

Date: 18 June 2013

Our Ref 89259

Your ref:

Simon Thornley
Business Manager Strategic Place
Teignbridge District Council



BY EMAIL ONLY

Natural England
Consultation
Service
Hornbeam House
Electra Way
Crewe Business
Park
CREWE
CW1 6GJ

T: 0300 060 3900

Dear Simon,

Planning and Compulsory Purchase Act 2004

Localism Act 2011

Teignbridge Local Plan Consultation on Habitat Regulation Assessment of Submission Plan

Thank you for consulting us on the above. This consultation was received on Thursday 13 June 2013.

Technical Advice

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.

Natural England generally agrees with the recommendations in the document commencing on page 85, save for the following comments and advice in paragraph 13.16

Summary of Urbanisation Issues

Bullet point 2 it is not made clear that planning applications received in advance of the completion of the preparation of a landscape scale Greater Horseshoe Bat Mitigation Strategy, will have to consider in –combination impacts which are likely to require greater consideration of other plans and projects and greater evidence base. The need for any project to consider effects from the project and in – combination through a bespoke plan appropriate has been included in the revised policy wording.

Summary of Water Quality Issues

It is noted that the Water Cycle Study (Scott Wilson; 2010) identified that Chudleigh Sewage Treatment Works with the proposed development would not meet the existing the volume and quality of treated wastewater consent conditions. It is also noted that South West Water has already agreed to undertake the necessary works which are already incorporated into that company's Plan. It is therefore considered that only bullet point 5 is necessary to satisfactorily conclude Habitat Regulation Assessment.

Natural England
Foundry House
3 Millsands
Riverside Exchange
Sheffield S3 8NH

Summary of air quality issues

We advise we also do not support the additional recommended policy wording regarding a presumption against any development of intensive livestock farming units within 5km of any Natura 2000. Whilst we agree that such policy would avoid any likely significant effects, thereby concluding HRA satisfactorily, the process that has been applied to reach such a conclusion would not be supported. We note that no such development is proposed. We therefore agree with the policy revision that any intensive livestock farming proposed within 5km of a Natura 2000 site should be screened for HRA at a project level and Appropriate Assessment carried out where applicable.

If this policy wording requires modifying after examination, we advise that the authority undertakes a more appropriate screening method for Likely Significant Effects considering whether the qualifying features of each Natura 2000 site would be impacted upon by such a development.

Air quality impacts at Dawlish Warren have been partially considered in the report but not considered in the recommendation. If it is considered that mitigation measures are appropriate (such as tree screening) due to likely significant effects these should be included in policy. Measures for recreational disturbance may also contribute to mitigation for any air quality impacts at Dawlish.

Whilst additional monitoring in the vicinity of Natura 2000 sites which are susceptible to air quality impacts would be prudent. Monitoring itself should not be regarded as a solution to any impact.

Conclusion

It is noted that the matrix accompanying the document recommends additional wording in the Plan text as well as additional policy wording. Whilst the updated Plan has not been seen, I understand that the Authority will be making all the recommended changes prior to submitting the Plan for examination.

Providing that:

- these additional text and policy modifications are included in the plan, save for the points noted above
- policy revisions relating to previous comments in our letter dated 19 December 2012, reference to policy S5, DA7, S11 relating to Natura 2000 sites are also incorporated into the plan,
- monitoring proposals, formally policy S24 are re-incorporated into the plan

It is advised that Habitat Regulation Assessment is satisfactorily concluded and we also advise that our objections to policies S19, BT3, BT2A, BT2B, S15, KS1, KS3, S20, CH1, CH2 and CH3 are now withdrawn.

I hope that these comments are helpful,
For any correspondence or queries relating to this consultation only, please contact Laura Horner on 0300 060 2018 laura.horner@naturalengland.org.uk For all other correspondence, please contact consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Laura Horner
Lead Adviser, Forward Planning Network

