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Our ref: 254915
Your ref: Torquay Neighbourhood Plan Habitats Regulations Report



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BY EMAIL ONLY

Dear Ashwag

Planning consultation: Torquay Neighbourhood Plan: Habitats Regulations Assessment (HRA) Report August 2018

Thank you for your consultation on the above dated 08 August 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We have a number of interim comments on the HRA which are set out below. We will be able to provide our formal and final comments when the matters raised have been addressed. Many are procedural and should be fairly easy to resolve. We would be happy to discuss the various issues over the phone or in person if that would help.

General

It is unclear whether this is an update of a previous HRA report or a new standalone report. This should be clarified in the introduction.

The HRA should include a list of all proposed allocations and draw a conclusion as to whether they are likely to have significant environmental effects. References to a map showing the locations of the sites should also be provided.

In coming to a conclusion regarding likely significant effects, regard should be had to the emerging South Hams Special Area of Conservation (SAC) Supplementary Planning Document (SPD) published for consultation, by the Council, earlier in the year. We note that the 'Landscape Connectivity Zone' referred to within that document clips the north western boundary of the Torquay Plan Area and potentially overlaps with or abuts proposed allocations TNPH1 and TNPH3. The location of all allocations, and particularly TNPH1 and TNPH2) need to be checked against the Landscape Connectivity Zone (set out in the emerging SPD) and a judgement made about where there are likely to be significant effects on the South Hams SAC. Please include a neighbourhood area wide plan showing the location of the allocated sites (as referred to in para 111 of the Examiner's report) and showing the Landscape Connectivity Zones.

Section 3: European site characteristics.

We would expect the HRA report to identify and list the qualifying features of the relevant European Sites and set out the conservation objectives for each qualifying feature. If this has already been done in a previous report a reference to that report should be set out here. In addition the link provided in this section does not appear to work.

Table 5.1: Factors affecting integrity of European Sites

This table suggests that the South Hams SAC is not vulnerable to noise, vibration and lighting. This appears to be a drafting error. The Torbay Local Plan and the emerging South Hams SPD identify that light pollution needs to be considered.

Section 6: Screening conclusions

This section should clarify which policies or sites give rise to likely significant effects (LSE) and therefore which ones must be tested further through the Appropriate Assessment process. For instance do all the site allocations give rise to LSE in relation to the South Hams SAC or just a small number? Most of the allocations seem to fall outside the strategic flyways (identified in the extant South Hams SAC Greater horseshoe bat consultation zone planning guidance 2010) and/or Landscape Connectivity Zone (identified in the emerging South Hams SAC Greater horseshoe bat Supplementary planning document Feb 2018). We therefore question whether all allocations need to be subject to Appropriate Assessment.

As stated above Inclusion of a neighbourhood area wide plan showing the location of the allocated sites (as referred to in para 111 of the Examiner's report) and showing the Landscape Connectivity Zone is necessary. For completeness this map should also show the strategic flyways.

Section 7.3

If allocations TNPH1 and TNPH3 trigger LSE as a result of being within the Landscape Connectivity Zone (see comments above) they need to be subject to Appropriate Assessment.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Carol Reeder on 0208 225 6245 / 07721 108902 or carol.reeder@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

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