

Appendix 1

Tor Bay Harbour Port Masterplan - Consultation Feedback and Response Table

As part of development of the Tor Bay Port Masterplan key stakeholders were asked to comment on the draft document which was circulated via email and made available on the Harbour Authority website from mid April 2013. Responses were received from a number of individuals and organisations including the Marine Management Organisation, Natural England, English heritage and the Heart of the South West Local Enterprise Partnership.

All of the key issues raised during the feedback on the draft plan are summarised in the table below. Where suggestions have been incorporated into the final masterplan this has been acknowledged, and where they have not the reasons for this are outlined.

Comment	Response
General Comments	
The long term skills agenda is only slightly touched upon and perhaps could be more in evidence.	There are a number of other strategic documents which refer to long term skills development in Torbay including the Work and Skills Plan and Marine Economy Action Plan. As such we have not included more detail in the Port Masterplan.
It is unclear whether the Port Masterplan envisages facilities for the enhanced Bay ferry services sought by the local transport plan.	The Harbour Authority and Consultants are reviewing this point although new facilities will be in place ahead of this Plan
Synergy with the Local Transport Plan regarding access to the individual harbours is less clear	This point will be addressed in an additional transport planning Appendix which was not included at draft stage.
While the engagement processes adopted in the production of the draft plan have included some public facing events it is perhaps open to question how representative the participation might be of Torbay's general populace rather than an interested minority.	The Masterplanning process has involved a number of consultation events, including a stakeholder day in October 2012 and a drop in session in each town in February 2013. Through the process a list of interested stakeholders has been developed (including neighbourhood planning groups) and the draft masterplan was sent to all on the list. In addition the draft was made available on the Harbour Authority website in April 2013, and this was highlighted by a number of press articles.

Comment	Response
<p>A longer term aspiration to be prepared for a return to greater use of short-sea shipping is indicated briefly by the pier extensions in Torquay and by the intermodal facility at Goodrington and is greatly to be welcomed, even if the plans are, perforce, only mentioned in outline. It is unclear how achievable such aspirations might be in practice, given the associated infrastructure requirements that would be required to bring them about.</p>	<p>The Consultants are reviewing this point with the Harbour Authority</p>
<p>I'm a little concerned that no mention has been made as to how existing users would have access to the water.</p>	<p>It is recognised that while the Masterplan sets out development for the future, existing users will want to maintain access to the water where this takes place. As such existing users will be consulted before any development work commences – a statement to this effect will be added to the final Masterplan.</p>
<p>The Harbour Authority's objection to the Marine Conservation Zone is referred to, but this is not followed through with a discussion of potential implications.</p>	<p>This is acknowledged and will be addressed in the final Masterplan.</p>
<p>In the 'flora, fauna and biodiversity' section the Masterplan states 'any developments must not significantly impact on any protected species, and management of the Bay should protect such species'. The word significantly should be removed or alternatively the wording should be more onerous</p>	<p>Natural England's feedback on the draft stated 'We welcome the statement that <i>developments must not significantly impact on any protected species and management of the Bay should protect such species</i>. This gives regard to government advice on BAP and protected species and their consideration in the planning system and Natural England Standing Advice for Protected Species is available on our website to help local planning authorities better understand the impact of development on protected or BAP species'. As such we have left the wording in the final Masterplan unchanged.</p>
<p>Overall the plan meets most expectations for the three harbours and coastline and we see no glaring errors.</p>	
<p>A further general observation we would make is that the Tor Bay plans do not seem to make reference to the Department for Transport's National Policy Statement for Ports (2012) or it's Guidance on the preparation of port master plans (2008).</p>	<p>The DfT guidance is referenced in the Masterplan introduction and this, along with the National Policy Statement for Ports will be included in the reference list.</p>

Comment	Response
<p>Under the Localism Act, there is a duty for local authorities and other public authorities to work together on planning issues to reflect shared interests and opportunities. In meeting requirements, we would suggest looking at the Marine Policy Statement (MPS) which, in lieu of marine plans for the South plan areas, should be used to inform and support decision-making that may have an impact below mean high water. We would recommend looking at the MPS as part of your Policy background section on page 40 and include the MPS in the list of current and existing plans/guidance.</p>	<p>We will include the MPS in the references section of the final Masterplan.</p>
<p>The <i>National Policy Statement for Ports, 2011</i> recommends that in order to help meet the requirements of the Government's policy on sustainable development, new port infrastructure should where possible <i>improve marine and terrestrial biodiversity</i> and further recommends that <i>measures are included in Port developments to enhance the marine environment where possible, thus offsetting any negative effects</i>.</p> <p>This is also in accordance with the <i>Guidance on the preparation of port master plans (Department for Transport 2008)</i>, which states in respect of master plans that <i>there should be a net environmental benefit from production of the Plans</i>. It is our opinion therefore that the Port Masterplan should further explore the scope for opportunities to incorporate features that are beneficial to wildlife into the strategic design, implementation and operation of future development.</p>	<p>Text will be incorporated stating that were possible features that are beneficial to wildlife will be incorporated into the strategic design, implementation and operation of future development.</p>
<p>We also acknowledge that the section of the plan on 'green environment' is consistent with <i>the general acceptance of biodiversity's essential role in enhancing the quality of life, with its conservation becoming a natural consideration in all relevant public, private and non-governmental decisions and policies</i> (UK Marine Policy Statement, 2011).</p>	<p>This is a useful endorsement.</p>

Comment	Response
<p>While we understand that the Port <i>Masterplan</i> is drafted as a high level document, and <i>that it will typically not be possible to identify detailed mitigation or offsetting measures at master plan stage</i>, we wish to refer to the ‘<i>Environmental Impacts</i>’, section of <i>The Department for Transport Guidance on the preparation of port master plans</i>, which states that <i>the plan should describe the proposed environmental control measures in more general terms, and describe the work that is programmed to determine details and its timescale</i>.</p> <p>In this regard the draft plan could usefully identify generic environmental pressures associated with Ports activities and the need for mitigation of potential environmental impacts with reference to adjacent site designations. For information a list of key Port activities with potential impacts on the natural environment is provided in <i>Appendix 5</i> of the Appraisal of Sustainability (AoS) Report to Department for Transport, 2009 Key Sustainability Issue 7 Marine Environment & 8 Biodiversity for the <i>Ports National Policy Statement</i></p>	<p>This is being reviewed by the Consultants although it is noted that DfT guidance also states that every masterplan will be different depending on the size of a port and the extent of plans for future development. The DfT encourages ports to vary the scale and scope of their masterplan in accordance with these factors. We are considering whether the scale and scope of this plan justifies the inclusion of these points</p>
<p>Green Environment section – need to reference cSAC European designation for sea cave habitats and rocky reefs as these are the most important protected habitats in the Bay. Not sure why there is a reference to cormorants and shags when we have many rarer seabird species could change to ‘The Bay is a nationally important winter roost for a number of bird species including Great Crested Grebe, Black-necked Grebe, Redthroated diver and Great northern diver. Berry Head is also nationally important for its Guillemot colony, which is the biggest mainland colony on the English Channel Coast, and the cliffs and surrounding water are designated as an Area of Special Protection.’ In paragraph 4 I would add habitats to the sentence ‘Any developments must not significantly impact on any protected species and habitats...’</p>	<p>These comments relating to species and habitats will be addressed by the Consultants and where appropriate incorporated within the final Masterplan document.</p>
<p>I have not been able to see any reference to the Tor Bay Coastal Zone Management Plan</p>	<p>The Tor Bay Coastal Zone Management Plan is an emerging document, and a draft has been shared with the Consultants developing the Masterplan. It will be included in the references in the final document.</p>

Comment	Response
<p><i>The Department for Transport Guidance on the preparation of port master plans states the following: It would be useful for the plan to set out the way in which environmental considerations will be incorporated within any such developments.....The plan may usefully include not only the port's plans to mitigate adverse environmental impact of new development, but also mitigation of the effects of everyday operations, and new measures specifically designed to improve the environment.</i></p> <p>It is our opinion therefore that the master plan could also usefully identify potential impacts and possible mitigation for operational stages of port facilities, which could have impacts on adjacent protected habitats. This could for example, include the risk of erosion to seagrass in the bay from vessel movements or anchoring activity and provide reference to the need for achievement of favourable condition status for adjacent site interest features. In this regard we feel that the plan should place further emphasis on the strategic importance of protecting the condition and environmental quality of marine habitats of the adjacent designated areas and refer to the need for assessment and mitigation of port operations on site interest features to be evidence based. It would also be useful for the master plan to identify the need for early liaison with regulators and statutory nature conservation bodies in accordance with the <i>National Policy Statement for Ports, 2011</i>.</p>	<p>The importance of the natural environment is acknowledged in the Environmental Impacts sections of the Masterplan; however we will review the text to see where we can identify the need for early liaison with conservation bodies on both the natural and heritage environment.</p> <p>Environmental Impact assessments will form part of all projects where this is necessary.</p> <p>DfT guidance also states that every masterplan will be different depending on the size of a port and the extent of plans for future development. The DfT encourages ports to vary the scale and scope of their masterplan in accordance with these factors.</p>
<p>2nd para (page 19 and page 35) is incorrect – there are 8 coastal SSSIs which are designated for both geology and biodiversity. Also, should reference here the Area of Special Protection off Berry Head. Again why are cormorants and shags specifically highlighted?</p>	<p>This will be amended in the final Masterplan.</p>
<p>P43 - Seahorses can be found all over the Bay so not correct to only reference a couple of sites. Plus, mobile species so a survey in 2008 does not mean they are not there.</p> <ul style="list-style-type: none"> - Would reference here the importance of the Bay for seabirds - Last para add habitat as well as protecting species. 	<p>This information will be reviewed by the Consultants and if appropriate the final Masterplan will be amended.</p>

Comment	Response
<p>In previous responses I have consistently highlighted the need for any proposals which involve physical change or impact to be underpinned by an understanding of the significance of the heritage assets - marine as well as land-based - whose fabric or setting is likely to be affected. This is a requirement of the National Planning Policy Framework (NPPF) and will be necessary to substantiate the sustainability of the Masterplan if its contents are to be used as evidence to influence the Local Plan or related statutory documents, and which subsequently form proposals which require individual statutory consents.</p> <p>I note that the draft Port Masterplan dated April 2013 now provides more detail on the genesis of the proposals which have been identified for each of the Torquay, Paignton and Brixham harbours, some of which are quite prescriptive and specific in their location and character. However, there remains a significant omission in the identification of relevant heritage assets and the positive role of the historic environment generally in establishing the context and uniqueness of the areas in question and their sensitivity to, and potential to accommodate sustainable, change. Given that the document covers such environmental issues as water quality, the green environment, soils and geology, and climate change and flooding, the absence of reference to the historic environment as an equally legitimate and determining factor is a major oversight which, if not addressed now, will still need to be addressed at some point in the future.</p> <p>Reference is made to conformity with the emerging Local Plan and the policies within which relate to the three settlement areas in question. While these may provide broad provision which has potential in principle to accommodate the suites of proposals set out in the Masterplan, they in turn will need to satisfy sustainability and deliverability criteria in their formulation and adoption which include historic environment considerations, and it is also important to highlight that these too are at an early stage in their formulation and ratification process.</p>	<p>The points raised about lack of identification of the heritage assets is relevant, and we will try to acknowledge this in the final Masterplan.</p> <p>As projects set out within the Masterplan are developed we will ensure they satisfy sustainability and deliverability criteria including historic environment considerations.</p> <p>More detail around the links to the Local Plan and its implications will be set out in the Planning Policy Appendix to be included in the final Masterplan.</p>

Comment	Response
<p>P46 - Broadsands maritime centre; the area off Broadsands beach is important for wintering birds (see comment for page 10) and water craft could disturb the birds during the winter months when they are loafing on the water and feeding. An impact assessment and disturbance study needs to be carried out to ensure the maritime centre does not impact on the birds.</p>	<p>We believe this point would be covered by the emerging Tor Bay Coastal Zone Management Plan, however should development of the maritime centre take place relevant impact assessments will be undertaken.</p>

Torquay	
Comment	Response
<p>WWII slipways in Torquay – we are against the idea of covering the slipways, but very much in favour of restoring them.</p>	<p>This point has been raised with English Heritage, we are awaiting feedback but should they suggest that preserving the slipways by covering them is not acceptable this will be revised.</p>
<p>Torquay – Inner harbour on the Strand side, the small slipway there is little used. It could provide huge economic value to the whole community to infill the harbour at that point allowed the Strand area to be widened.</p>	<p>This endorsement is welcomed.</p>
<p>Page 12 and Page 53 “relocate passenger ferry pontoon and brow at Beacon Quay”. Whilst I understand that the Beacon Quay Location is not a favoured location it seems odd that we are stating very publically our desire to move them before they are built. I understand Princess Pier is favoured for the medium/longer term. We already state this in the Plan so do not understand need to also include this phrase re Beacon Quay? We should not rule out potentially having all of these pontoon locations one day - or using the facility at Beacon Quay for berthing or cruise ships longer term?</p>	<p>The Harbour Committee agreed in July 2012 to consider a long-term location for passenger ferry infrastructure at Torquay harbour. Stakeholder concerns regarding the Beacon Quay location were evident during the consultation and the comments on pages 12 & 53 reflect these concerns.</p>

Comment	Response																								
<p>I would like to confirm that the extension of Haldon Pier is 250 metres with a dolphin at the end of it</p>	<p>The proposal for Haldon Pier is a 200 metre long extension with a dolphin at 30 metres beyond the end. This is because the maximum draught available is 5.5m. This gives a maximum ship length of about 150m. The proposed 200 metre extension with dolphin will allow ships up to 200m+ long to berth. See table of lengths of Cruise Ships planned for 2013:</p> <table border="1" data-bbox="1261 547 2045 788"> <thead> <tr> <th>Ship</th> <th>Draught</th> <th>Length</th> <th>Beam</th> </tr> </thead> <tbody> <tr> <td>MV Ocean Majesty</td> <td>6.2m</td> <td>135m</td> <td>15.8m</td> </tr> <tr> <td>MV Artania</td> <td>7.8m</td> <td>231m</td> <td>29.6m</td> </tr> <tr> <td>MV Delphin</td> <td>6.2m</td> <td>140m</td> <td>20.4m</td> </tr> <tr> <td>MV Thomson Spirit</td> <td>7.9m</td> <td>215m</td> <td>27.3m</td> </tr> <tr> <td>MV Albatros</td> <td>7.3m</td> <td>205m</td> <td>27.0m</td> </tr> </tbody> </table>	Ship	Draught	Length	Beam	MV Ocean Majesty	6.2m	135m	15.8m	MV Artania	7.8m	231m	29.6m	MV Delphin	6.2m	140m	20.4m	MV Thomson Spirit	7.9m	215m	27.3m	MV Albatros	7.3m	205m	27.0m
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<p>P52 - Haldon Pier is important for purple sandpipers and any works to the pier should ensure no impact to the population.</p> <ul style="list-style-type: none"> - Concern that the extension to Haldon pier could impact the seagrass beds surrounding Torquay Harbour and sediment movement could impact the species in the sea caves. An EIA will need to be done to ensure the works does not impact this nationally important habitat. - Also any other infrastructure works in the area should assess potential damage to the sensitive habitats and species in the area. 	<p>An Environmental Impact Assessment will be required for any future development.</p>																								

Paignton	
Comment	Response
The pier has been missed as a possible stop on the commuter ferry. Piers were built partly as stopping points for steamers. It would put commuters and visitors in the centre of Paignton, could even be used to get to the cinema from Brixham or Torquay.	This will be incorporated into the final Masterplan.

Brixham	
Comment	Response
Within the proposals for Brixham harbour the plan talks about a parking pricing strategy – this should be removed as it is outside the remit of the plan	This text will be revised in the final Masterplan.
There is a strong feeling in Brixham that the Northern Arm should be prioritised. The Northern Arm in Brixham should be a short term (0-5 year) priority	In order to complete this within 5 years finance needs to be found and environmental and geotechnical studies need to be completed. Then environmental impact assessments need to be carried out to produce Environmental Assessment and consents obtained. We acknowledge some of the preparation work has been done, but it would only be possible to complete the project within 5 years if it started immediately. As such preparatory works and studies have been included in the short term and completion of the Northern Arm in the medium term priority.
An artificial reef off Shoalstone would be a good idea	This would present an unacceptable risk to navigation, and for this reason has not been included in the amended Masterplan.
A multi-storey car park could be built below the Overgang hairpin and would make it unnecessary to reclaim land	Reclaiming land is expected to be cost neutral and would provide additional quayside space and deliver alongside berthing behind a new Northern Arm.

Comment	Response
<p>The design for the Northern Arm in the Masterplan wastes the deep water. A longer arm from the end of the existing breakwater would provide berths for large ships, with a shorter arm landward enclosing a marina. The fairway shown in the masterplan is too close to the proposed fuelling station, and this could be dangerous.</p>	<p>The Masterplan is using an existing design of the proposed Northern Arm which is a product of the Brixham Harbour Northern Arm Breakwater – Concept Design Report (May 2011) by Parsons Brinckerhoff with Royal Haskoning.</p>
<p>Large ships berthing at Torquay, where the water is much shallower than at Brixham, would involve continuous dredging, expensive, and harmful to the environment. Brixham should be the location for cruise ship berthing, and would be good for tourism on this side of the Bay.</p>	<p>Torquay harbour is currently the destination brand for cruise ship marketing in Torbay and as such it has been decided to support this policy through the Masterplan to ensure continuity.</p>
<p>Brixham's tourism would benefit significantly from a sill, pedestrian bridge and reclaimed area for a town square in the inner harbour. There seems to be unanimity on this!</p>	<p>Already included – but this endorsement is welcomed.</p>
<p>I cannot see where we also mention the new pontoon facility at East Quay in Brixham which is currently under construction, although it may have been called something else in the Plan.</p>	<p>This facility will be constructed before the Masterplan is finalised so it has not been included as a future development.</p>
<p>Northern Arm again needs an EIA to ensure no impact to sensitive habitats in the area e.g. seagrass beds at Fishcombe Cove and also seahorses. Also, wider impact of increase in boat traffic on sensitive habitats needs to be considered.</p>	<p>An Environmental Impact Assessment will be required for any future development.</p>