type: none"> ■ To maintain, in favourable condition, the fixed dunes with herbaceous vegetation ("grey dunes"), humid dune slacks, and shifting dunes along the shoreline with <i>Ammophila arenaria</i> (marram grass) ("white dunes"). ■ To maintain, in favourable condition, the habitats for the population of petalwort (<i>Petalophyllum ralfsii</i>).
Key Environmental Conditions (factors that maintain site integrity) *	<p>Management of access to minimise trampling and disturbance.</p> <p>Appropriate management of the dunes to allow for the following combination of physical factors:</p> <ul style="list-style-type: none"> ■ unrestrained natural mobility to retain a variety of successional stages; ■ natural substrate supply; ■ maintenance of substrate composition;

	<ul style="list-style-type: none"> ■ water quality; and ■ climate/rainfall. <p>Selective scrub management and grazing may be necessary as well as control of invasive species.</p>											
Condition of SSSI Units (Compiled 4th Jan 08) **	Dawlish Warren SSSI (9 units)											
Site Vulnerabilities	0.00%	0.00%	0.00%	66.99%	33.01%	0.00%						
	<ul style="list-style-type: none"> ■ Recreational pressure – Erosion serious problem. ■ Declining water-table, and inappropriate ditch management. ■ Much of the fixed dune grassland is a golf course and is subjected to wear, whilst modifications to the course can have an impact on adjoining species-rich grassland, for example, by spray-drift of chemicals. ■ Inappropriate coastal management, including stabilisation/flood defence. * ■ Insufficient scrub and weed control, leading to encroachment of scrub and rank grassland species. * 											

Note: * denotes information sourced from the Appropriate Assessment of the RSS for the South West: Appendix 3 – Appropriate Assessment Site Schedules.

Source: **Natural England: <http://www.english-nature.org.uk/Special/ssi/>

<p>Site</p>	<p>EXE ESTUARY SPA/RAMSAR Located within: Devon County Authority. Area (ha): 2345.71</p>
<p>Qualifying Interests</p>	<p>SPA</p> <p>Over winter the area regularly supports (Article 4.1):</p> <ul style="list-style-type: none"> ■ Slavonian Grebe <i>Podiceps auritus</i> - 5% of the GB population ■ Avocet <i>Recurvirostra avosetta</i> - 28.3% of the GB population <p>Over winter the area regularly supports (Article 4.2):</p> <ul style="list-style-type: none"> ■ Brent Goose <i>Branta bernicla bernicla</i> - 0.6% of the population ■ Dunlin <i>Calidris alpina alpina</i> - 1.1% of the population in Great Britain ■ Oystercatcher <i>Haematopus ostralegus</i> - 1.2% of the population in Great Britain ■ Black-tailed Godwit <i>Limosa limosa islandica</i> - 7.2% of the population in Great Britain ■ Grey Plover <i>Pluvialis squatarola</i> - 1.1% of the population in Great Britain <p>Ramsar</p> <p>Criterion 5: Assemblages of international importance – species with peak counts in winter, 20263 waterfowl.</p> <p>Criterion 6: Species/populations occurring at levels of international importance.</p> <ul style="list-style-type: none"> ■ Dark-bellied brent goose <i>Branta bernicla bernicla</i> - 1509 individuals <p>Species/populations identified subsequent to designation for possible future consideration under criterion 6.</p> <ul style="list-style-type: none"> ■ Black-tailed godwit <i>Limosa limosa islandica</i> - 857 individuals <p>Component SSSI: Exe Estuary</p> <p>The conservation objectives for the European interests on the SSSI are :</p>

Appendix 2 European Site Characterisation

	<p>subject to natural change, to maintain*, in favourable condition, the habitats for the internationally important populations of the regularly occurring Annex 1 bird species, under the Birds Directive, in particular:</p> <ul style="list-style-type: none"> ■ Mudflat and sandflat communities (excluding seagrass bed communities). ■ Saltmarsh communities. ■ Shallow coastal waters. <p>subject to natural change, to maintain*, in favourable condition, the habitats for the population of internationally important populations of regularly occurring migratory bird species, under the Birds Directive, in particular:</p> <ul style="list-style-type: none"> ■ Intertidal mud and sandflat communities (excluding seagrass bed communities). ■ Saltmarsh communities. ■ Seagrass bed communities. <p>subject to natural change, to maintain*, in favourable condition, internationally important assemblage of waterfowl, under the Birds Directive, in particular:</p> <ul style="list-style-type: none"> ■ Mudflat and sandflat communities (excluding seagrass bed communities). ■ Saltmarsh communities. ■ Seagrass bed communities. ■ Intertidal and subtidal boulder and cobble scar communities. 					
<p>Key Environmental Conditions (factors that maintain site integrity)</p>	<ul style="list-style-type: none"> ■ Mudflat and sandflat communities (excluding seagrass bed communities). * ■ Saltmarsh communities. * ■ Shallow coastal waters. * <p>Absence of disturbance, absence of obstructions to view lines, food availability, vegetation characteristics of Atlantic saltmeadows, water quality and quantity, habitat connectivity. *</p>					
<p>Condition of SSSI Units (Compiled 4th Jan 08) **</p>	<p>% Area meeting PSA target</p>	<p>% Area favourable</p>	<p>% Area unfavourable recovering</p>	<p>% Area unfavourable no change</p>	<p>% Area unfavourable declining</p>	<p>% Area destroyed / part destroyed</p>
<p>Dawlish Warren SSSI (9 units)</p>						

	0.00%	0.00%	0.00%	66.99%	33.01%	0.00%
Exe Estuary SSSI (46 units)						
	95.25%	84.81%	10.44%	2.41%	2.35%	0.00%
Site Vulnerabilities	<ul style="list-style-type: none"> ■ Recreational activity – disturbance to waterfowl ■ Dredging could have an adverse effect on the Dawlish Warren Sandspit and sediment movement patterns. ■ Oil/ chemical spills ■ Mussel bed development pressure ■ Maintain hydrological conditions and regimes ■ Flood plain development and associated implications for hydrology and requirements for flood protection and constraints to water level management* ■ Inappropriate ditch management, causing lowering of local water table* ■ Invasive freshwater species* ■ Grazing – parts of the site are undergrazed or overgrazed, with resultant build up of thatch and scrub encroachment, or damage for example poaching/trampling.* 					

Note: * denotes information sourced from the Appropriate Assessment of the RSS for the South West: Appendix 3 – Appropriate Assessment Site Schedules.

Source: **Natural England: <http://www.english-nature.org.uk/Special/sssi/>

References/ Bibliography:

Information sourced from the Joint Nature Conservation Committee website <http://www.jncc.gov.uk/>, except where indicated.

Other sources referenced are:

- Appropriate Assessment of the Draft Regional Spatial Strategy for the South West: Appendix 3 – Appropriate Assessment Site Schedules(LUC, SWRA, Feb 2007)
- Natural England website: <http://www.english-nature.org.uk/Special/sssi/>

Appendix 3 Policy Screening

Screening of Preferred Policy* Approaches Torbay Council Torquay Harbour Area Action Plan

*Policies as displayed in Draft 25 Draft Consultation Document July 2009

Preferred Policy Approaches (PPA)	Description of Likely Effect	Potential Effect
Policy THS A Sustainable Harbour Area	The revitalisation of Torquay Harbour could lead to an increase in water-borne transport in the vicinity of Berry Head and Sharkham Point.	Yes
Policy TH1 Sustainable Construction and design	'No effect' – The policy itself will not lead to development.	No
Policy TH2 Flooding and coastal management	'No effect' – The policy concentrates development (e.g. flood defences) in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH3 Transport and access	The policy is likely to lead to increased levels of water-borne transport, through establishing a year-round fast ferry service between Torquay and Brixham Harbours.	
Policy TH4 North Quay, the Pavilion and Princess Gardens	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH5 Princess Theatre	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH6 Cary Parade amusement arcades	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH7 Victoria Parade	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH8 The Terrace Car Park	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No

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Preferred Policy Approaches (PPA)	Description of Likely Effect	Potential Effect
Policy TH9 Former Royal Garage site, Torwood Street	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH10 Abbey Crescent	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH11 The Imperial Hotel	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH12 Beacon Cove	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH13 Cary Green and Strand public realm improvements	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No
Policy TH 14 The Inner Harbour	The introduction of additional mooring facilities could potentially increase water-borne recreation around Berry Head and Sharkham Point.	
Policy TH 15 Strand (various buildings)	'No effect' – The policy concentrates development in existing urban areas, steering development away from European sites and sensitive areas.	No

Appendix 4 HRA Screening Matrix

Appendix 4 HRA Screening Matrix

Appendix 4 HRA Screening Matrix

Torquay Harbour Area Action Plan: European Sites within a 20km buffer zone

Habitat Regulations Assessment Screening Table: Torquay Harbour Area Action Plan

SOUTH HAMS SAC			
Potential Impacts from Torquay Harbour AAP	Risk of Significant Effect?	Potential Impacts – other Plans and Programmes	Risk from ‘In Combination’ Effects?
<p>Key potential effects of the LDF on the South Hams SAC relate to recreational disturbances, light and noise pollution, and potential loss of habitat. The Area Action Plan concentrates development in an existing urban area- Torquay Harbour-steering it away from the South Hams SAC, which is approximately 5 km from the Harbour by sea. Therefore increased land-based recreational disturbances are not likely to occur from the AAP.</p> <p>The DPD does however contain policies that have the potential to increase the level of water-borne transport around the area between Berry Head and Sharkham Point, which is a component of the South Hams SAC. This could lead to increased noise pollution in the area, which could have implications for the Greater Horseshoe Bat population. Further consideration has been given to this matter, and for the following reasons, this was not considered likely to be a concern:</p>	No.	<p>A range of other plans and programs may have an impact on this site, primarily due to an increase in land-based disturbances. In particular, an increased residential population (as proposed in the RSS) may increase recreational pressure at the site.</p> <p>The Torbay Harbour and Maritime Strategy (2006 – 2016) promotes a significant level of infrastructure development to Brixham Town Centre and Harbour, in proximity to the Berry Head to Sharkham Point component of this SAC.</p> <p>Projects include:</p> <ul style="list-style-type: none"> ● Fishmarket and Oxen Cove (£20 million), including extended quayside space, 	No. Effects arising from other plans should be assessed in their own right.

Appendix 4 HRA Screening Matrix

<ul style="list-style-type: none"> ● According to Natural England's Condition tables on the site ⁽¹⁰⁾, the main potential for disturbances to the bat roosts and caves are from land-based access to the site, and this is controlled and limited through physical measures. ● The majority of the site is in favourable condition (86.58 %) ⁽¹¹⁾, so existing levels of noise, including recreational noise are likely to be acceptable. ● NE's concerns relating to noise effects on maternity roosts for the bats largely relate to avoiding disturbance and noise close to the entrances of sites at breeding time (Autumn-Spring); water-based recreation and transport craft are likely to be sufficient distance from sites so as not to create additional noise. Additionally peak recreational noise would not coincide with breeding season. 		<p>new fish market and new industrial quayside units in Oxen Cove.</p> <ul style="list-style-type: none"> ● Town Centre and The Lanes (£25 million); car parking, new superstore and the lanes heritage quarter refurbishment. ● Freshwater Quarry, Oxen Cove and Northern Arm (£35 million), including new water front housing and social housing, new offices, Northern Arm Breakwater and expansion of Marina facilities. <p>It is unlikely that noise from these developments will affect the bat populations, however site level EIA, and possibly HRA may be required to investigate in detail (and mitigate accordingly). There may be increased water-based recreation resulting from expanded Marina facilities, however as discussed in column 1, effects are more likely to occur from land-based recreation.</p>	
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10 South Hams CSAc/Berry Head to Sharkham point SSSI: SCAC Conservation Objective Version 2: 20th September 2000

11 SSSI Condition Summary- Berry Head to Sharkham Point. www.ssi.naturalengland.org.uk

Appendix 4 HRA Screening Matrix

			Therefore it is determined that there is no likelihood of significant in-combination effects from the THAAP with other plans on the SAC. Further HRA work may need to be undertaken to consider the effects of increased population pressures (as outlined in the South West RSS) through the Core Strategy HRA.	
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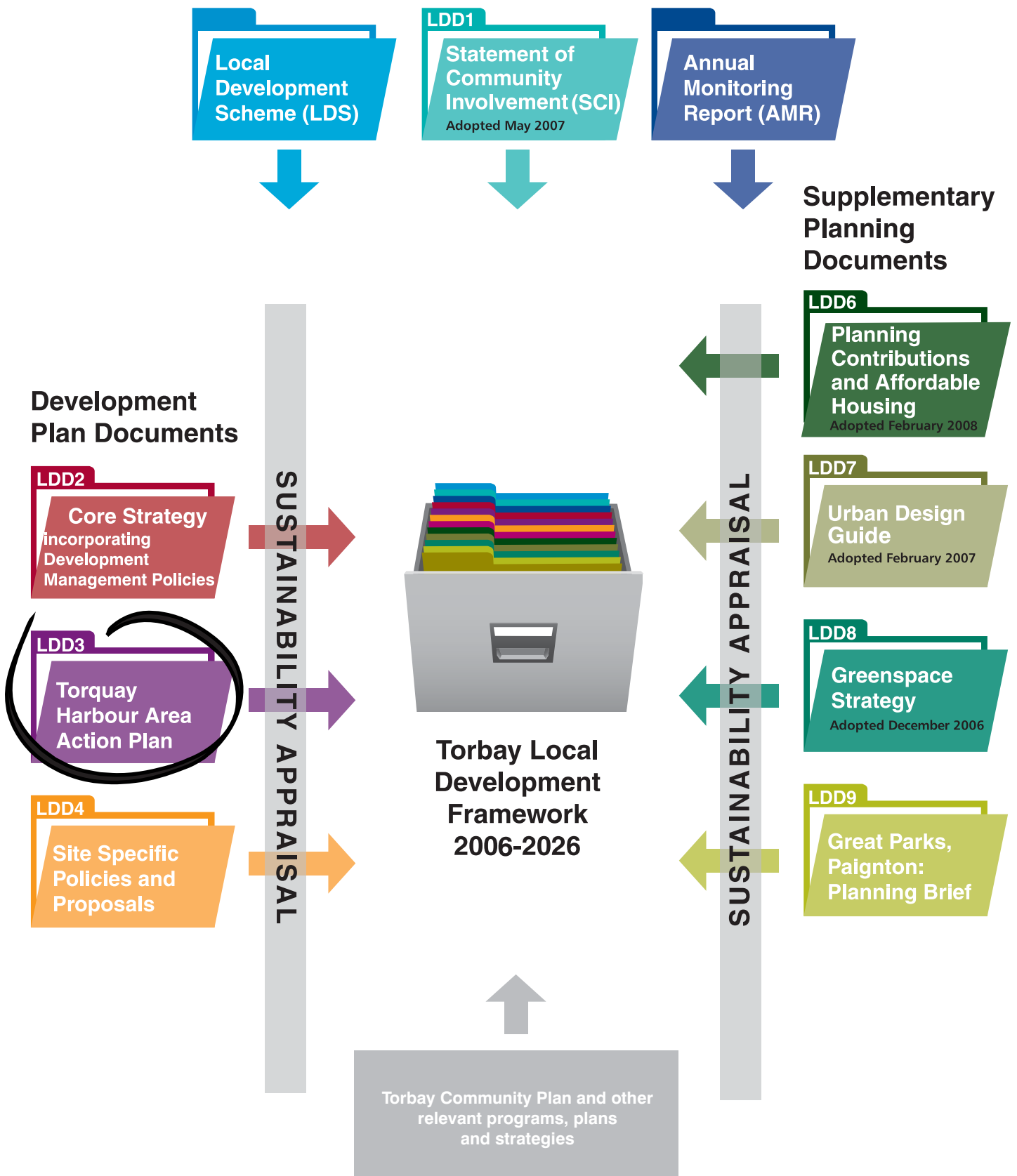
SOUTH DARTMOOR WOODS SAC				
Potential Impacts from Torquay Harbour Area Action Plan	Risk of Significant Effect?	Potential Impacts – other Plans and Programmes	Risk from 'In Combination' Effects?	
No effects identified. The Torquay Harbour AAP concentrates development in existing urban areas. The South Dartmoor Woods SAC is over 15 km from the Harbour Area, and there are no likely effects resulting from the AAP on this European site.	No.	Other plans and programs may have a negative effect on the SAC - generally through increased development, which could lead to recreational pressure (for example, the Torbay Core Strategy). However as the DPD will have no effect on the South Dartmoor Woods SAC in itself, it is not necessary to consider those plans at this stage.	No. Effects arising from other plans should be assessed in their own right.	

DAWLISH WARREN SAC				
Potential Impacts from Torquay Harbour Area Action Plan	Risk of Significant Effect?	Potential Impacts – other Plans and Programmes	Risk from 'In Combination' Effects?	

Appendix 4 HRA Screening Matrix

<p>Dawlish Warren SAC is over 15 km from Torquay Harbour. The AAP is considered unlikely to have any effect on the site, which is designated for its dune environments and herbaceous species.</p>	<p>No.</p>	<p>A range of other plans and programs may have an impact on this site, primarily due to increased development and urbanisation (for example the Exeter LDF Core Strategy). However as the THAAP DPD will have no adverse effect on the Dawlish Warren SAC, it is not necessary to consider those plans at this stage.</p>	<p>No. Effects arising from other plans should be assessed in their own right.</p>
EXE ESTUARY SPA /RAMSAR			
<p>Potential Impacts from Torquay Harbour Area Action Plan</p>	<p>Risk of Significant Effect?</p>	<p>Potential Impacts – other Plans and Programmes</p>	<p>Risk from ‘In Combination’ Effects?</p>
<p>The Estuary is approximately 20 kilometres by sea from Torbay Harbour. The only potential impact pathway identified for the Torquay Harbour AAP is an increase in use of the Harbour for recreational boating, which may increase water borne traffic to the Exe Estuary. Due to the distance involved, the level of water-based traffic entering the Estuary from Torquay Harbour is likely to be minimal. Water-based recreational activities are more likely to occur in summer, whereas the EXE Estuary site is more vulnerable to noise disturbance in winter, when birds are overwintering.</p>	<p>No.</p>	<p>A range of other plans and programs may have an impact on this site, primarily due to increased development and urbanisation (for example the Exeter LDF Core Strategy). However as the THAAP DPD will have no adverse effect on the Exe Estuary SPA/Ramsar site, it is not necessary to consider those plans at this stage.</p>	<p>No. Effects arising from other plans should be assessed in their own right.</p>

The structure of the Local Development Framework



Note: The status of certain Local Development Documents identified in earlier versions of the Torbay Local Development Scheme has changed as follows: LDD5 Generic Development Control Policies - now included in LDD2 Core Strategy. LDD10 Yalberton Road Paignton: Planning Brief has now been deleted.