

# Broadclyst Neighbourhood Plan Habitats Regulations Assessment

Broadclyst Parish Council

June 2022

## Quality information

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*This report has been subject to an accessibility check and meets AECOM and Locality's accessibility standards in association with the regulations.*

# 1. Introduction

## Background to the Project

- 1.1 AECOM has been appointed by Broadclyst Parish Council to assist in producing a report to inform the Local Planning Authority's (East Devon District Council) Habitats Regulations Assessment (HRA) of the potential effects of the Broadclyst Neighbourhood Plan Regulation 14 on internationally designated wildlife sites. The objectives of the assessment are to:
- Identify any aspects of the Neighbourhood Plan that would cause an adverse effect on the integrity of international sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs)) including, as a matter of Government policy, Ramsar sites, either in isolation or in combination with other plans and projects, and
  - To advise on appropriate policy mechanisms for delivering mitigation where such effects were identified.
- 1.2 The HRA of the Broadclyst Neighbourhood Plan is required to determine if there are any realistic linking pathways present between an international site and the Neighbourhood Plan and where Likely Significant Effects cannot be screened out, an analysis to inform Appropriate Assessment to be undertaken to determine if adverse effects on the integrity of the international sites will occur as a result of the Neighbourhood Plan alone or in combination.

## Legislation

- 1.3 The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). This established a transition period, which is currently set to end on 31 December 2020. The Withdrawal Act retains the body of existing EU-derived law within our domestic law. During the transition period EU law applies to and in the UK.
- 1.4 The UK is therefore still bound by the terms of the Habitats Directive (92/43/EEC). Under Article 6(3) of the Habitats Directive, an appropriate assessment is required, where a plan or project is likely to have a significant effect upon an international site, either individually or in combination with other projects. The Directive is implemented in the UK by the Conservation of Habitats and Species Regulations 2017 (as amended) (the "Habitats Regulations").
- 1.5 The need for Appropriate Assessment is set out within Article 6 of the EC Habitats Directive 1992<sup>1</sup>, and interpreted into British law by the Conservation of Habitats and Species Regulations 2017 (as amended)<sup>2</sup>. The ultimate aim of the Directive is to "*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*" (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the international sites

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<sup>1</sup> <http://jncc.defra.gov.uk/page-1374> [accessed 31/01/2019]

<sup>2</sup> <https://www.legislation.gov.uk/ukSI/2017/1012/contents/made> [accessed 31/01/2019]

themselves, although the sites have a significant role in delivering favourable conservation status.

### Figure 1: The legislative basis for Appropriate Assessment

#### Conservation of Habitats and Species Regulations 2017 (as amended)

The Regulations state that:

*“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives... The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site”.*

1.6 It is therefore important to note that this report has two purposes:

- To assist the Qualifying Body (Broadclyst Parish Council) in preparing their plan by recommending (where necessary) any adjustments required to protect international sites, thus making it more likely their plan will be deemed compliant with the Conservation of Habitats and Species Regulations 2017 (as amended); and
- On behalf of the Qualifying Body, to assist the Local Planning Authority to discharge their duty under Regulation 105 (in their role as ‘plan-making authority’ within the meaning of that regulation) and Regulation 106 (in their role as ‘competent authority’).

1.7 As ‘competent authority’, the legal responsibility for ensuring that a decision of ‘likely significant effects’ is made, for ensuring an ‘appropriate assessment’ (where required) is undertaken, and for ensuring Natural England are consulted, falls on the local planning authority and the Neighbourhood Plan examiner. However, they are entitled to request from the Qualifying Body the necessary information on which to base their judgment and that is a key purpose of this report.

1.8 The Habitats Regulations applies the precautionary principle<sup>3</sup> to international sites SAC, SPA, and Ramsar. For the purposes of this assessment candidate SACs (cSACs), proposed SPAs (pSPAs) and proposed Ramsar (pRamsar) sites are all treated as fully designated sites.

1.9 Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. This contrasts with the SEA Directive which does not prescribe how plan or programme proponents should respond to the findings of an environmental assessment; merely that the assessment findings (as documented in the ‘environmental report’) should be ‘taken into account’ during preparation of the plan or programme. In the case of

<sup>3</sup> The Precautionary Principle, which is referenced in Article 191 of the Treaty on the Functioning of the European Union, has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: “When human activities may lead to morally unacceptable harm [to the environment] that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis”.

People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

the Habitats Directive, plans and projects may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

- 1.10 In 2018, the ‘People Over Wind’ European Court of Justice (ECJ) ruling<sup>4</sup> determined that ‘mitigation’ (i.e. measures that are specifically introduced to avoid or reduce the harmful effects of a plan or project on international sites) should not be taken into account when forming a view on likely significant effects. Mitigation should instead only be considered at the appropriate assessment stage. Appropriate assessment is not a technical term: it simply means ‘an assessment that is appropriate’ for the plan or project in question. As such, the law purposely does not prescribe what it should consist of or how it should be presented; these are decisions to be made on a case by case basis by the competent authority. An amendment was made to the Neighbourhood Planning Regulations in late 2018 which permitted Neighbourhood Plans to be made if they required appropriate assessment.
- 1.11 Over the years the phrase ‘Habitats Regulations Assessment’ has come into wide currency to describe the overall process set out in the Conservation of Habitats and Species Regulations from screening through to Imperative Reasons of Overriding Public Interest (IROPI). This has arisen in order to distinguish the process from the individual stage described in the law as an ‘Appropriate Assessment’. Throughout this report we use the term Habitats Regulations Assessment for the overall process.

## Report Layout

- 1.12 **Chapter 2** of this report explains the process by which the HRA has been carried out. **Chapter 3** explores the relevant pathways of impact. **Chapter 4** summarises the Test of Likely Significant Effects of the policies and site allocations of the Plan considered ‘alone’ and ‘in-combination. (The Test of Likely Significant Effects itself is undertaken in **Appendix B**). **Chapter 5** contains the Appropriate Assessment for any linking impact pathways that could not be screened out from potentially resulting in a Likely Significant Effect. **Chapter 6** contains the conclusion and a summary of recommendations.

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<sup>4</sup> Case C-323/17

## 2. Methodology

### Introduction

2.1 This section sets out the approach and methodology for undertaking the Habitats Regulations Assessment (HRA). HRA itself operates independently from the Planning Policy system, being a legal requirement of a discrete Statutory Instrument. Therefore, there is no direct relationship to the National Planning Policy Framework (NPPF) and the ‘Tests of Soundness’.

### A Proportionate Assessment

2.2 Project-related HRA often requires bespoke survey work and novel data generation in order to accurately determine the significance of effects. In other words, to look beyond the risk of an effect to a justified prediction of the actual likely effect and to the development of avoidance or mitigation measures.

2.3 However, the draft MHCLG guidance<sup>5</sup> (described in greater detail later in this chapter) makes it clear that when implementing HRA of land-use plans, the Appropriate Assessment (AA) should be undertaken at a level of detail that is appropriate and proportional to the level of detail provided within the plan itself:

2.4 “The comprehensiveness of the [Appropriate] assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources, than is useful for its purpose. It would be inappropriate and impracticable to assess the effects [of a strategic land use plan] in the degree of detail that would normally be required for the Environmental Impact Assessment (EIA) of a project.”

2.5 More recently, the Court of Appeal<sup>6</sup> ruled that providing the Council (competent authority) was duly satisfied that proposed mitigation could be “*achieved in practice*” then this would suffice to meet the requirements of the Habitat Regulations. This ruling has since been applied to a planning permission (rather than a Plan document)<sup>7</sup>. In this case the High Court ruled that for “*a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of reg 61 of the Habitats Regulations*”.

2.6 In other words, there is a tacit acceptance that AA can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers as illustrated in **Figure 2**.

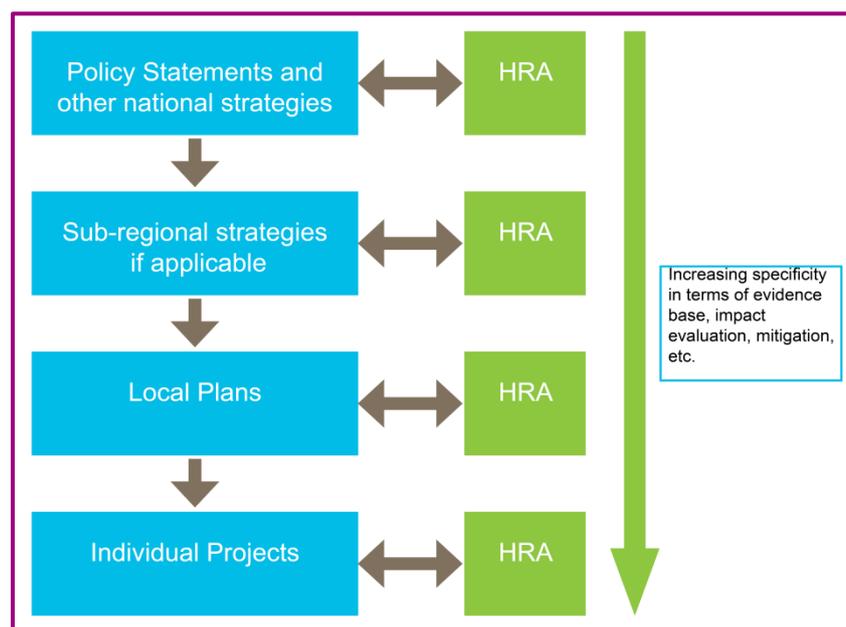
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<sup>5</sup> MHCLG (2006) Planning for the Protection of European Sites, Consultation Paper

<sup>6</sup> No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17<sup>th</sup> February 2015

<sup>7</sup> High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015

**Figure 2: Tiering in HRA of Land Use Plans**



- 2.7 For a plan the level of detail concerning the developments that will be delivered is usually insufficient to make a highly detailed assessment of significance of effects. For example, precise and full determination of the impacts and significant effects of a new settlement will require extensive details concerning the design of the new housing sites, including layout of greenspace and type of development to be delivered in particular locations, yet these data will not be decided until subsequent stages.
- 2.8 The most robust and defensible approach to the absence of fine grain detail at this level is to make use of the precautionary principle. In other words, the plan is never given the benefit of the doubt (within the limits of reasonableness); it must be assumed that a policy/measure is likely to have an impact leading to a significant adverse effect upon an internationally designated site unless it can be clearly established otherwise.

## The Process of HRA

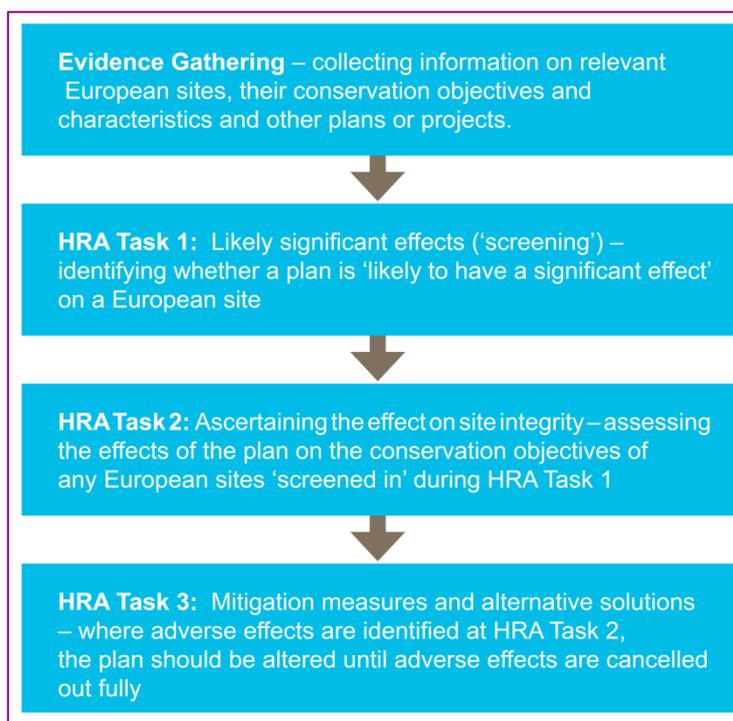
- 2.9 The HRA is being carried out in the continuing absence of formal central Government guidance. The former DCLG (now MHCLG) released a consultation paper on AA of Plans in 2006<sup>8</sup>. As yet, no further formal guidance has emerged from MHCLG. However, Natural England has produced its own informal internal guidance and Natural Resources Wales has produced guidance for Welsh authorities on “*the appraisal of plans under the Habitats Regulations*” as a separate guidance document aimed at complementing and supplementing the guidance/advice provided within Technical Advice Note 5: Nature Conservation and Planning<sup>9</sup>.
- 2.10 **Figure 3** outlines the stages of HRA according to the draft MHCLG guidance (which, as government guidance applicable to English authorities is considered

<sup>8</sup> MHCLG (2006) Planning for the Protection of European Sites, Consultation Paper

<sup>9</sup> Welsh Government. Technical Advice Note 5, Nature Conservation and Planning (2009)  
<http://gov.wales/topics/planning/policy/tans/tan5/?lang=en> [accessed 01/12/2016]

to take precedence over other sources of guidance). The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no likely significant effects remain.

**Figure 3: Four-Stage Approach to Habitats Regulations Assessment**



2.11 The following process has been adopted for carrying out the subsequent stages of the HRA.

### **Task One: Test of Likely Significant Effect**

2.12 The first stage of any Habitats Regulations Assessment is a test of Likely Significant Effect - essentially a high-level assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

2.13 *“Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?”*

2.14 In evaluating significance, AECOM have relied on professional judgment and experience of working with the other local authorities on similar issues. The level of detail concerning developments that will be permitted under land use plans is rarely sufficient to make a detailed quantification of effects. Therefore, a precautionary approach has been taken (in the absence of more precise data) assuming as the default position that if a likely significant effect (LSE) cannot be confidently ruled out, then the assessment must be taken the next level of assessment Task Two: Appropriate Assessment. This is in line with the April 2018 court ruling relating to 'People Over Wind' where mitigation and avoidance measures are to be included at the next stage of assessment.

## Task Two: Appropriate Assessment

- 2.15 International site(s) which have been ‘screened in’ during the previous Task have a detailed assessment undertaken on the effect of the policies on the international site(s) site integrity. Avoidance and mitigation measures to avoid adverse significant effects are taken into account or recommended where necessary.
- 2.16 As established by case law, ‘appropriate assessment’ is not a technical term; it simply means whatever further assessment is necessary to confirm whether there would be adverse effects on the integrity of any international sites that have not been dismissed at screening. Since it is not a technical term it has no firmly established methodology except that it essentially involves repeating the analysis for the likely significant effects stage, but to a greater level of detail on a smaller number of policies and sites, this time with a view to determining if there would be adverse effects on integrity.
- 2.17 One of the key considerations during Appropriate Assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the Appropriate Assessment takes any policies or allocations that could not be dismissed following the high-level Screening analysis and analyse the potential for an effect in more detail, with a view to concluding whether there would actually be an adverse effect on integrity (in other words, disruption of the coherent structure and function of the international site(s)).

## The Scope

- 2.18 There is no guidance that dictates the physical scope of an HRA of a plan. Therefore, in considering the physical scope of the assessment we were guided primarily by the identified impact pathways rather than by arbitrary “zones”, i.e. a source-pathway-receptor approach. Current guidance suggests that the following international sites be included in the scope of assessment:
- All sites within the Neighbourhood Plan Area (the area covered by the Neighbourhood Plan); and
  - Other sites shown to be linked to development within the Neighbourhood Plan Area through a known “pathway” (discussed below).
- 2.19 Briefly defined, pathways are routes by which a change in activity within the plan area can lead to an effect upon an international site. In terms of the second category of international site listed above, MHCLG guidance states that the AA should be “*proportionate to the geographical scope of the [plan policy]*” and that “*an AA need not be done in any more detail, or using more resources, than is useful for its purpose*” (MHCLG, 2006, p.6).
- 2.20 The full details of all international designated sites discussed in this document along with specifying their qualifying features, conservation objectives and threats to integrity can be found in **Appendix A**, whilst their locations are illustrated in **Appendix A, Figure A1**.
- 2.21 **Table 1** below lists all those international designated sites included in this HRA.

2.22 **Note** that the inclusion of an international sites or pathway below does not indicate that an effect is expected but rather that these are pathways that will be investigated.

**Table 1: Physical Scope of the HRA**

International Site, Designated and Location	Reason for Inclusion/ Exclusion (pressures/ threats <sup>10</sup> associated with the International site that could link to the Plan)	Other site vulnerabilities from the Natural England Site Improvement Plan
<p>Exe Estuary Ramsar site</p> <p>At its closest 4.3 km South West of the Neighbourhood Plan Area</p>	<p>Public access / disturbance</p> <p>Changes in species distributions</p> <p>Coastal squeeze</p>	<ul style="list-style-type: none"> <li>- Changes in land management</li> <li>- Fisheries: commercial marine and estuarine</li> </ul>
<p>Exe Estuary SPA</p> <p>At its closest 4.3 km South West of the Neighbourhood Plan Area</p>	<p>Public access / disturbance</p> <p>Changes in species distributions</p> <p>Coastal squeeze</p>	<ul style="list-style-type: none"> <li>- Changes in land management</li> <li>- Fisheries: commercial marine and estuarine</li> </ul>
<p>East Devon Pebblebed Heaths SAC</p> <p>At its closest 4.8km South East of the Neighbourhood Plan Area</p>	<ul style="list-style-type: none"> <li>- Public access/ disturbance</li> </ul>	<ul style="list-style-type: none"> <li>- Inappropriate scrub control</li> <li>- Undergrazing</li> <li>- Change in land management</li> </ul>

<sup>10</sup> As identified in the Site Improvement Plans or RAMS for European sites.

	<ul style="list-style-type: none"> <li>- Air pollution: impact of atmospheric nitrogen deposition</li> <li>- Water pollution</li> <li>- Hydrological changes</li> </ul>	
<p>East Devon Heaths SPA</p> <p>At its closest 4.8km South East of the Neighbourhood Plan Area</p>	<ul style="list-style-type: none"> <li>- Public access/ disturbance</li> <li>- Air pollution: impact of atmospheric nitrogen deposition</li> <li>- Water pollution</li> <li>- Hydrological changes</li> </ul>	<ul style="list-style-type: none"> <li>- Inappropriate scrub control</li> <li>- Undergrazing</li> <li>- Change in land management</li> </ul>
<p>Dawlish Warren Heath SAC</p> <p>At its closest 15.5 km South from the Neighbourhood Plan Area.</p>	<ul style="list-style-type: none"> <li>- Public access / disturbance</li> </ul>	<ul style="list-style-type: none"> <li>- Changes in species distributions</li> <li>- Coastal squeeze</li> <li>- Changes in land management</li> <li>- Fisheries: commercial marine and estuarine</li> </ul>

## The 'in Combination' Scope

2.23 It is a requirement of the Regulations that the impacts and effects of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the internationally designated site(s) in question.

2.24 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e. to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential. The overall approach is to exclude the risk of there being unassessed likely significant effects in accordance with the precautionary principle. This was first established in the seminal Waddenzee<sup>11</sup> case.

2.25 For the purposes of this assessment, we have determined that, due to the nature of the identified impacts, the key other plans and projects with potential for in combination likely significant effects are those schemes that have the following impact pathways: Disturbance (including urbanisation and recreational pressure), changes in hydraulic conditions and loss of functionally linked land. The following plans have been assessed for their in-combination impact to interact with the Neighbourhood Plan:

- East Devon District Council Local Plan (2013 to 2031)
- East Devon AONB Partnership Plan (2019 to 2024)
- Exeter City Council Core Strategy Development Plan (2012 to 2026)
- Teignbridge District Council Local Plan (2013 to 2033)
- Mid Devon District Council Local Plan Review (2013 to 2033)
- Taunton Deane Borough Council Core Strategy (2011 to 2028)
- South Somerset Local Plan (2008 to 20208)
- West Dorset, Weymouth and Portland Local Plan (2015 to 2013)
- Devon Minerals Plan (2011-2033)
- South West Water Drought Plan 2018
- South West Water Water Resource Management Plan 2019
- Devon County Council Transport Infrastructure Plan (March 2020)

2.26 It should be noted that, while the broad potential impacts of these other projects and plans will be considered, we do not propose carrying out full HRA on each

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<sup>11</sup> Waddenzee case (Case C-127/02, [2004] ECR-I 7405)

of these plans – we will however draw upon existing HRA that have been carried out for surrounding regions and plans.

## 3. Pathways of Impact

3.1 The HRAs<sup>12</sup> of the East Devon District Council Local Plan East Devon District Council Local Plan has been referenced in producing this HRA and identifying the potential pathways of impact. The following pathways of impact are considered relevant to the HRA of the Plan:

- Recreational pressure
- Atmospheric pollution from atmospheric nitrogen deposition
- Water pollution
- Hydrological changes

### Recreational Pressure

3.2 Development near to international sites has the potential to result in increased recreational use of these sites. Impacts of recreational use may include:

- Mechanical/ abrasive damage and nutrient enrichment;
- Disturbance to sensitive species, particularly ground-nesting birds and wintering wildfowl; and
- Prevention of appropriate management or exacerbation of existing management difficulties.

3.3 Different internationally designated sites are subject to different recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects of recreation can be complex.

### Mechanical and Abrasive Damage

3.4 Most types of terrestrial internationally designated site can be affected by trampling, which causes soil compaction and erosion. Motorcycle scrambling and off-road vehicle use are particularly significant contributors to erosion. There have been several papers published that empirically demonstrate that damage to vegetation in woodlands and other habitats can be caused by vehicles, walkers, horses and cyclists:

- Wilson and Seney<sup>13</sup> examined the degree of track erosion caused by hikers, motorcycles, horses and cyclists from 108 plots along tracks in the Gallatin National Forest, Montana. Although the results proved difficult to interpret, it was concluded that horses and hikers disturbed more sediment on wet tracks, and therefore caused more erosion, than motorcycles and bicycles.

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<sup>12</sup> Land Use Consultants (2010) East Devon Local Development Framework Issues And Options Consultation Report. Habitats Regulations Assessment: Screening Report

Liley, D. & Underhill- Day, J. (2012) Habitats Regulations Assessment of the East Devon Local Plan Submission for Examination. Footprint Ecology <https://eastdevon.gov.uk/planning-libraries/evidence-document-library/chapter8.4-environment/env025-habitatsregulationsassessmentoftheedlp2012.pdf> [accessed 28/10/2020]

<sup>13</sup> Wilson, J.P. & Seney, J.P. (1994) Erosional impact of hikers, horses, motorcycles and off road bicycles on mountain trails in Montana. *Mountain Research and Development* 14:77-88.

- Cole<sup>14,15</sup> conducted experimental off-track trampling in 18 closed forest, dwarf scrub and meadow and grassland communities (each tramped between 0–500 times) over five mountain regions in the US. Vegetation cover was assessed two weeks and one year after trampling, and an inverse relationship with trampling intensity was discovered, although this relationship was weaker after one year than two weeks, indicating some vegetation recovery. Differences in plant morphological characteristics were found to explain more variation in response between different vegetation types than soil and topographic factors. Low-growing, mat-forming grasses regained their cover best after two weeks and were considered most resistant to trampling, while tall forbs (non-woody vascular plants other than grasses, sedges, rushes and ferns) were considered least resistant. Cover of hemicryptophytes and geophytes (plants with buds below the soil surface) was heavily reduced after two weeks but recovered well after one year, indicating that these were most resilient to trampling in the long-term. Chamaephytes (plants with buds above the soil surface) were least resilient to trampling, and it was concluded that these would be the least tolerant of a regular cycle of disturbance.
- Cole<sup>16</sup> conducted a follow-up study (in four vegetation types) in which shoe type (trainers or walking boots) and trampler weight were varied. Although immediate damage was greater with walking boots, there was no significant difference after one year. Heavier trampers caused a greater reduction in vegetation height than lighter trampers, but there was no difference in effect on cover.
- Cole and Spildie<sup>17</sup> experimentally compared the effects of off-track trampling by hiker and horse (at two intensities – 25 and 150 passes) in two woodland vegetation types (one with an erect forb understorey and one with a low shrub understorey). Horse traffic was found to cause the largest reduction in vegetation cover. The forb-dominated vegetation suffered greatest disturbance, but recovered rapidly. Higher trampling intensities caused more disturbance.

## Nutrient Enrichment

3.5 Walkers with dogs can contribute to pressure on sites through nutrient enrichment via dog fouling. The implications are particularly significant for habitats characterised by low nutrient levels (e.g. heathland)<sup>18</sup>. The total volume of dog faeces deposited on sites can be surprisingly large. For example, at Burnham Beeches National Nature Reserve over one year Barnard<sup>19</sup> estimated the total amounts of urine and faeces from dogs to be 30,000 litres and 60 tonnes respectively.

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<sup>14</sup> Cole, D.N. (1995a) Experimental trampling of vegetation. I. Relationship between trampling intensity and vegetation response. *Journal of Applied Ecology* 32: 203-214.

<sup>15</sup> Cole, D.N. (1995b) Experimental trampling of vegetation. II. Predictors of resistance and resilience. *Journal of Applied Ecology* 32: 215-224.

<sup>16</sup> Cole, D.N. (1995c) Recreational trampling experiments: effects of trampler weight and shoe type. Research Note INT-RN-425. U.S. Forest Service, Intermountain Research Station, Utah.

<sup>17</sup> Cole, D.N. & Spildie, D.R. (1998) Hiker, horse and llama trampling effects on native vegetation in Montana, USA. *Journal of Environmental Management* 53: 61-71.

<sup>18</sup> Shaw, P.J.A., Lankey, K. & Hollingham, S.A. (1995) Impacts of trampling and dog fouling on vegetation and soil conditions on Headley Heath. *The London Naturalist*, 74, 77-82.

<sup>19</sup> Barnard, A. (2003) Getting the Facts - Dog Walking and Visitor Number Surveys at Burnham Beeches and their Implications for the Management Process. *Countryside Recreation*, 11, 16-19.

## Disturbance

3.6 Disturbance causes birds to expend energy unnecessarily and reduce time spent feeding<sup>20</sup>. Disturbance therefore risks increasing energetic output while reducing energetic input, which can adversely affect the condition and ultimately the survival of birds. In addition, displacement of birds from one feeding site to others can increase the pressure on the resources available within the remaining sites, as they have to sustain a greater number of birds<sup>21</sup>.

3.7 The potential for disturbance may be lower in winter than in summer due to the reduction in recreational users. In addition, the consequences of disturbance at a population level may be reduced because birds are not breeding. However, winter activity can still cause disturbance, especially as birds are particularly vulnerable at this time of year due to food shortages, such that disturbance which results in abandonment of suitable feeding areas can have severe consequences. Several empirical studies have, through correlative analysis, demonstrated that out-of-season (October-March) recreational activity can result in quantifiable disturbance:

- Underhill *et al.*<sup>22</sup> counted waterfowl and all disturbance events on 54 water bodies within the South West London Waterbodies SPA and clearly correlated disturbance with a decrease in bird numbers at weekends in smaller sites and with the movement of birds within larger sites from disturbed to less disturbed areas.
- Evans & Warrington<sup>23</sup> found that on Sundays total water bird numbers (including northern shoveler *Anas clypeata* and gadwall *Anas strepera*) were 19% higher on Stocker's Lake LNR in Hertfordshire, and attributed this to displacement of birds resulting from greater recreational activity on surrounding water bodies at weekends relative to week days.
- Tuite *et al.*<sup>24</sup> used a large (379 site), long-term (ten-year) dataset (September-March species counts) to correlate seasonal changes in wildfowl abundance with the presence of various recreational activities. They found that on inland water bodies northern shoveler was one of the most sensitive species to disturbance. The greatest impact on winter wildfowl numbers was associated with sailing/windsurfing and rowing.
- Pease *et al.*<sup>25</sup> investigated the responses of seven species of dabbling duck to a range of potential causes of disturbance, ranging from pedestrians to vehicle movements. They determined that walking and biking created greater disturbance than vehicles and that gadwall were among the most sensitive of the species studied.

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<sup>20</sup> Riddington, R., Hassall, M., Lane, S. J., Turner, P. A., & Walters, R. (1996) The impact of disturbance on the behaviour and energy budgets of Brent geese. *Bird Study* 43:269-279.

<sup>21</sup> Gill, J.A., Sutherland, W.J. & Norris, K. (1998) The consequences of human disturbance for estuarine birds. *RSPB Conservation Review* 12: 67-72.

<sup>22</sup> Underhill, M. C., Kirby, J. S., Bell, M. C. & Robinthwaite, J. (1993) Use of Waterbodies in South West London by Waterfowl. An Investigation of the Factors Affecting Distribution, Abundance and Community Structure. Report to Thames Water Utilities Ltd. and English Nature. Wetlands Advisory Service, Slimbridge.

<sup>23</sup> Evans, D.M. & Warrington, S. (1997) The effects of recreational disturbance on wintering waterbirds on a mature gravel pit lake near London. *International Journal of Environmental Studies* 53: 167-182.

<sup>24</sup> Tuite, C.H., Hanson, P.R. & Owen, M. (1984) Some ecological factors affecting winter wildfowl distribution on inland waters in England and Wales and the influence of water-based recreation. *Journal of Applied Ecology* 21: 41-62.

<sup>25</sup> Pease, M.L., Rose, R.K. & Butler, M.J. (2005) Effects of human disturbances on the behavior of wintering ducks. *Wildlife Society Bulletin* 33 (1): 103-112.

- During a three-year study of wetland birds at the Stour and Orwell SPA, Ravenscroft<sup>26</sup> found that walkers, boats and dogs were the most regular source of disturbance. Despite this, the greatest responses came from relatively infrequent events, such as gun shots and aircraft noise. Birds seemed to habituate to frequent 'benign' events such as those involving vehicles, sailing and horses, but there was evidence that apparent habituation to more disruptive events related to reduced bird numbers (i.e. birds were avoiding the most frequently disturbed areas). Disturbance was greatest at high tide on the Orwell, but birds on the Stour showed greatest sensitivity.

3.8 A number of studies have shown that birds are affected more by dogs and people with dogs than by people alone, with birds flushing more readily, more frequently, at greater distances and for longer. Dogs move more erratically and are less likely to keep to marked footpaths. In addition, dogs, rather than people, tend to be the cause of many management difficulties, notably by worrying grazing animals and causing eutrophication near paths. Underhill-Day<sup>27</sup> summarises the results of visitor studies that have collected data on the use of semi-natural habitat by dogs. In surveys where 100 observations or more were reported, the mean percentage of visitors who were accompanied by dogs was 54.0%.

3.9 The outcomes of many of these studies need to be treated with care. For instance, the effect of disturbance is not necessarily correlated with the impact of disturbance (i.e. the most easily disturbed species are not necessarily those that will suffer the greatest impacts). It has been shown that, in some cases, the most easily disturbed birds simply move to other feeding sites, whilst others may remain (possibly due to an absence of alternative sites) and thus suffer greater impacts on their populations<sup>28</sup>. A literature review undertaken for the RSPB<sup>29</sup> also urges caution when extrapolating the results of one disturbance study because responses differ between species and the response of one species may differ according to local environmental conditions. These factors have to be taken into account when attempting to predict the impacts of future recreational pressure on internationally designated sites.

3.10 Disturbing activities are on a continuum. The most disturbing activities are likely to be those that involve irregular, infrequent, unpredictable loud noise events, movement or vibration of long duration, such as construction activities. Birds are least likely to be disturbed by activities that involve regular, frequent, predictable, quiet patterns of sound or movement or minimal vibration. The further any activity is from the birds, the less likely it is to result in disturbance. Construction-related disturbance (e.g. through noise and vibration) has the potential to affect animal species within international sites if construction activities occur within 400m of the site boundary.

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<sup>26</sup> Ravenscroft, N. (2005) Pilot study into disturbance of waders and wildfowl on the Stour-Orwell SPA: analysis of 2004/05 data. Era report 44, Report to Suffolk Coast & Heaths Unit.

<sup>27</sup> Underhill-Day, J.C. (2005). A literature review of urban effects on lowland heaths and their wildlife. Natural England Research Report 623.

<sup>28</sup> Gill, J.A., Norris, K. & Sutherland, W.J. (2001) Why behavioural responses may not reflect the population consequences of human disturbance. *Biological Conservation*, 97, 265-268.

<sup>29</sup> Woodfield, E. & Langston, R. (2004) Literature review on the impact on bird population of disturbance due to human access on foot. RSPB research report No. 9.

3.11 The factors that influence a species' response to a disturbance are numerous, but the three key factors are species sensitivity, proximity of disturbance sources and timing/duration of the potentially disturbing activity.

3.12 With respect to heathland birds specifically, Liley and Clarke<sup>30,31</sup> found that the density of European nightjar *Caprimulgus europaeus* was directly related to the amount of surrounding development, with sites surrounded by higher levels of development supporting fewer nightjars. The species' breeding success appears to be much higher at less visited sites<sup>32</sup>, with path proximity correlating strongly with nest failure, up to 225m from the path edge. Similarly, woodlark *Lullula arborea* and Dartford warbler *Sylvia undata* are also affected significantly by disturbance. Mallord estimated that, for 16 sites in southern England, 34% more woodlark chicks would be raised if all sites were free from disturbance<sup>33,34</sup>. Although Dartford warblers do not appear to be as sensitive to human disturbance (possibly as they are not ground-nesting), their breeding parameters are still affected by disturbance levels from humans and their pets<sup>35</sup>.

## Air Quality

3.13 The main pollutants of concern for international sites are oxides of nitrogen (NOx), ammonia (NH<sub>3</sub>) and sulphur dioxide (SO<sub>2</sub>). Ammonia can be directly toxic to vegetation, and research suggests that this may also be true for NOx at very high concentrations. More significantly, greater NOx or ammonia concentrations within the atmosphere lead to greater rates of nitrogen deposition to vegetation and soils. An increase in the deposition of nitrogen from the atmosphere is generally regarded to increase soil fertility, which can have a serious deleterious effect on the quality of semi-natural, nitrogen-limited terrestrial habitats.

**Table 2: Main sources and effects of air pollutants on habitats and species**

Pollutant	Source	Effects on habitats and species
Acid deposition	SO <sub>2</sub> , NOx and ammonia all contribute to acid deposition. Although future trends in SO <sub>2</sub> emissions and subsequent deposition to terrestrial and aquatic ecosystems will continue to decline, it is likely that increased NOx emissions may cancel out any gains produced by reduced SO <sub>2</sub> levels.	Can affect habitats and species through both wet (acid rain) and dry deposition. Some sites will be more at risk than others depending on soil type, bed rock geology, weathering rate and buffering capacity.
Ammonia (NH <sub>3</sub> )	Ammonia is released following decomposition and volatilisation of	Adverse effects are as a result of nitrogen deposition leading to eutrophication. As

<sup>30</sup> Liley, D. & Clarke, R.T. (2003) The impact of urban development and human disturbance on the numbers of nightjar *Caprimulgus europaeus* on heathlands in Dorset, England. *Biological Conservation*, 114: 219-230.

<sup>31</sup> Liley, D. & Clarke, R.T. (2002) The impact of human disturbance and human development on key heathland bird species in Dorset. Sixth National Conference (eds Underhill, J.C. & Liley, D.). RSPB, Bournemouth.

<sup>32</sup> Murison, G. (2002) The Impact of Human Disturbance on the Breeding Success of the Nightjar *Caprimulgus europaeus* on Heathlands in South Dorset, England. *English Nature*.

<sup>33</sup> Mallord, J. (2005) Predicting the consequences of human disturbance, urbanisation and fragmentation for a woodlark *Lullula arborea* population. PhD Thesis, University of East Anglia, Norwich, UK.

<sup>34</sup> Liley, D. (2005) A summary of the evidence base for disturbance effects to Annex 1 bird species on the Thames Basin Heaths & research on human access patterns to heathlands in southern England. *Footprint Ecology/English Nature*.

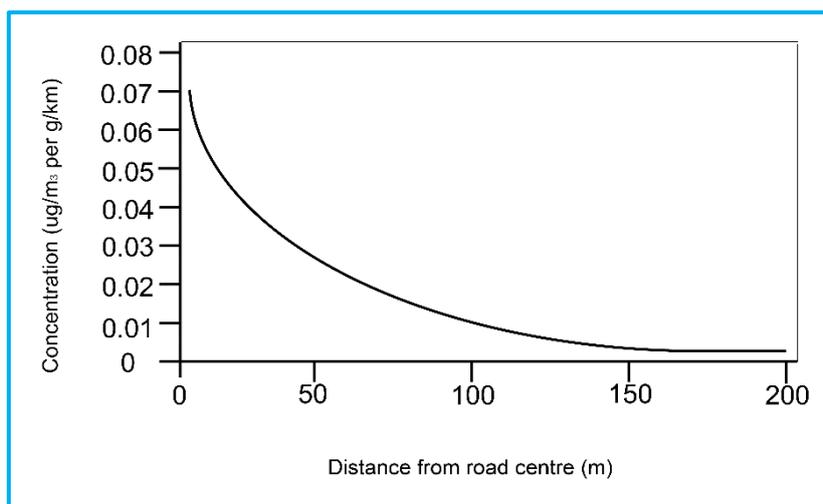
<sup>35</sup> Murison, G.C. (2007) *The impact of human disturbance, urbanisation and habitat type on a Dartford warbler *Sylvia undata* population* (Doctoral dissertation, University of East Anglia).

	<p>animal wastes. It is a naturally occurring trace gas, but levels have increased considerably with the expansion in agricultural livestock numbers. Ammonia reacts with acid pollutants such as the products of SO<sub>2</sub> and NO<sub>x</sub> emissions to produce fine ammonium (NH<sub>4</sub><sup>+</sup>) - containing aerosol which may be transferred much longer distances (and can therefore be a significant trans-boundary issue).</p>	<p>emissions mostly occur at ground level in the rural environment and NH<sub>3</sub> is deposited rapidly, some of the most acute problems of NH<sub>3</sub> deposition are for small relict nature reserves located in intensive agricultural landscapes.</p>
Nitrogen oxides (NO <sub>x</sub> )	<p>Nitrogen oxides are mostly produced in combustion processes. About one quarter of the UK's emissions are from power stations, one half from motor vehicles, and the rest from other industrial and domestic combustion processes.</p>	<p>Deposition of nitrogen compounds (e.g. nitrates (NO<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>) and nitric acid (HNO<sub>3</sub>)) can lead to soil and freshwater acidification. In addition, NO<sub>x</sub> can cause eutrophication of soils and water. This alters the species composition of plant communities and can eliminate sensitive species.</p>
Nitrogen (N) deposition	<p>The pollutants that contribute to nitrogen deposition derive mainly from NO<sub>x</sub> and NH<sub>3</sub> emissions. These pollutants cause acidification (see also acid deposition) as well as eutrophication.</p>	<p>Species-rich plant communities with relatively high proportions of slow-growing perennial species and bryophytes are most at risk from nitrogen eutrophication, due to its promotion of competitive and invasive species which can respond readily to elevated nitrogen levels. Nitrogen deposition can also increase the risk of damage from abiotic factors (e.g. drought, frost).</p>
Ozone (O <sub>3</sub> )	<p>A secondary pollutant generated by photochemical reactions from NO<sub>x</sub> and volatile organic compounds (VOCs). These are mainly released by the combustion of fossil fuels. The increased combustion of fossil fuels in the UK has led to a large rise in background ozone concentration, increasing the number of days when levels across the region are above 40ppb. Reducing ozone pollution is believed to require action at an international level to reduce levels of the precursors that form ozone.</p>	<p>Concentrations of O<sub>3</sub> above 40ppb can be toxic to humans and wildlife and can affect buildings. Increased ozone concentrations may lead to a reduction in growth of agricultural crops, decreased forest production and altered species composition in semi-natural plant communities.</p>
Sulphur dioxide (SO <sub>2</sub> )	<p>Main sources of SO<sub>2</sub> emissions are electricity generation, industry and domestic fuel combustion. May also arise from shipping and</p>	<p>Wet and dry deposition of SO<sub>2</sub> acidifies soils and freshwater, and alters the species compositions of plant and associated animal communities. The</p>

	increased atmospheric concentrations in busy ports. Total SO <sub>2</sub> emissions have decreased substantially in the UK since the 1980s.	significance of impacts depends deposition levels and the buffering capacity of soils.
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3.14 Sulphur dioxide emissions are overwhelmingly influenced by the output of power stations and industrial processes that require the combustion of coal and oil. Ammonia emissions are dominated by agriculture, with some chemical processes also making notable contributions. Emissions of nitrogen oxides are dominated by the output of vehicle exhausts. Within a ‘typical’ housing development, by far the largest contribution to nitrogen oxides (92%) will be made by the associated road traffic. Other sources, although relevant, are of minor importance in comparison<sup>36</sup>. Emissions of nitrogen oxides could therefore be reasonably expected to increase as a result of greater vehicle use as an indirect effect of the Plan.

3.15 According to the Department of Transport’s Transport Analysis Guidance, “beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant”<sup>37</sup>. This distance has therefore been used in this HRA to determine whether international sites are likely to be significantly affected by development under the Local Plan (**Figure 4**).



**Figure 4: Traffic contribution to pollutant concentrations in relation to the distance from a road (DfT)**

3.16 According to the World Health Organisation, the critical NOx concentration (critical threshold) for the protection of vegetation is 30 µgm<sup>-3</sup>; the threshold for sulphur dioxide is 20 µgm<sup>-3</sup>. In addition, ecological studies have determined ‘critical loads’<sup>38</sup> of atmospheric nitrogen deposition (that is, NOx combined with ammonia NH<sub>3</sub>).

3.17 Whilst the allocations provided within the Neighbourhood Plan are not identified in the overarching East Devon Local Plan, the quantum of development has been included within the ‘Villages and Rural Areas’ allowance within the Plan and

<sup>36</sup> Proportions calculated based upon data presented in Dore *et al.* 2005. UK Emissions of Air Pollutants 1970 – 2003. UK National Atmospheric Emissions Inventory. <http://www.airquality.co.uk/archive/index.php>

<sup>37</sup> [www.webtag.org.uk/archive/feb04/pdf/feb04-333/pdf](http://www.webtag.org.uk/archive/feb04/pdf/feb04-333/pdf)

<sup>38</sup> The critical load is the rate of deposition beyond which research indicates that adverse effects can reasonably be expected to occur.

effects attributable to the total amount of growth in East Devon were therefore subject to assessment within the HRA for the East Devon Local Plan, which concluded no adverse effect on the integrity on international sites from air quality issues.. Impact pathways relating to air quality provided by development identified in the Neighbourhood Plan, that could adversely affect air quality have thus already been addressed at the higher tier level within the East Devon Local Plan. It is considered that the Local Plan sets a sufficient protective framework to ensure changes in air quality as a result of the Neighbourhood Plan do not affect the integrity of any international sites, alone or in combination. **This impact pathway is not investigated further.**

## Water Quality

3.18 Increased amounts of housing or business development can lead to reduced water quality of rivers and estuarine environments. Sewage and industrial effluent discharges can contribute to increased nutrients on international sites leading to unfavourable conditions. In addition, diffuse pollution, partly from urban run-off has been identified during an Environment Agency Review of Consents process and a joint Environment Agency and Natural England evidence review, as being a major factor in causing unfavourable condition of international sites.

3.19 The quality of the water that feeds international sites is an important determinant of the nature of their habitats and the species they support. Poor water quality can have a range of environmental impacts:

- At high levels, toxic chemicals and metals can result in immediate death of aquatic life, and can have detrimental effects even at lower levels, including increased vulnerability to disease and changes in wildlife behaviour. Eutrophication, the enrichment of plant nutrients in water, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, augmenting the oxygen depleting effects of eutrophication. In the marine environment, nitrogen is the limiting plant nutrient and so eutrophication is associated with discharges containing available nitrogen;
- Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life; and
- Increased discharge of treated sewage effluent can result both in high levels of macroalgal growth, which can smother the mudflats of value to SPA birds and in greater scour (as a result of greater flow volumes).

3.20 At sewage treatment works, additional residential development increases the risk of effluent escape into aquatic environments in addition to consented discharges to the catchment. Greater pressure on water treatment services due to new development, especially housing, may increase the risk of effluent escape into aquatic environments. Wastewater generated within the Plan area is currently

handled by South West Water. The most recent Water Cycle Study<sup>39</sup> that incorporates the Neighbourhood Plan area identifies that the River Clyst (within which wastewater from the Neighbourhood Plan area would drain), has 'poor' biological and ecological status. Further, the River Clyst drains into the Exe Estuary which is known to have elevated nutrient levels due to point source discharges from wastewater treatment works and diffuse agricultural inputs.

- 3.21 Whilst the allocations provided within the Neighbourhood Plan are not identified in the overarching East Devon Local Plan, the quantum of development has been included and was subject to assessment within the HRA for the East Devon Local Plan (which concluded no adverse effect on the integrity on international sites) as part of the overall quantum of growth expected within the district over the plan period. Impact pathways relating to increased water demand provided by development identified in the Neighbourhood Plan, that could result in increased in an increase in water abstraction have already been addressed at the higher tier level within the East Devon Local Plan. It is considered that there is sufficient protective framework in place to ensure changes in water quality as a result of the Neighbourhood Plan do not affect the integrity of any international sites, alone or in combination. **This impact pathway is not investigated further**

## Water Quantity, Level and Flow

- 3.22 Housing growth has the potential to increase regional water abstraction rates, which can have serious negative impacts on international sites. Over-abstraction from rivers can reduce water levels, causing flow velocity to fall. This can have wide ranging effects on river parameters, including increased temperatures and nutrient concentrations and reduced oxygen concentrations. Such impacts can be significantly detrimental to rivers' floristic characteristics and to notable species.
- 3.23 Changes in the use of water sources at the Plan level also have the potential to affect terrestrial habitats. According to the Joint Nature Conservation Committee<sup>40</sup>, lowland heaths (especially those supporting bog and mire habitats) are especially vulnerable to abstraction, insertion of drainage ditches and peat cuttings within or around raised bogs. Excessive abstraction from underlying aquifers can cause a lowering of the water table and affect the water quality of sensitive habitats. When wet heathland habitats become too dry they are susceptible to invasion by successional woodland, which risks habitat becoming unsuitable for the priority species that rely on these specialised lowland heathland habitats.
- 3.24 Within the Planning Authority area, water demands are supplied by South West Water. However, water abstractions are managed by the Environment Agencies Catchment Abstraction Management Strategy (CAMS) and associated licensing and consents systems (which are in themselves subject to assessment against the Habitats Regulations).
- 3.25 Whilst the allocations provided within the Neighbourhood Plan are not identified in the overarching East Devon Local Plan, the quantum of development has been included and was subject to assessment within the HRA for the East Devon Local

<sup>39</sup> Halcrow (2010) Exeter and East Devon Water Cycle Study <https://exeter.gov.uk/media/1697/exeter-and-east-devon-water-study.pdf> [accessed 30/10/2020]

<sup>40</sup> JNCC. (2016) Threats to UK Lowland Wetland Habitats. Available at <http://jncc.defra.gov.uk/page-5856-theme=default> [Accessed 30/11/18].

Plan (which concluded no adverse effect on the integrity on international sites) as part of the overall quantum of growth expected within the district over the plan period. Impact pathways relating to water quality, level and flow provided by the quantum of development identified within the Neighbourhood Plan have already been addressed at the higher tier level within the East Devon Local Plan. Further to this, the adopted South West Water and Bournemouth Water's Water Resource Management Plan 2019 (WRMP19)<sup>41</sup> was subject to Habitats Regulations Assessment which enabled to conclude that even with the forecast water supply needs as a result of the planned population growth, no adverse effects on the integrity of international sites would result.

- 3.26 It is considered that there is sufficient protective framework in place to ensure changes in water quantity, level and flow as a result of the Neighbourhood Plan do not affect the integrity of any international sites, alone or in combination. **This impact pathway is not investigated further.**

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<sup>41</sup> South West Water Bournemouth Water Final Water Resources Management Plan August 2019  
[https://www.southwestwater.co.uk/siteassets/document-repository/environment/sww-bw-wrmp19---finalplan\\_aug2019.pdf](https://www.southwestwater.co.uk/siteassets/document-repository/environment/sww-bw-wrmp19---finalplan_aug2019.pdf)  
[accessed 04/11/2020]

## 4. Test of Likely Significant Effects

4.1 **Table B1** in **Appendix B** identifies potential impact pathways that could link Neighbourhood Plan policies to internationally designated sites. It should be noted that for completeness this table includes pathways that have been identified to not be realistic impact pathways (as detailed in **Chapter 3**). These include air quality, water quality and water quantity, level and flow. These impact pathways do not provide a realistic link to an internationally designated site due to the existence of a Local Plan HRA that considered the ‘in combination’ effects of all planned growth in the East Devon district over the plan period, and overarching policy framework provided by the East Devon Local Plan, the only realistic linking impact pathway that could result in likely significant effects upon an international site and which requires further consideration in this HRA is **recreational pressure** due to the fact that the Neighbourhood Plan goes beyond a simple quantum of growth and makes specific allocations. Recreational pressure is the subject of the subsequent chapter.

### Recreational Pressure

#### East Devon Context

4.2 To support the production of the East Devon Local Plan, and those of neighbouring authorities (Exeter City Council and Teignbridge District Council), surveys and assessments were undertaken of sensitive international sites that have the potential to be affected by increases in recreational pressure. These include (but not exclusively):

- The Exe Disturbance Study<sup>42</sup>
- The Exe Visitor Survey<sup>43</sup>
- Devon Household Survey<sup>44</sup>
- Exe Estuary SPA and Dawlish Warren SAC Interim Overarching Report Relating to Strategic Planning and Impacts from Recreation<sup>45</sup>
- An Assessment of Recreational Impacts on Dawlish Warren SAC<sup>46</sup>

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<sup>42</sup> Liley, D., Cruickshanks, K., Waldon, J. & Fearnley, H. (2011). Exe Estuary Disturbance Study. Footprint Ecology <https://www.footprint-ecology.co.uk/reports/Liley%20et%20al.%20-%202011%20-%20Exe%20Disturbance%20Study.pdf> [accessed 29/10/2020]

<sup>43</sup> Liley, D., Fearnley, H. & Cruickshanks, K. (2010). Exe Visitor Survey, 2010. Teignbridge District Council / Footprint Ecology <https://www.footprint-ecology.co.uk/reports/Liley%20et%20al.%20-%202010%20-%20Exe%20Visitor%20Survey.%202010.pdf> [accessed 29/10/2020]

<sup>44</sup> Cruickshanks, K. & Liley, D. (2012) East Devon, Exeter and Teignbridge Household Survey and Predictions of Visitor Use of Greenspaces. Footprint Ecology. <https://www.footprint-ecology.co.uk/reports/Cruickshanks%20and%20Liley%20-%202012%20-%20East%20Devon.%20Exeter%20and%20Teignbridge%20household%20surve.pdf> [accessed 29/10/2020]

<sup>45</sup> Liley, D. & Hoskin, R. (2011) Exe Estuary SPA and Dawlish Warren SAC Interim Overarching Report Relating to Strategic Planning and Impacts from Recreation. Footprint Ecology / East Devon District Council / Exeter City Council / Teignbridge District Council. <https://www.teignbridge.gov.uk/media/4055/exe-interim-report-sept-2011.pdf> [accessed 29/10/2020]

<sup>46</sup> Lake, S. (2010) Assessment of recreational impacts on Dawlish Warren Special Area of Conservation. Teignbridge District Council/Footprint Ecology <https://www.teignbridge.gov.uk/media/4051/assessment-of-recreational-impacts-at-dawlish-warren-sac.pdf> [accessed 29/10/2020]

- Tourist Use of the Exe Estuary, Dawlish Warren and the East Devon Heaths<sup>47</sup>

4.3 These studies identified that both the Exe Estuary international sites (including Dawlish Warren SAC), and the East Devon Heathland sites have a core recreational catchment of 10km. As detailed in Chapter 2, all international sites (the Exe Estuary Ramsar site and SPA and the East Devon Pebblebed Heaths SAC and East Devon Heaths SPA) are located at their closest within 10km of the Broadclyst Parish Boundary, with the exception of Dawlish Warren SAC, which at its closest is located 15.5km south of the Neighbourhood Plan area. As such, it can be concluded that dependant on the exact location of the development, any net new residential development within the Neighbourhood Plan area, could result in an adverse effect on the integrity of these international sites, and an appropriate assessment is required.

4.4 The Test of Likely Significant Effects undertaken **Appendix B (Table B-1)**, identifies that the following policies and site allocations could potentially contain a linking impact pathway to an internationally designated site via increased recreational pressure stemming from new residential development. The locations of site allocations are illustrated in **Appendix C, Figure C-1**.

## Site Allocations

**Table 3: Residential Site Allocations Located within 10km of International Designated Sites.**

Policy	Quantum of dwellings	Distance from the Exe Estuary International Sites	Distance from the East Devon Heathland International Sites
Policy H1: Blackhorse gardens site allocation at Blackhorse	(2 live work units and 2 new dwellings)	5.2 km	7.3 km
Policy H2: Broadclyst Station: Site between Shercroft Close and Cotterell Road	(24 net new dwellings)	6.9 km	6.3 km
Policy H3: Broadclyst Village: Heathfield Site	(16 net new dwellings)	8.3 km	7.7 km

4.5 Whilst the quantum of dwellings identified to be delivered by each site allocation is small (74 net new dwellings to be provided within the 10km Zone of Influence of the Exe Estuary or East Dorset Heathland international sites within the Neighbourhood Plan area) and is not likely to result in a likely significant effect in

<sup>47</sup> Panter, C. & Liley, D. (2016). Tourist use of the Exe Estuary, Dawlish Warren and East Devon Heaths. Report by Footprint Ecology for East Devon District Council and Teignbridge District Council <https://www.teignbridge.gov.uk/media/7177/exe-tourism-report-final-20-mar-17.pdf> [accessed 29/10/2020]

isolation, there is potential for a likely significant effect in combination with other projects and plans. As such it is this in combination affect that is discussed further. Note that since this HRA was produced, sites EM1, EM2 and H4 have been deleted from the Neighbourhood Plan, reducing the numbers identified in the above paragraph to 44 net new dwellings. Since the number of dwellings assessed in this HRA is greater than the number now allocated this assessment is precautionary but the basic argument and analysis remains unchanged.

## 5. Appropriate Assessment

### Recreational Pressure

- 5.1 The quantum of development provided by each site allocation within the Neighbourhood Plan is small (at most 25 net new dwellings) and would not result in an adverse effect on the integrity of an international site in isolation; however in combination consideration is required. The Neighbourhood Plan is to provide a total of 74 net new dwellings within 10km of the Exe Estuary and East Devon Heathlands international sites (now reduced to 44 dwellings as a result of the deletion of sites EM1 and EM2 from the Neighbourhood Plan). The South-East Devon European Site Mitigation Strategy<sup>48</sup> identifies that there are approximately 99,107 residential properties within 10km of the Exe Estuary international sites (located within East Devon, Teignbridge and Exeter authorities), and that there is due to be an increase of 29% during the Local Plan periods (i.e. an increase of 28,785 net new dwellings).
- 5.2 The Mitigation Strategy also identifies that there are approximately 54,895 residential properties within 10km of the East Devon Heathland international sites (located within East Devon, Teignbridge and Exeter authorities), and that there is due to be an increase of over 30,000 net new dwellings during the Local Plan periods. As such, the increase in residential development identified within the Neighbourhood Plan within 10km of these international sites (a total of 44 net new dwellings following deletion of sites EM1 and EM2), requires consideration in combination with this quantum of growth.
- 5.3 In consultation with Natural England, the South East Devon European Site Mitigation Strategy<sup>49</sup> and East Devon Pebblebed Heaths Management Plans<sup>50</sup> were developed. The Mitigation Strategy and the Management Plan detail the joint strategic approach between the three local authorities as to how to avoid and mitigate any adverse effects from increased recreational pressure in combination with other plans and projects, thus ensuring no adverse effects on the integrity of the international sites result. This is reflected in the overarching

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<sup>48</sup> Liley, D., Hoskin, R., Lake, S., Underhill-Day, J. & Cruickshanks, K. (2013). South-east Devon European Site Mitigation Strategy. Footprint Ecology. Unpublished report for East Devon District Council, Exeter City Council and Teignbridge District Council. <https://www.southeastdevonwildlife.org.uk/wp-content/uploads/2019/02/SEDESMS-June-2014.pdf> [accessed 04/11/2020]

<sup>49</sup> Liley, D., Hoskin, R., Lake, S., Underhill-Day, J. & Cruickshanks, K. (2013). South-east Devon European Site Mitigation Strategy. Footprint Ecology. Unpublished report for East Devon District Council, Exeter City Council and Teignbridge District Council. <https://www.southeastdevonwildlife.org.uk/wp-content/uploads/2019/02/SEDESMS-June-2014.pdf> [accessed 29/10/2020]

<sup>50</sup> Liley, D., Panter, C., Underhill-Day, J. (2015). East Devon Pebblebed Heaths Visitor Management Plan. Unpublished report by Footprint Ecology for East Devon Council <https://www.southeastdevonwildlife.org.uk/wp-content/uploads/2019/02/Pebblebed-Heaths-Visitor-Management-Plan.pdf> [accessed 29/10/2020]

East Devon Local Plan Policy: Strategy 47 – Nature Conservation and Geology as follows:

*“Habitat Regulations and Mitigation of Potential Adverse Impacts of Development*

*...In respect of the Exe Estuary and the Pebblebed Heaths (and Dawlish Warren in Teignbridge) an over-arching strategic approach to habitat mitigation measures has been established through the Disturbance Study. All residential development schemes within a straight line 10 kilometres distance of any part of the SAC and/or SAC designated areas of the Exe Estuary or Pebblebed Heaths will be required to provide mitigation. The onus will rest on developers demonstrating that mitigation can and will be provided and granting of planning permission will be linked to clear evidence that delivery will actually happen to agreed timescales. The Disturbance study work and associated assessments will typically negate the need for residential development schemes to be subject to individual Appropriate Assessment. Through this strategic approach monies collected through CIL, negotiated separately through Section 106 agreements or potentially otherwise paid or contributed through other means will address mitigation requirements.*

*Non-residential development schemes within the 10 kilometres catchment (and potentially beyond) will need to be subject to project level assessment to establish potential need for and form of any mitigation. The Council has commissioned technical advice in respect of tourism accommodation development that will parallel that for residential schemes.*

*Payment as part of the CIL contribution will typically be the expected approach and habitat mitigation will form the first draw on CIL funds. Mitigation will include on-site and off-site measures, to include:*

- Improved wardening and management of sites;*
- Information and education;*
- Changes to access arrangements and points;*
- Habitat improvements and provision; and*
- Provision of Suitable Alternative Natural Green Space (SANGS).*

*On-site mitigation measures are likely to be most appropriate in the very early years of the Local plan’s life. Off-site provision in the form of SANGS should aim for a target level of provision of around 8 hectares of open space provision for every net new 1,000 residents accommodated through development. At a residential density averaged at 2.2 persons per each new home built this will equate to around 176 SqM of SANGS space per each net extra dwelling. However actual space standards will depend on the quality, character and location of provision. SANGS will need to include substantial open space areas ideally of semi-natural character and should specifically be appealing to dog walkers. They can utilise land previously inaccessible to the public or arise from improvements of currently accessible but under-used spaces. To help ensure and secure timely delivery of mitigation, specifically SANGS, the Council has the option of exercising Compulsory Purchase Order powers to ensure availability of land. ...*

*...The mitigation proposals, including those of the ‘South-east Devon European Site Mitigation Strategy’, will need to be implemented ahead of development being occupied and must provide for mitigation in perpetuity to ensure that development does not have a net adverse impact on the integrity of European designated wildlife sites. This will include provision of on-site, off-site and cross-site measures and monitoring. The delivery and success of mitigation will be monitored alongside development (specifically new housing development) and changes in population...”*

5.4 Supporting text within Chapter 6 of the Broadclyst Neighbourhood Plan states:

*“There are no internationally designated sites within the boundary of the plan area. However, notable sites in the vicinity of Broadclyst include:*

- Exe Estuary Special Protection Area (SPA) and Ramsar site, approximately 7km from Broadclyst village centre.*
- East Devon Pebblebed Heaths Special Area of Conservation (SAC), approximately 9km from Broadclyst village centre.*

5.5 *This is of significance as Broadclyst falls within the 10km zone of contributions for both the Exe Estuary SPA and the East Devon Pebblebed Heaths SAC. As per the 2014 SE Devon European Site Mitigation Strategy, development proposals within these zones may be required to provide a financial contribution towards mitigating additional recreational pressure generated by new development, potentially including contributions towards provision of Suitable Alternative Natural Greenspace (SANGs).”*

5.6 It also identifies that:

*“To inform overall works a mitigation strategy has been produced by East Devon utilizing the South-East Devon European Site Mitigation Strategy Report 2014. The Strategy provides a framework to mitigate for the potential in-combination impacts of new housing development on three European wildlife sites within and in the vicinity of East Devon District: the Exe Estuary Special Protection Area (SPA) and Ramsar site, Dawlish Warren Special Area of Conservation (SAC) and the East Devon Pebblebed Heaths SAC/SPA.”*

5.7 Although no specific allowance was made for growth in Broadclyst when the mitigation strategies were devised, such that the NDP allocations are in addition to the growth assumed when the Local Plan HRA was undertaken and its mitigation strategies were devised, they would not exceed the level of growth that the mitigation measures are able to accommodate. This is because the amount of growth involved is small and strategic recreational pressure mitigation strategies such as that pertaining to the South-East Devon European sites are not so finely calibrated to a precise number of dwellings that small variations cannot be accommodated without difficulty, not least because Local Plan allocations are typically minima.

5.8 Under Strategy 1, the adopted Local Plan (2013-2031) makes provision for a minimum of 17,100 homes in East Devon across the Plan period. In addition, it made a conservative annual allowance for windfalls and supported neighbourhood plans to make their own allocations, through a combination of Strategy 6, 7 and 27. Therefore, whilst the specific allocations and quantum of development proposed through the Neighbourhood Plan are not explicitly

accounted for within Local Plan growth, the strategy has made allowance for this in principle, and the scale and scope of what is proposed is not considered to extend beyond what was envisaged to be supported under Local Plan policy.

- 5.9 In terms of the mitigation strategy, this was devised on an expectation that just over 30,000 (30,170) new dwellings would be developed within the zones, based on information available at the time provided by the three Local Planning Authorities concerned. The Strategy used these figures to “*give an indication of the total projected housing increases to 2026... to predict how the numbers of visits to the European sites... might change in the future*” and develop a suitable approach to strategic mitigation.
- 5.10 For East Devon, the figures cited in the Strategy are lower than those contained in the Local Plan as adopted. Therefore, the HRA for the Local Plan considered the question of whether the mitigation strategy could accommodate this additional growth and concluded that it could on the assumption that new development would continue to contribute to the mitigation, and it should be possible for the mitigation to respond and develop accordingly to match the housing growth. Similarly to the Mitigation Strategy itself, the Local Plan HRA describes the level of growth as “*approximate and strategic overview of the level of change around each European site*”, rather than a maximum.
- 5.11 It can therefore be concluded that, combined with the overarching East Devon Local Plan, the Broadclyst Neighbourhood Plan contains sufficient policy framework to ensure no adverse effects on the integrity of international designated site will occur.

## 6. Conclusions

6.1 This assessment undertook both Screening and Appropriate Assessment of the policies and any allocations within the Broadclyst Neighbourhood Plan.

- The international designated sites considered within the Appropriate Assessment for impact pathways that could not be screened out at the screening stage were: Exe Estuary Ramsar site
- Exe Estuary SPA
- East Devon Pebblebed Heaths SAC
- East Devon Heaths SPA
- Dawlish Warren Heath SAC

6.2 Impact pathways considered during the screening were: recreational pressure, water quality, water quantity, level and flow and air pollution. Water quality, water quantity, level and flow and air pollution were screened out at the Screening stage due to a lack of linking impact pathways. Recreational pressure could not be screened out at the Screening stage and was therefore further discussed within the Appropriate Assessment.

6.3 Five Site Allocations to provide net new residential development were subject to Appropriate Assessment as they were located within 10km of the Exe Estuary international sites and / or the East Devon Heathland international sites and could result in adverse effects on the integrity of an international site in combination with other projects and plans. These were:

- Policy EM2: Regeneration of Elbury Farm (now deleted from the Neighbourhood Plan)
- Policy H1: Blackhorse gardens site allocation at Blackhorse
- Policy H2: Broadclyst Station: Site between Shercroft Close and Cotterell Road
- Policy H3: Broadclyst Village: Heathfield Site

6.4 Following Appropriate Assessment, it was concluded that, combined with the overarching East Devon Local Plan, the Broadclyst Neighbourhood Plan contains sufficient policy framework to ensure no adverse effects on the integrity of international designated site will occur in isolation or in combination with other projects and plans.

# Appendix A Background to International Designated Sites

## Figure A1: Location of International Designated Sites

# Exe Estuary Ramsar Site and SPA

## Introduction

6.5 The Estuary is located in Devon. It extends 10 km south from Exeter to the open sea at Dawlish Warren. It 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. This complex of coastal habitats supports internationally important numbers of wintering and passage waterbirds.

## Reason for Designation: Ramsar<sup>51</sup>

6.6 This site is designated by the Ramsar Convention on Wetlands of International Importance (1971) under the following criteria:

- Ramsar criterion 5: importance for over wintering waterfowl
- Ramsar criterion 6: overwintering Dark-bellied brent goose *Branta bernicula*, and Black-tailed godwit *Limosa limosa islandica*.

## Reason for Designation: SPA<sup>52</sup>

6.7 The site is designated under Article 4.1 for the following avian species:

- Pied avocet *Recurvirostra avosetta* (Non-breeding)
- Slavonian grebe *Podiceps auritus* (Non-breeding)

6.8 The site is designated under Article 4.2 for the following over wintering assemblages:

- Black-tailed Godwit *Limosa limosa islandica*,
- Dunlin *Calidris alpina alpina*,
- Lapwing *Vanellus vanellus*,
- Grey Plover *Pluvialis squatarola*
- Oystercatcher *Haematopus ostralegus*,
- Redbreasted Merganser *Mergus serrator*,
- Wigeon *Anas penelope*,
- Dark-bellied Brent Goose *Branta bernicla bernicla*,
- Cormorant *Phalacrocorax carbo*,

<sup>51</sup> <https://jncc.gov.uk/jncc-assets/RIS/UK11025.pdf> [accessed 23/10/2020]

<sup>52</sup> <http://publications.naturalengland.org.uk/file/6304440713740288> [accessed 23/10/2020]

<https://data.jncc.gov.uk/data/3634580a-cabc-4218-872f-8660a1760ad8/uk-spa-vol3-web.pdf> [accessed 23/10/2020]

- Avocet *Recurvirostra avosetta*,
- Slavonian Grebe *Podiceps auritus*.

## Conservation Objectives for the SPA<sup>53</sup>

“With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the ‘Qualifying Features’ listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.”

## Environmental Vulnerabilities<sup>54</sup>

- Public access/ disturbance
- Changes in species distributions
- Coastal squeeze
- Changes in land management
- Fisheries: commercial marine and estuarine

## East Devon Pebblebed Heaths SAC and East Devon Heaths SPA

### Introduction

6.9 These heathland sites, are the largest block of lowland heathland in Devon. Its lowland Atlantic heathland are in international importance and support a diverse heathland ecosystem, including birds and invertebrates. The higher slopes that are dry are dominated by heather *Calluna vulgaris*, bell heather *Erica cinerea*, western gorse *Ulex gallii*, bristle bent grass *Agrostis curtisii* and purple moor-grass *Molina caerulea*. The shallow valleys contain wet heath and flushes and are dominated by ross-leaved heath *Erica tetralix* and characteristic species are common sedge *Carex nigra*, meadow thistle *Cirsium dissectum*, lousewort *Pedicularis sylvatica*, bogbean *Menyanthes trifoliata*, heath spotted orchid *Dactylorhiza maculata*, lesser butterfly orchid *Platanthera bifolia* and sharp-flowered rush *Juncus acutiflorus*. Other species associated with the wetter areas

<sup>53</sup> <http://publications.naturalengland.org.uk/file/5807908071931904> [accessed 23/10/2020]

<sup>54</sup> <http://publications.naturalengland.org.uk/publication/6369979498758144> [accessed 23/10/2020]

are bog asphodel *Narthecium ossifragum*, sundews *Drosera spp.*, pale butterwort *Pinguicula lusitanica*, bog pimpernel *Anagallis tenella*, common cottongrass *Eriophorum angustifolium* and the club-moss *Lycopodiella inundata*.

6.10 Over 70 breeding bird species have been recorded notably nightjar *Caprimulgus europaeus*, hobby *Accipiter nisus* and in most years Dartford warbler *Sylvia undata*. Among the 21 breeding dragonfly species are the small red damselfly *Ceragrion tenellum*, southern Coenagrion *Coenagrion mercuriale* and the downy emerald *Cordulea aenea*. The bog bush cricket *Metrioptera brachyptera* has been recorded.

## Reason for Designation

6.11 East Devon Pebblebed Heaths SAC is designated for its<sup>55</sup>:

- Annex I habitats:
  - Northern Atlantic wet heaths with *Erica tetralix*
  - European dry heaths
- Annex II species:
  - Southern damselfly *Coenagrion mercurial*

6.12 East Devon Heaths SPA is designated for its<sup>56</sup>:

- Annex I Species:
  - Dartford Warbler *Sylvia undata*
  - Nightjar *Caprimulgus europaeus*

## Conservation Objectives

6.13 Conservation Objectives for East Devon Pebblebeds Heaths SAC<sup>57</sup>:

*“With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
- *The structure and function (including typical species) of qualifying natural habitats*
- *The structure and function of the habitats of qualifying species*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
- *The populations of qualifying species, and,*

<sup>55</sup> <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0012602.pdf> [accessed 28/10/2020]

<sup>56</sup> <http://publications.naturalengland.org.uk/file/6521699319152640> [accessed 28/10/2020]

<sup>57</sup> <http://publications.naturalengland.org.uk/file/6288275761528832> [accessed 28/10/2020]

- *The distribution of qualifying species within the site.”*

#### 6.14 Conservation Objectives for the East Devon Heaths SPA<sup>58</sup>:

*“With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the ‘Qualifying Features’ listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;*

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.”*

### **Environmental Vulnerabilities<sup>59</sup>**

6.15 The site vulnerabilities identified in the Site Improvement Plan (SIP) for both the SAC and SPA are as follows:

- Inappropriate scrub control
- Undergrazing
- Change in land management
- Public access/ disturbance
- Air pollution: impact of atmospheric nitrogen deposition
- Water pollution
- Hydrological changes

## **Dawlish Warren Heath SAC**

### **Introduction**

6.16 This site consists of a large sand-spit with adjoining tidal land at the mouth of the Exe Estuary, an area of international importance for several species of wildfowl and wading birds. It is particularly noted for its flora and over-wintering and migratory bird populations. A wide variety of habitats is present, including saltmarsh, sand-dune, dune grassland and heath, scrub and freshwater marsh. The flora includes Orchids and several other plants of local distribution, along with many alien and invasive species. Short sward grassland on the warren supports the only mainland British population of the Warren Crocus *Romulea columnae var occidentalis*. The saltmarsh flora includes Eel-grass *Zostera spp*, which is an important food for Wigeon *Anas Penelope*, Dark-bellied Brent Goose

<sup>58</sup> <http://publications.naturalengland.org.uk/file/5439795618906112> [accessed 28/10/2020]

<sup>59</sup> <http://publications.naturalengland.org.uk/file/5150221705150464> [accessed 28/10/2020]

*Branta bernicla bernicla* and other species of wildfowl. The estuary also supports nationally important numbers of wintering Black-tailed Godwit *Limosa limosa*. Several insects recorded from the warren have a limited distribution in mainland Britain. These include the Sand Wasp *Ammophila sabulosa*, which occurs on undisturbed, exposed sand-faces. The sand-spit and the estuary which it protects also display features of geological and geographical interest

## Reason for Designation

6.17 The SAC is designated for its<sup>60</sup>:

- Annex I habitats:
  - Humid dune slacks
  - Shifting dunes along the shoreline with *Ammophila arenaria* ('White dunes')
  - Fixed dunes with herbaceous vegetation ('Grey dunes')
- Annex II species:
  - Petalwort *Petalophyllum ralfsii*

## Conservation Objectives<sup>61</sup>

*“With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change;*

*Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
- *The structure and function (including typical species) of qualifying natural habitats*
- *The structure and function of the habitats of qualifying species*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
- *The populations of qualifying species, and,*
- *The distribution of qualifying species within the site”*

## Environmental Vulnerabilities<sup>62</sup>

- Public access/ disturbance
- Changes in species distributions
- Coastal squeeze

<sup>60</sup> <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030130.pdf> [accessed 28/10/2020]

<sup>61</sup> <http://publications.naturalengland.org.uk/file/6666843641348096> [accessed 28/10/2020]

<sup>62</sup> <http://publications.naturalengland.org.uk/publication/6226792973074432> [accessed 28/10/2020]

- Changes in land management
- Fisheries: commercial marine and estuarine

## Appendix B Potential for impacts on European sites

6.18 Where a policy is identified in orange in the last column, a potential linking impact pathway between the Plan Policy and an international designated site exists, and as such will be investigated further within this document. Where a policy is identified in green in the last column, there are no potential impact pathways linking the Plan Policy to an international site, and as such, this Policy can be ‘screened out’ from further consideration and will not be discussed further within this report. Note that where potential pathways are identified in this table they are then considered, first in Chapter 3 of the main body of this report (to determine whether the issue is already covered by the Local Plan and its HRA) and then in Chapter 4 of the main body of this report (to conduct the actual assessment of Likely Significant Effects).

**Table B-1: Potential for impacts on European sites from the Broadclyst Neighbourhood Plan Policies**

Policy	Policy Description	HRA Implications
<p><b>Policy CF1: Community Sports Hub</b></p>	<p>Land identified in Figures 16 and 17 is allocated for a Community Sports Hub development to include the following:</p> <ul style="list-style-type: none"> <li>• An All-Weather Floodlit Pitch Field of Play (minimum size 110m x 65m*)</li> <li>• A Community Building (minimum size 200 sq metres*)</li> <li>• A Secure Storage Building (minimum size 18m x 3m*)</li> <li>• A Treed Car Park (minimum size 55m x 22m*)</li> </ul> <p>Proposals should meet the following site-specific requirements:</p> <ol style="list-style-type: none"> <li>1. Provision of an Artificial Grass Pitch (AGP) Hockey Plus surface or an equivalent surface that provides at least the same range of sporting activities. (For sports see Fig 4 Surface A in the Consultation Statement Appendix 7)</li> <li>2. That the highest standards of lighting required to minimise light pollution, and floodlighting times restricted to a maximum 10:00pm and for the duration of training and pitch use only.</li> <li>3. A Car Park to include provision for movement, turning and designated parking for; coaches, minibuses, bicycles, cars and electric charging points (see Policy T3).</li> </ol>	<p>Potential HRA implications.</p> <p>The provision of a sports hub has the potential to result in the following impact pathways stemming from the clients and staff:</p> <ul style="list-style-type: none"> <li>• Air pollution: impact of atmospheric nitrogen deposition</li> <li>• Water pollution</li> <li>• Hydrological changes</li> </ul> <p>It is noted that the provision of a sports hub has the potential to divert recreational pressures away from sensitive international sites.</p>

4. Car Park to include provision of trees<sup>63</sup> (one tree per every 7 parking spaces) to provide shade and enhance the appearance of buildings, sports pitch <sup>64</sup> and onsite net biodiversity gain. Planting and materials to integrate with sustainable urban drainage components.
5. Community building to include ancillary facilities: changing rooms, toilets, kitchen, social/ café space, storage space and rooms for meetings, fitness /training area and offices (to include Parish Council office)
6. Pedestrian and cycle access to include safe crossing with lights on the B3181 and an extension of the existing pavement from the bus stop and Dog village.
7. Land for the provision of a public path to the Broadclyst Community Farm (labelled Heathfield Farm in Fig 16) is to be safeguarded for future access.
8. To enable net biodiversity gain, the following landscaping provisions as seen in Fig 18, are to be delivered:
  - The southern hedge boundary and part of the copse are to be enhanced and protected, and
  - a 2m new planted area along the school boundary to be provided except where access is required.
9. To utilise roofs for the generation of on-site renewable energy (see Policy DC1).

If proposals for the site identified in Policy CF1 submitted within three years from the date of Plan adoption do not meet all the required planning criteria set out above, or if planning permission has been granted but development on the site has not commenced within three years of the date of Plan adoption, then a suitable reserve site able to meet the criteria set out in this policy can be developed for the use specified.

\*Prefeasibility studies will inform the minimum size requirements listed.

**Policy CF2: New and Enhanced Sport, Recreation & Community Facilities.**

Proposals for new, or enhanced or extended existing, indoor, or outdoor sport, recreation and/or community facilities, will be supported where this meets a demonstrated community need.

Development proposals are subject to:

No HRA implications. This is a development management policy relating to sports and recreational facilities, there are no linking impact pathways present.

<sup>63</sup> <https://www.tdag.org.uk/trees-in-hard-landscapes.html>

<sup>64</sup> [www.sportengland.org/media/car-parking](http://www.sportengland.org/media/car-parking)

	<ul style="list-style-type: none"> <li>• The proposal and all ancillary facilities such as changing rooms to be of an appropriate scale and design for community use.</li> <li>• Minimising ‘bad neighbour’ impacts, including, where necessary and appropriate, controlled hours of working to minimise noise levels and light impacts.</li> <li>• Sufficient and safe parking provision on site in line with T3.</li> <li>• Access arrangements which enable and encourage active travel for pedestrians and cyclists as well as provision of safe vehicular access, and</li> <li>• providing an overall gain of community space and /or community use and / or provision.</li> </ul>	<p>It is noted that the provision of a sports hub has the potential to divert recreational pressures away from sensitive international sites.</p>
<p><b>Policy D1: High Quality Design</b></p>	<p>New development including conversions and extensions are to be designed to achieve high quality design should have regard to the Broadclyst Parish Design Code 2021 (Appendix 14) as well as the guidelines and principles provided by EDDC Conservation Area Appraisal<sup>65</sup> and East Devon Heritage Strategy<sup>66</sup>.</p> <p>To achieve high quality design new development proposals in the Parish should be designed to:</p> <ol style="list-style-type: none"> <li>1. Respect and or complement local character setting in relation to the height, scale, layout, orientation and spacing of buildings as in the Broadclyst Design Code and draw inspiration from the best and most locally distinctive buildings.</li> <li>2. Minimise the significant impact on the visual amenity of the local and wider setting of the surrounding built and natural landscapes and in the varied streetscapes within the Parish.</li> <li>3. Ensure proposals that seek to introduce innovative or non-traditional designs that can add to the local context and character will only be supported where a robust design rationale is presented and is in line with NPPF para 134.</li> <li>4. Recognise and reinforce local character by utilising locally sourced materials as appropriate, in relation to buildings and boundary treatments. The appropriate use of local stone walls or hedgerows is encouraged.</li> </ol>	<p>No HRA implications. This is a development management policy relating to high quality design. There are no linking impact pathways present.</p>

<sup>65</sup> <https://eastdevon.gov.uk/planning/planning-services/conservation-and-listed-buildings/conservation-areas/>

<sup>66</sup> <https://eastdevon.gov.uk/planning/planning-policy/east-devon-heritage-and-local-heritage-assets/>

	<ol style="list-style-type: none"> <li>5. Create well defined, attractive and secure streets and spaces benefiting from good levels of natural surveillance and designed for mitigating climate change.</li> <li>6. Ensure where external lighting is proposed, adverse amenity and environmental impacts are to be avoided and the power is to be sourced from renewable energy. In the rural areas of the Parish ensure light pollution does not harm the prevalence of dark skies at night.</li> <li>7. Create attractive climate resilient planted frontages and gardens and where possible, integrate green and natural features such as trees, hedgerows and grass verges into the proposal to maximise removing carbon dioxide from the air, storing carbon in the plants and soil, and releasing oxygen into the atmosphere.</li> <li>8. Ensure road safety is not compromised, in particular taking into account access points, crossing points and blind corners.</li> <li>9. Link into and enhance the existing pedestrian and cycle network and facilitate future connectivity and sustainable transport options where practical.</li> <li>10. Ensure appropriate and safe site access in the following priority order: pedestrians, cyclists and vehicles. To ensure this priority is also provided in low traffic neighbourhoods (see Policy T4).</li> <li>11. New signage requiring consent and providing route identification should maximise clarity, legibility and amenity.</li> </ol>	
<p><b>Policy DH1: Historic Character</b></p>	<p>All new development:</p> <ul style="list-style-type: none"> <li>• Affecting the Broadclyst Conservation Area and / or</li> <li>• Affecting a heritage asset or its heritage landscape setting (Appendix 14)</li> </ul> <p>will be expected to preserve or enhance the positive attributes of significant heritage assets.</p> <p>To be supported new development should provide a detailed design and layout proposals for the site to reduce impacts on the historic environment to include features such as the:</p> <ol style="list-style-type: none"> <li>1. Conservation and enhancement of designated and non-designated heritage assets and their settings;</li> <li>2. Maintaining the historic pattern of development by building in context to the historical area and /or asset;</li> <li>3. Complementing the human scale, height and massing of the existing historic development in the immediate streetscape and in the wider setting;</li> </ol>	<p>No HRA implications. This is a development management policy relating to historic character. There are no linking impact pathways present.</p>

	<p>4. Reinforcing local identity either by use of the traditional materials found in the Conservation Area and in other historical structures, or by using contemporary building materials that improve the energy efficiency or renewable energy generation capacity of the building which are sympathetic to the existing architectural style.</p>	
<p><b>DH2: Development of Existing Buildings in and adjacent to the Conservation Area</b></p>	<p>Proposals for the conversion and or extension of existing buildings within or adjacent to the Broadclyst Village Conservation Area<sup>67</sup>(Figure 7) are required to ensure that design of the following:</p> <ul style="list-style-type: none"> <li>• Boundary treatments (appropriate materials, height and scale)</li> <li>• Signage</li> <li>• Overhead lines</li> <li>• Infill development at appropriate scale and density</li> <li>• Green spaces</li> <li>• Parking</li> <li>• Palette of materials</li> </ul> <p>will enhance the fabric and setting of heritage assets drawn from the Broadclyst Conservation Area appraisal and will support heritage led regeneration to safeguard this Area for the future.</p> <p>Inclusion of appropriately scaled and sensitively selected energy efficiency measures in historic buildings will be supported.</p>	<p>No HRA implications. This is a development management policy relating to the Conservation Area. There are no linking impact pathways present.</p>
<p><b>DH3: Historic Restoration</b></p>	<p>Proposals for part and/ or full restoration and /or enhancements to the fabric and setting of heritage assets (archaeological or historic assets below or above ground) will be supported, where the proposal:</p> <ul style="list-style-type: none"> <li>• Provides an assessment of the character of the asset, its context and significance.</li> <li>• Shows how the development fits in with these specific heritage characteristics, and</li> <li>• offers a specific and measurable improvement to the historical integrity of the structure and or its' setting.</li> </ul> <p>Appropriate part or whole restoration of the following will be supported:</p> <ol style="list-style-type: none"> <li>1. Carrow mill on the River Clyst near Clyst Honiton. (OS: SX986939)</li> </ol>	<p>No HRA implications. This is a development management policy relating to historic restoration. There are no linking impact pathways present.</p>

<sup>67</sup> <https://eastdevon.gov.uk/planning/planning-services/conservation-and-listed-buildings/conservation-areas/>

	<ol style="list-style-type: none"> <li>2. The medieval remains of the undercroft of the manor house in the Broadclyst Village churchyard wall.</li> <li>3. Stocks in the Broadclyst Village churchyard.</li> <li>4. Westwood Bus Stop.</li> </ol>	
<p><b>Policy DC1: Energy Efficient New Buildings</b></p>	<p>All new development that ensures a “fabric first” *approach to reducing carbon emissions in accordance with the energy hierarchy provided in Policy DC2 will be strongly supported.</p> <p>Residential dwellings with recognised high energy efficient standards such as certified PassivHaus and / or a comparable standard will be strongly supported.</p> <ul style="list-style-type: none"> <li>• In these instances submission of the full PassivHaus or a similar standard in terms of space heating requirements, ventilation and air changes is required to demonstrate that the specific standard can be achieved.</li> <li>• Prior to commencement a ‘pre-construction compliance check’ completed by a PassivHaus or equivalent certifier will be required and secured by condition.</li> <li>• Upon completion a Quality Approved PassivHaus or equivalent certification for each dwelling will be required.</li> </ul> <p>*fabric first’ means ‘maximising the performance of the components and materials that make up the building fabric before considering the use of mechanical or electrical building services systems. Consideration should also be given to modern methods of construction’.</p>	<p>No HRA implications. This is a positive development management policy relating to energy efficiency of new buildings. This policy has the potential to reduce the emissions of carbon as a result of new development, and thus reduce atmospheric carbon pollution emissions. There are no linking impact pathways present.</p>
<p><b>Policy DC2: Increasing Energy Efficiency of Existing Buildings</b></p>	<p>To adapt to and mitigate climate change, the refurbishment and extension of existing residential properties and commercial buildings is to be designed to maximise its contribution to the energy efficiency of buildings and use of renewable energy sources.</p> <p>Proposals are supported which contribute to energy efficiency and integrate renewable and low carbon heat and electricity production in accordance with the following energy hierarchy:</p> <ol style="list-style-type: none"> <li>1. <u>Minimising energy requirements</u></li> </ol> <p>Implementation of the following highly energy-efficient designs to increase the building’s resilience to climate change is supported unless causing unacceptable loss of aesthetic or conservation value.</p>	<p>No HRA implications. This is a positive development management policy relating to energy efficiency of existing buildings. This policy has the potential to reduce the emissions of carbon as a result of new development, and thus reduce atmospheric carbon pollution emissions. There are no linking impact pathways present.</p>

- The use of high quality, thermally efficient building materials.
- Designing buildings for efficient use of water, water management and cooling.
- The use of high quality ventilation, such as high levels of airtightness, triple glazing, internal and external shading, mechanical ventilation heat recovery (MVHR) and passive cooling measures to allow the building to adapt to climate change, notably hotter summers, without increased energy demand for cooling, and to adapt to greater fluctuations in the weather.
- Improved insulation of the property as a whole such that energy use for space heating per unit of volume is reduced.

## 2. Incorporating renewable energy generation.

One or more of the following innovative approaches which demonstrate sustainable use of resources and produce renewable energy will be encouraged until such time as it can be required by legislation:

- Incorporation of on-site energy generation from renewable sources such as photo-voltaic and/or solar heating panels, solar shingles and PV slates.
- Installation of ground-source and/or air-source heating.
- Linking to local renewable energy district heating schemes as specified in DC5;
- On site batteries.
- Other low or zero carbon systems.

Design considerations to reduce any adverse impacts on building aesthetics are to be incorporated such as:

1. Analysing the proportions of the building and roof surface in order to identify the best location and sizing of panels.
2. Concealing wiring and other necessary installations.
3. Consideration of the use of other tile or slate colours for compatibility with the solar panel materials.
4. Introduction of proportionate contrast and boldness. For example, the use of black solar panels with black mounting systems and frames instead of blue panels.
5. Placing panels on the ground or on outbuildings including garages.

<p><b>Policy DC3: Sustainable Drainage</b></p>	<p>All new residential and commercial developments are required to demonstrate a net reduction in surface water runoff to minimise the impact of development upon the drainage regime of the Parish's rivers, reduce incidents of localised flooding, and to maximise water storage and controlled release.</p> <p>Use of DCC<sup>68</sup> natural flood management and artificial drainage systems (SuDS) and water recycling features including those listed below are supported and encouraged.</p> <ul style="list-style-type: none"> <li>• Permeable paving, driveways and parking areas.</li> <li>• Water harvesting and water storage features.</li> <li>• Green roofs.</li> <li>• Swales (natural or man-made ditches usually grass covered with sloping sides.)</li> <li>• Soakaways.</li> <li>• Retention ponds.</li> <li>• Filter strips; and/or detention basins.</li> <li>• Minimise amount of green space lost to hard surfacing.</li> </ul> <p>SuDS measures should not only deliver effective water attenuation, but should also be designed to enhance the local environment and seek to provide additional benefits including:</p> <ol style="list-style-type: none"> <li>1. Water treatment and the removal of pollutants.</li> <li>2. Infiltration and groundwater replenishment.</li> <li>3. Recreation and amenity space provision, and</li> <li>4. biodiversity and habitat creation.</li> </ol> <p>Proposals to retrofit, convert or extend existing properties will be required to comply with the above where appropriate.</p>	<p>No HRA implications. This is a development management policy pertaining to sustainable drainage systems (SuDS). There are no linking impact pathways present.</p>
<p><b>Policy DC4: Residential Storage</b></p>	<p>New residential development is required to be designed to facilitate occupants to recycle and make greater use of low carbon and active travel.</p> <p>The following dedicated storage facility structures are encouraged:</p> <ul style="list-style-type: none"> <li>• Storage facility for waste and recycling, and</li> </ul>	<p>No HRA implications. This is a development management policy pertaining to residential storage. However, this has the potential to be a positive policy as it provides for cycle</p>

<sup>68</sup> DCC :- <https://www.devon.gov.uk/floodriskmanagement/planning-and-development/suds-guidance/>, the CIRIA SuDS Manual (C753) -

	<ul style="list-style-type: none"> <li>• a secure and dry external storage to accommodate bicycles and/ or mobility aids.</li> </ul> <p>Storage facilities may be combined. Garages acceptable for parking and storage should have a minimum internal dimension of 3m x 6m per vehicle<sup>69</sup>.</p> <p>Where cycle storage is provided this must be for a minimum of 2 cycles per dwelling.</p> <p>The storage must be considered as part of the initial design process for all new developments and should be designed in a manner that minimises their visual impact on the public realm and obstruction of pedestrian and vehicular access routes.</p> <p>Storage design to include features such as:</p> <ol style="list-style-type: none"> <li>1. Storage spaces which are readily accessible at ground level.</li> <li>2. Spaces which are fit for purpose and enable easy retrieval and manoeuvring.</li> <li>3. The use of a materials/ palette complementary to the setting.</li> <li>4. Storage construction as part of the property boundary.</li> <li>5. The incorporation of green features such as a green roof, a planting structure and water storage/ harvesting.</li> <li>6. Provision of charging point as specified in Policy T3.</li> </ol>	<p>storage (which has the potential to lead to an increase in cycling and a decrease in reliance on non-sustainable modes of transport), and also for rainwater harvesting and storage (which has the potential to reduce the need for water abstraction from the environment).</p> <p>There are no linking impact pathways present.</p>
<p><b>Policy DC5: District Heating Schemes (DHS)</b></p>	<p>Across the neighbourhood plan area, including but not limited to the LDO District Heating Area (Figure 26) proposals for new development being served by heating schemes that meets the specification of a heating provision that produces less than 150kg of CO2 per kWh of heat will be supported. This specification could be provided by a Local District Heating Scheme and /or by alternative low- carbon schemes.</p> <p>Proposals from industry and businesses utilising large buildings to connect their excess energy generated by their facilities to district heating networks will also be strongly supported. Such energy recovery is supported by the DCC Waste Plan<sup>70</sup>.</p>	<p>No HRA implications.</p> <p>This policy pertains to the connection of new and old dwellings to District Heating Schemes. This policy does not provide for any schemes or locations, but merely identifies potential sources of waste heat that could be harnessed to be used in District Heating Systems. This is a positive policy as the use of waste heat has the potential to reduce</p>

<sup>69</sup> ECC: Residential Design Guide SPD (2010) 6.45 <https://exeter.gov.uk/planning-services/planning-policy/supplementary-planning-documents/residential-design-guide-spd/>

<sup>70</sup> <https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/devon-waste-plan>

	<p>New district heating scheme proposals would have to ensure that they do not have an unacceptable impact on: the local character and setting; amenities of local residents and natural environment and its biodiversity.</p>	<p>the need for the burning of fossil fuels to heat houses, and thus reduce atmospheric pollution contributions. There are no linking impact pathways present.</p>
<p><b>Policy DC6: Community Led Renewable Energy Production</b></p>	<p>To increase the community's use and production of renewable and low carbon energy, development proposals for renewable energy schemes from 1 and / or 2 below will be supported:</p> <ol style="list-style-type: none"> <li>1. <u>Led and supported by communities:</u> where the proposed development has community involvement at the heart of the project's development process. Examples include: <ul style="list-style-type: none"> <li>• Proposals which are conceived in partnership between a community organisation and a developer (commercial or non-profit), or another party.</li> <li>• Proposals which are supported or promoted by a community at the planning or pre-planning stage.</li> </ul> </li> <li>2. <u>Meets the needs of and demonstrably supported by local communities:</u> Examples of such public or community benefits include: <ul style="list-style-type: none"> <li>• Community ownership and control over renewable energy assets (and their energy and financial outputs).</li> <li>• The generation of surplus which can be spent by the local community.</li> <li>• Cheaper and more secure local energy supply (which could be achieved through measures such as deployment of smart energy management technologies, energy storage and through community controlled energy supply).</li> <li>• Benefits to the local environment which are identified and desired by the local community.</li> </ul> </li> </ol> <p>Proposals for the following renewable energy systems will be supported if the scale meets the needs of and is demonstrably supported by the local communities:</p> <ul style="list-style-type: none"> <li>• Micro hydroelectricity.</li> <li>• Solar farm (up to 5 hectares and where the community directly benefit).</li> <li>• Ground Source and Air Source Heating.</li> </ul> <p>To increase use and production of renewable and low carbon energy generation, development proposals for community led renewable energy production will be supported subject to the following criteria:</p>	<p>No HRA implications. This is a development management policy pertaining to community led renewable energy production. No type, location or extent of development is identified. The provision of renewable energy resources is positive and has the potential to reduce atmospheric pollution contributions. There are no linking impact pathways present.</p>

	<ol style="list-style-type: none"> <li>1. The siting and scale of the proposed development is appropriate to its setting and position in the wider landscape.</li> <li>2. The proposed development does not create an unacceptable impact on the amenities of local residents (including noise, light, vibration, views and vistas, shadow flicker, water pollution, emissions) and the road network.</li> <li>3. Appropriate planting and landscaping in keeping with local landscape character is provided to mitigate landscape and visual impact, screening of the development and important wildlife habitats.</li> <li>4. To be specifically designed, where appropriate, to enhance water quality and aquatic life including invertebrates.</li> </ol>	
<p><b>Policy EC1: Regeneration of Beare Farm</b></p>	<p>Site EC1 in Figure 33 shows the area of Beare Farmhouse and outbuildings to be regenerated to provide flexible commercial space for either one or a combination of the followings uses:</p> <ul style="list-style-type: none"> <li>• Offices (Use Class B1 (a) and E (g) (i))</li> <li>• Food and/ or drink production (Use Class E(g)(ii),</li> <li>• Small light industrial workshops (Use Class E(g)(iii).</li> </ul> <p>Proposals for Class B2 and B8 uses will not be supported.</p> <p>Development and conversion of Beare Farm buildings will be permitted subject to the following site specific requirements:</p> <ol style="list-style-type: none"> <li>1. Conversion of listed house and outbuildings to be developed in line with policy DH3, and new development to be in line with policy DH1.</li> <li>2. Sufficient parking provision within the site to ensure: <ul style="list-style-type: none"> <li>• there is no detrimental impact to the effective functioning of businesses on site,</li> <li>• that sustainable modes of active travel are provided for, and</li> <li>• safe access on /off the B3181 and onto the pavement that leads to the Beare bus stop.</li> </ul> </li> <li>3. To ensure development does not compromise the ability of the wider agricultural landholding surrounding the site to be farmed in line with Killerton Estate objectives or their future equivalent.</li> </ol>	<p>Potential HRA implications.</p> <p>This policy provides for the regeneration of Beare Farm for economic development. Whilst no quantum of development is identified, the types of development provided for could result in the following linking impact pathways:</p> <ul style="list-style-type: none"> <li>• Air pollution: impact of atmospheric nitrogen deposition</li> <li>• Water pollution</li> <li>• Hydrological changes</li> </ul>
<p><b>Policy EC2: Regeneration of Crannaford Site</b></p>	<p>Figure 34 shows the area of Crannaford to be regenerated through refurbishment and selective development to provide flexible commercial space for the following uses:</p> <ul style="list-style-type: none"> <li>• Use Class E(g) (i) OR</li> <li>• Use Class E (a) and E (b)</li> </ul>	<p>Potential HRA implications.</p> <p>This policy provides for the regeneration of the Crannaford Site for economic development. Whilst no quantum of development is identified,</p>

	<p>Redevelopment and any new development will be subject to the following site specific requirements:</p> <ol style="list-style-type: none"> <li>1. Proposals are not significantly harmful to the amenity of any existing onsite neighbouring businesses and homes.</li> <li>2. Sufficient parking is provided on site to ensure there is no detrimental impact on the effective functioning of the businesses on the site.</li> <li>3. Details of how the development will impact on the road and railway infrastructure (railway crossing and barriers) to be included in the Transport Assessment.</li> <li>4. Flood assessment and mitigation to be included in the Access and Design Statement.</li> </ol>	<p>the types of development provided for could result in the following linking impact pathways:</p> <ul style="list-style-type: none"> <li>• Air pollution: impact of atmospheric nitrogen deposition</li> <li>• Water pollution</li> <li>• Hydrological changes</li> </ul>
<p><b>Policy EC3: Regeneration of Winter Gardens Site</b></p>	<p>Figures 35A and B show the area of Winter Gardens to be regenerated to provide flexible commercial space for the following uses:</p> <ul style="list-style-type: none"> <li>• Offices (Use Class B1 (a))</li> <li>• Light industrial uses (Use Class E(g)(iii))</li> </ul> <p>Proposals for Class B2, B8, Class F1 and F2 uses are not supported.</p> <p>Redevelopment will be subject to the following site specific requirements:</p> <ol style="list-style-type: none"> <li>1. The redevelopment does not have an adverse impact on the character of the immediate area.</li> <li>2. Sufficient parking is provided on site to ensure there is no detrimental impact on the effective functioning of businesses on the site.</li> <li>3. Proposals would not significantly harm the amenity of neighbouring businesses and residents.</li> <li>4. The volume of traffic generated by proposals can be accommodated on the local highway network without detriment to road safety.</li> <li>5. Adequate infrastructure is provided for safe vehicular movement onto and off the local road as well as within the site.</li> <li>6. Landscaping is provided to enhance the setting and screening of the site.</li> </ol>	<p>Potential HRA implications.</p> <p>This policy provides for the regeneration of the Winter Gardens Site for economic development. Whilst no quantum of development is identified, the types of development provided for could result in the following linking impact pathways:</p> <ul style="list-style-type: none"> <li>• Air pollution: impact of atmospheric nitrogen deposition</li> <li>• Water pollution</li> <li>• Hydrological changes</li> </ul>
<p><b>Policy EW1: Development of Work Hubs</b></p>	<p>Development proposals for work hubs across the Parish which enable the start-up and growth of micro-sized enterprises through the provision of small, 'hot desk', incubator offices and work hubs will be supported.</p> <p>Development proposals for work hubs will be supported from:</p> <ol style="list-style-type: none"> <li>1. Conversions of existing buildings.</li> </ol>	<p>No HRA implications.</p> <p>This is a development management policy that supports the provision of Work Hubs. No location or quantum is identified.</p>

	<ol style="list-style-type: none"> <li>2. New builds.</li> <li>3. Farm diversification proposals that would deliver an additional income stream for the established ongoing agricultural business and would not be a significant shift away from farming as the mainstay of the operation.</li> </ol> <p>Proposals will be supported where the developments are:</p> <ul style="list-style-type: none"> <li>• in proximity to centres of population,</li> <li>• in proximity to sustainable travel options and</li> <li>• of a scale proportionate to the size and scope of the location.</li> </ul> <p>Development proposals within the wider rural area will need to demonstrate that such development does not significantly impact on the landscape and heritage character and that design features ensure that the sites do not adversely impact the immediate neighbours and the wider setting.</p> <p>Development would not be allowed in the CVRP, unless it conforms with Local Plan policy relating to development in the designated area.</p>	<p>There are no realistic linking impact pathways present.</p>
<p><b>Policy ET1: Development of Tourism</b></p>	<p>Proposals for the development of tourism related businesses * relating to any of, or a combination of the following will be welcomed and supported:</p> <ul style="list-style-type: none"> <li>• Woodland.</li> <li>• Flora and fauna habitats.</li> <li>• Rural crafts (including the Parishes traditional rural crafts.).</li> <li>• Climate change.</li> <li>• Heritage (natural and built landscapes).</li> </ul> <p>provided that:</p> <ol style="list-style-type: none"> <li>1. The scale and development is proportionate to existing activities in the Parish.</li> <li>2. Development proposals should not significantly impact on the landscape and heritage character and are mitigated as appropriate by landscaping and visual screening.</li> <li>3. Design features ensure that the sites do not adversely impact the immediate neighbours and the wider setting.</li> <li>4. Development respects the area's heritage and historic character.</li> <li>5. Design ensures that traffic, access and highway matters are satisfactorily addressed.</li> </ol>	<p>No HRA implications.</p> <p>This is a development management policy relating to tourism. Whilst tourism has the potential to result in impact pathways that can link to international sites (such as increased recreational pressure, additional pressures on water resources and increased atmospheric pollution), this policy does not in itself provide for an increase in tourism development as there is no quantum, location or specific type of tourism identified.</p> <p>There are no realistic linking impact pathways present.</p>

	<p>Development proposals will not be allowed in the CVRP, unless it conforms with Local Plan Policy relating to development in the designated area.</p> <p>(* a business that offers sustainable recreation and or educational space for visitors to the area)</p>	
<p><b>Policy ET2: Holiday Accommodation</b></p>	<p>Provision of holiday accommodation will be supported from:</p> <ol style="list-style-type: none"> <li>1. Conversion of existing buildings and</li> <li>2. New builds</li> </ol> <p>Proposals for Class C1 will not be supported.</p> <p>Proposals will be supported where the developments are:</p> <ul style="list-style-type: none"> <li>• in proximity of existing buildings and or settlements,</li> <li>• of a scale that is proportionate to existing buildings in the immediate locality,</li> <li>• up to a maximum of 2 storeys,</li> <li>• for holiday purpose only and not be used for residential purposes or second home ownership,</li> <li>• are able to demonstrate that such development proposals should not significantly impact on the landscape and heritage character,</li> <li>• are designed to ensure that the sites do not adversely impact the immediate neighbours and the wider setting, and</li> <li>• designed to ensure that traffic, access and highway matters are satisfactorily addressed.</li> </ul> <p>Development proposals will not be allowed in the CVRP, unless it conforms with Local Plan Policy relating to development in the designated area.</p>	<p>No HRA implications.</p> <p>This is a development management policy relating to tourism (holiday accommodation). Whilst tourism has the potential to result in impact pathways that can link to international sites (such as increased recreational pressure, additional pressures on water resources and increased atmospheric pollution), this policy does not in itself provide for an increase in tourism development as there is no quantum, location or specific type of holiday accommodation identified. There are no realistic linking impact pathways present.</p>
<p><b>Policy ET3: Camping Sites</b></p>	<p>Development proposals for:</p> <ul style="list-style-type: none"> <li>• Camping sites offering a range of styles, types and qualities of camping to include: Tents, Yurts, Shepherd Huts, Pods &amp; Lodges and Tree houses.</li> </ul> <p>will be supported especially those with good access to local services and facilities.</p> <p>Development will be subject to the following:</p> <ul style="list-style-type: none"> <li>• Sites should be small scale and be well screened and landscaped.</li> <li>• Sites should have appropriate and safe access onto pedestrian and cycle routes and the road network.</li> </ul>	<p>No HRA implications.</p> <p>This is a development management policy relating to tourism (caravan and camping sites). Whilst tourism has the potential to result in impact pathways that can link to international sites (such as increased recreational pressure, additional pressures on water resources and increased atmospheric pollution), this policy does not in itself provide for an increase in tourism</p>

	<ul style="list-style-type: none"> <li>• Ancillary site facilities (retail and recreational) must be of a scale appropriate to the size of the site.</li> <li>• Appropriate levels of parking must be provided prioritising sustainable transport modes e.g. installation of bicycle parking and /or bike hire provision.</li> <li>• Sites should not significantly impact on the landscape and heritage character.</li> <li>• Sites are designed to ensure that immediate neighbours and the wider setting are not adversely impacted.</li> </ul> <p>Development proposals will not be allowed in the CVRP, unless it conforms with Local Plan Policy relating to development in the designated area.</p>	<p>development as there is no quantum, location or specific type of camping sites identified. There are no realistic linking impact pathways present.</p>
<p><b>Policy H1: Blackhorse Gardens Site</b></p>	<p>Land at Blackhorse Gardens identified in Figure 45 is allocated for a small scale development to include the following:</p> <ul style="list-style-type: none"> <li>• 2 live-work units (maximum of one and a half storeys)</li> <li>• 2 houses (maximum 2 storeys)</li> </ul> <p>The live-work units will be required to adhere to the following definition in full in Policy H7.</p> <p>Proposals should meet the following site-specific requirements:</p> <ol style="list-style-type: none"> <li>1. Mitigation features for residential dwellings falling within the Airport Noise Contour 57 – 60 dB are to be met in full.</li> <li>2. Dwellings to reflect the distinctive style of buildings in the Blackhorse settlement as specified in the Broadclyst Parish Design Code (Appendix 14).</li> <li>3. A Transport Statement to provide details to ensure access has taken into consideration the following: <ul style="list-style-type: none"> <li>• Blackhorse Lane as part of the commuter and leisure cycle network for cycling and walking and the Clyst Valley Regional Park (EDLP Strategy 10).</li> <li>• Provision of safe vehicular, pedestrian and cycle access from the London Road.</li> <li>• Inclusion that this site could provide a 5m width section for the Clyst Valley Trail route from London Road to Blackhorse Lane.</li> </ul> </li> </ol>	<p>Potential HRA implications. This policy provides for new residential development comprising two live-work units and two houses. Potential linking impact pathways are:</p> <ul style="list-style-type: none"> <li>• Air pollution: impact of atmospheric nitrogen deposition</li> <li>• Water pollution</li> <li>• Hydrological changes</li> <li>• Recreational pressure (located within the 10km Zone of Influence for both the Exe Estuary and East Devon Heathland sites)</li> </ul>
<p><b>Policy H2: Broadclyst Station: Site between Shercroft Close and Cotterell Road</b></p>	<p>Land at Broadclyst Station identified in Figure 46 is allocated for 24 residential dwellings to include the following:</p> <ul style="list-style-type: none"> <li>• 12 affordable houses (providing the affordable housing breakdown in Policy H4.).</li> </ul>	<p>Potential HRA implications. This policy provides for new residential development comprising 12 affordable</p>

<ul style="list-style-type: none"> <li>• 5 self-build plots.</li> <li>• 7 open market houses.</li> <li>• Children’s play provision (local equipped area of play (LEAP)).</li> <li>• Provision of land for a 5m pedestrian and cycle lane for the Cranbrook to Exeter Cycle route.</li> <li>• Landscaping to include a new hedgerow with trees along the Station Road boundary of the site.</li> </ul> <p>Proposals should meet the following site-specific requirements:</p> <ol style="list-style-type: none"> <li>1) Provision of active travel access to houses, play area and onto the Exeter Cranbrook – Exeter cycle path. *</li> <li>2) A comprehensive scheme for some of the residential development to follow the existing linear development pattern to be included. *</li> <li>3) Detailed assessment of flood risk and ecological constraints and opportunities, having appropriate regard to the proximity of the site to the Clyst Valley Regional Park (CVRP).</li> <li>4) Appropriate access is provided to the new habitat, boardwalk trail and picnic area to be provided adjacent to the site as part of the proposals for CVRP.</li> </ol> <p>Provision of a LEAP and land for the Cranbrook to Exeter cycle route are to be taken into consideration in site viability.</p> <p>*The provision of 1 and 2 above are to be designed in alignment with the Bluehayes (Cranbrook western expansion zone)</p>	<p>homes, five self-build plots and seven open market houses.</p> <p>Potential linking impact pathways are:</p> <ul style="list-style-type: none"> <li>• Air pollution: impact of atmospheric nitrogen deposition</li> <li>• Water pollution</li> <li>• Hydrological changes</li> <li>• Recreational pressure (located within the 10km Zone of Influence for both the Exe Estuary and East Devon Heathland sites)</li> </ul>
<p><b>Policy H3: Broadclyst Village: Heathfield Site</b></p> <p>Land on the edge of Broadclyst Village identified in Figure 47 is allocated for a small scale development of no more than 16 Houses.</p> <p>Proposals should meet the following site-specific requirements:</p> <ol style="list-style-type: none"> <li>1. To provide the affordable housing breakdown in Policy H4.</li> <li>2. Provision of a safe vehicular access from Whimble road.</li> <li>3. Provision of a separate access for pedestrians to be located away from the site’s vehicular access and the existing junction of Whimble Road and Woodland Road.</li> <li>4. As hedgerow removal will be required to facilitate pedestrian access, loss of existing boundary vegetation is to be replaced as part of a landscaping / planting scheme.</li> </ol>	<p>Potential HRA implications.</p> <p>This policy provides for new residential development comprising 16 dwellings.</p> <p>Potential linking impact pathways are:</p> <ul style="list-style-type: none"> <li>• Air pollution: impact of atmospheric nitrogen deposition</li> <li>• Water pollution</li> <li>• Hydrological changes</li> <li>• Recreational pressure (located within the 10km</li> </ul>

	Zone of Influence for both the Exe Estuary and East Devon Heathland sites)
<p><b>Policy H4: Social and Affordable Housing</b></p> <p>Proposals for new dwellings on allocated sites in the Neighbourhood Plan will be required to provide 50% affordable housing for those with a local connection with the following breakdown:</p> <ul style="list-style-type: none"><li>• 25% as affordable tenures to include:<ul style="list-style-type: none"><li>12.5% First Homes</li><li>12.5.% affordable schemes including the required NPPF shared ownership</li></ul></li><li>• 25% to be as social rental houses in perpetuity.</li></ul> <p>In this policy, local connection in relation to the social and affordable housing is set out in priority order below:</p> <ol style="list-style-type: none"><li>1. <u>Local connection in relation to the Parish (set out in priority order):</u><ol style="list-style-type: none"><li>a) persons who have been permanently resident therein for a continuous period of three years out of the five years immediately prior to the affordable dwelling being offered to them;</li><li>b) being formerly permanently resident therein for a continuous period of five years at some time in the past;</li><li>c) having his or her place of permanent work (normally regarded as 16 hours or more a week and not including seasonal employment) therein for a continuous period of at least twelve (12) months immediately prior to being offered the affordable dwelling.</li></ol></li><li>2. <u>Local connection then extends to those who live within the Broadclyst Parish grouping:</u></li></ol>	No HRA implications. This is a development management policy relating to affordable housing needs. There are no linking impact pathways present.

<sup>71</sup> <https://eastdevon.gov.uk/trees/tree-preservation-orders-and-trees-protected-in-conservation-areas/>

	<p>Persons who can demonstrate a close family connection to the Broadclyst parish grouping (EDLP 16.29 Clyst Honiton, Clyst Hydon, Clyst St Lawrence, Rockbeare and Poltimore) in that the person's mother, father, son, daughter or sibling has been permanently resident therein for a continuous period of five years immediately prior to the affordable dwelling being offered to them.</p> <p>3. <u>Finally, local connection extends to those connected to the District:</u> Persons who can demonstrate a close family connection to the District in that the person's mother, father, son, daughter or sibling has been permanently resident therein for a continuous period of five years immediately prior to the affordable dwelling being offered to them.</p>	
<p><b>Policy H5: New Housing in Broadclyst Parish</b></p>	<p>New housing development within the Parish which are in line with relevant EDLP policies must meet the following:</p> <p>An up-to-date Housing Needs Assessment is to be submitted with each development proposal for up to or around 15. The housing provision (including housing details on: number, size, tenure, affordability and open market housing) needs to provide the demonstrated need identified in the submitted up-to-date Housing Needs Assessment.</p> <p>Development proposals will not be allowed in the CVRP, unless it conforms with Local Plan Policy relating to development in the designated area.</p>	<p>No HRA implications. This is a development management policy that sets criteria for any new housing development in Broadclyst Parish. No quantum or location of development is identified. There are no linking impact pathways present.</p>
<p><b>Policy H6: Self-build</b></p>	<p>Development and occupation of the self-build /custom build has to be in line with the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) or the latest version.</p> <p>A. The Broadclyst NP supports development of such single self-build/custom dwellings where the development is within or immediately adjacent to Broadclyst Village Built up Area Boundary (BUAB).</p> <p>B. The Broadclyst NP supports development of infill plots defined as: plots in urban, village or settlement settings that take up a gap in the street scene rather than expanding beyond the village and settlement itself, in which the new dwelling is in scale with surrounding properties and/ or settlement. Up to three infill plots will be supported that are within or well related to the established settlements of: Broadclyst Station</p>	<p>No HRA implications. This is a development management policy relating to self build dwellings. There are no linking impact pathways present.</p>

	<p>Blackhorse Tithebarn Westclyst</p> <p>C. The Broadclyst NP supports development of self-build/custom dwellings where the development is within a Community Led Development and /or Community Land Trust Schemes.</p> <p>Development proposals will not be allowed in the CVRP, unless it conforms with Local Plan Policy relating to development in the designated area.</p>	
<p><b>Policy H7: Development of Live-Work Units</b></p>	<p>Proposals for the development of live-work units will be supported:</p> <ul style="list-style-type: none"> <li>• On brownfied sites,</li> <li>• In infill plots (as defined in policy H6),</li> <li>• For re-use of suitable rural and agricultural buildings, and</li> <li>• The site allocated in Policy H1.</li> </ul> <p>Proposals for live-work units will only be supported where the live-work units adhere to the following definition in full: <i>To be a live work unit there needs to be provision of a room with an external door (on either floor) that is designated as an office / workspace for those residing therein and is to be in addition to:</i></p> <ul style="list-style-type: none"> <li>• <i>the specified number of bedrooms and bathrooms,</i></li> <li>• <i>other living rooms including utility room and,</i></li> <li>• <i>in addition to a garage if included.</i></li> </ul> <p>Development proposals will not be allowed in the CVRP, unless it conforms with Local Plan Policy relating to development in the designated area.</p>	<p>No HRA implications. This is a development management policy relating to live-work units. There are no linking impact pathways present.</p>
<p><b>Policy T1: New pedestrian and Cycle Routes</b></p>	<p>Development proposals which include or contribute towards the provision of a safe and direct access for pedestrians and cyclists between Broadclyst Village and Broadclyst Station will be supported.</p> <p>This should facilitate the following:</p> <ol style="list-style-type: none"> <li>1. Residents of Broadclyst Station travelling northwards to/from locations such as: Clyst Vale Community College. Broadclyst Primary school. Killerton House.</li> </ol>	<p>No HRA implications. This policy provides support for the development of new pedestrian and cycle routes between Broadclyst Village and Broadclyst Station. The outcome of this policy (an increase in cycling and walking) has the potential to reduce atmospheric pollution contributions.</p>

	<p>Ashclyst Forest.</p> <p>2. Residents of Broadclyst Village travelling southwards to/from locations such as: Cranbrook Town Centre. Cranbrook Train station. Blue Hayes Primary School. Cranbrook Education Campus.</p> <p>There is also support for parts of the existing vehicular road to be adapted for safer pedestrian and cycle use.</p> <p>The provision of a new bridge in Policy T2 needs to be considered alongside proposals associated with this policy to determine the best location and routing of this shared path.</p>	<p>There are no linking impact pathways present.</p>
<p><b>Policy T2: Pedestrian and Cycle Bridge Over the Waterloo Railway Line</b></p>	<p>Development proposals which include or contribute towards the provision of a bridge over the Waterloo - Exeter Railway line (Figure 53) for cyclists and pedestrians to enable people to safely access Broadclyst Station, Cranbrook, Cranbrook railway station from the north and centre of the Parish.</p> <p>Proposals for the development of a bridge to take into consideration the following:</p> <ul style="list-style-type: none"> <li>• The route to and from the bridge must connect into Cranbrook Western expansion cycle and pedestrian infrastructure.</li> <li>• The bridge must be within easy walking distance to Cranbrook Railway Station.</li> <li>• The bridge and associated infrastructure must provide safe access for residents, such infrastructure is to be designed to mitigate impact on residential properties.</li> <li>• provision, location and design of bridge to take into consideration flood risk.</li> </ul>	<p>This policy provides support for a new cyclist and pedestrian bridge over the Waterloo Railway Line. It also provides development parameters for this proposal.</p> <p>There are no linking impact pathways present.</p>
<p><b>Policy T3: Parking Provision</b></p>	<p><u>All Parking Provision is to:</u></p> <ul style="list-style-type: none"> <li>• be in accordance with EDLP parking standards,</li> <li>• minimise the visual impact of parking upon the setting,</li> <li>• provide parking areas that have maximum surface permeability,</li> <li>• ensure parking spaces are prioritised for sustainable modes of transport in the following order: bikes, E-bikes, and other legal electric vehicles,</li> <li>• provide a charging point/s, and</li> <li>• provide covered facilities for cycles and E-bikes.</li> </ul>	<p>No HRA implications.</p> <p>This policy relates to car parking provision. There are no linking impact pathways present.</p>

	<p><u>Residential Parking</u> All new residential developments in which parking is provided must provide appropriately located charging points for electric or low emission vehicles.</p> <p><u>Non-Residential Parking</u> All new employment, commercial, leisure and retail developments, including public car parks, Park and Change and Park and Ride facilities are to provide adequate parking provision taking into consideration the following:</p> <ul style="list-style-type: none"> <li>• Type of development.</li> <li>• The accessibility of the location.</li> <li>• Provide a mix of rapid, fast and trickle charge appropriate to the type of development.</li> <li>• Provide electric charging points at a minimum of 20% of the public parking spaces except where demonstrably unviable to do so.</li> <li>• Provide a minimum of 50% of the staff designated parking spaces with charging points except where demonstrably unviable to do so.</li> </ul> <p><u>Parking and energy generation</u> Parking provision which utilises roofs / covered areas or ground mounted solar systems to generate renewable energy will be supported subject to impact of, and appropriate mitigation on the visual amenity.</p> <p>Parking provision which generates energy within the parking area for any of the following will be supported:</p> <ul style="list-style-type: none"> <li>• The charging of vehicles.</li> <li>• Illuminating the provision.</li> <li>• Heating adjacent buildings.</li> </ul>	
<p><b>Policy T4: Active Travel Infrastructure (for commuting and leisure)</b></p>	<p>Support will be given to proposals which would extend and / or improve routes for active travel across the parish (Figure 54 includes indicative and aspirational alignments).</p> <p>Development proposals that adversely impact these routes will not normally be supported unless acceptable alternatives can be provided.</p> <p><u>Footpaths</u></p> <ul style="list-style-type: none"> <li>• Protection and extension of all existing Rights of Way.</li> <li>• Supported extensions to existing and for new permissive paths.</li> </ul>	<p>No HRA implications. This policy supports the improvement and extension of active travel routes. This has the potential to divert travel away from petrol and diesel vehicles and towards cycling and foot travel. There are no linking impact pathways present.</p>

Cyclepaths and on road cycle routes

- Protection, enhancement and extension of all existing cycle paths.
- Support for provision of new cycle paths and quiet road routes.
- Support the delivery of a cycleway across Broadclyst village which links to the three cycle lanes currently ending at the village edge.

Bridleways

- Protection of all existing bridleways.
- Support for extensions to existing and provision of new bridleways.

Multi use trails

Support will be given to proposals for the following multi- trail routes across the Parish which provide safe access:

- Onto the Clyst Valley Trail throughout the Parish.
- From Westclyst to Broadclyst Village.
- From Blackhorse via Mosshayne to Westclyst and beyond.
- Trails providing off road access to the Killerton Estate sites of Elbury Farm and Silverton Mill.
- A Trail network which links the Killerton Estate sites of Elbury, Silverton Mill, Ashclyst and Killerton House.
- A trail to provide a quiet route from Crannaford to Ashclyst.

Low traffic neighbourhoods.

Support will be given to the development of 'low traffic neighbourhoods' in existing settlements and in all new large scale (over 50) residential developments that provide a network of quiet streets with safe crossings across main roads for walking and cycling that any age or ability can use.

**Policy T5: Low Carbon Travel Provision.**

Development proposals which support and expand a low carbon transport network around and through the Parish that is appropriately located and has regard to impact as set out in D1 will be supported.

These include provision of the following:

- Low carbon methods of travel rental and or pool enterprises and associated operational infrastructure.
- Secure locations for combined parking and charging of low carbon travel options across the Parish.

No HRA implications. This is a positive policy to support and expand the low carbon travel network. There are no linking impact pathways present.

<p><b>Policy NE1: Protecting Woodland</b></p>	<p>A. Proposals that result in loss or damage to ancient woodland in the Parish including veteran trees will not be permitted except in exceptional circumstances in accordance with NPPF para 180b.</p> <p>B. In woodlands where veteran trees are not impacted, development proposals that would result in the loss, damage, or deterioration of such woodland will not be permitted unless an appropriate replacement planting (NE3), together with a method statement for the ongoing care and maintenance of that planting is agreed.</p> <p>C. Woodlands 1- 6 in Figure 57 are highly valued by the community. Proposals for development of woodlands 1, 2, 3 &amp; 6 to create or enhance public access and use will be supported where conditions in A and B are met.</p> <ol style="list-style-type: none"> <li>1. Ashclyst Forest..</li> <li>2. Whitedown and Poundpit</li> <li>3. Paradise Copse.</li> <li>4. Rattlecot Wood.</li> <li>5. Burrowton Copse.</li> <li>6. Danes Wood.</li> </ol>	<p>No HRA implications. This is a positive policy for the protection of woodland. There are no linking impact pathways present.</p>
<p><b>Policy NE2: Green Corridors.</b></p>	<p>1. Development proposals that would result in the damage, or deterioration of the green corridors across the Parish which provide:</p> <ul style="list-style-type: none"> <li>• Breaks in built up areas,</li> <li>• Areas for recreation,</li> <li>• Areas of enhanced landscape,</li> <li>• Routes for wildlife dispersal and migration</li> </ul> <p>are to provide appropriate ecological and landscaping mitigation in the form of new or enhanced corridors, but are also to ensure a net gain is sought in line with the Government's 25 Year Environmental Plan<sup>72</sup>.</p> <p>The following woodland areas in Figures 58-61, have been demonstrated to be of significant value to the local community within an urban area are allocated as green corridors.</p> <ol style="list-style-type: none"> <li>1. Moonhill Copse (Westclyst).</li> <li>2. Ash Copse (Westclyst).</li> </ol>	<p>No HRA implications. This is a development management policy relating to green corridors. There are no linking impact pathways present.</p>

<sup>72</sup> <https://www.gov.uk/government/publications/25-year-environment-plan>

<p>Development proposals that would result in the loss, damage, or deterioration of these green corridors will not be permitted.</p> <p>Development proposals which enhance these green corridors will be supported where they create or enhance public access without significant damage to the green corridor.</p> <p><b>Policy NE3: Tree Replacement</b></p> <p>A Tree Replacement Scheme is to be provided for development proposals that would result in the removal of one or more trees.</p> <p>The approach to proposals affecting ancient woodland and veteran trees should align with NPPF paragraph 180 (b). However, ancient woodland and veteran trees that have advanced senescence verified by EDDC Tree officer can be included in this policy.</p> <p>Aspects 1-3 listed below are to be provided as part of the Scheme:</p> <ol style="list-style-type: none"><li>1. An obligation to replace trees according to the Devon 3/2/1/ formula: at least 3 new trees for loss of a large tree, 2 for a medium tree and 1 for a small tree utilising the TDAG<sup>73</sup> tree size specification.</li><li>2. Planting: in those instances where the replacement trees will not be planted on the same site as the trees removed, the trees are to be planted for both biodiversity value and community benefits, such as:<ul style="list-style-type: none"><li>• For the regeneration and extension of orchards, in particular cider orchards lost post 1945.</li><li>• For the creation and enhancement of green corridors.</li><li>• For the creation of noise buffers.</li><li>• For the creation and enhancement of shelter belts.</li><li>• For the creation and enhancement of wildlife corridors.</li><li>• In or for the creation and enhancement of community woodlands and orchards,</li><li>• Along streets and in car parks to create and enhance streetscape, and</li><li>• Beside rivers to create and or enhance natural flood management.</li></ul></li><li>3. To include details on:</li></ol>	<p>No HRA implications.</p> <p>This policy provides for tree replacement schemes. There are no linking impact pathways present.</p>

<sup>73</sup> <https://www.tdag.org.uk/>

	<ul style="list-style-type: none"> <li>• The locally characteristic species of replacement tree to be planted with suitable species, generally of similar expected mature size to those to be removed, and</li> <li>• an ongoing care and maintenance regime which includes details of responsibility.</li> </ul>	
<p><b>Policy NE4: The Protection and Enhancement of Hedgerows</b></p>	<p>Existing hedgerows, as an integral part of the landscape character and biodiversity of the NP Area, should be protected in the first instance, enhanced wherever possible and appropriately managed.</p> <p>Proposals to create new hedgerows and hedgerows that link with valuable wildlife sites will be supported.</p> <p>Where hedgerows are unavoidably adversely affected by development proposals, the impact is to be mitigated by the provision of additional appropriate planting on site.</p>	<p>No HRA implications.</p> <p>This policy provides for the protection and enhancement of hedgerows. There are no linking impact pathways present.</p>
<p><b>Policy NE5: Landscape and Biodiversity</b></p>	<p>Development proposals except for residential extension and alterations should seek to contribute to a high quality and biodiversity-rich natural environment by demonstrating how the following matters are to be addressed:</p> <ol style="list-style-type: none"> <li><u>Retaining and enhancing the existing 8 landscape characteristics</u> (p153) which contribute to the visual richness of the landscape and provide important habitats for wildlife. Where significant impacts on one or more of the characteristics is unavoidable, the creation of new planting/habitat creation of equal landscape and visual amenity value should be provided.</li> <li><u>Using locally distinct landscaping and boundary treatments.</u> Preference should be given to native plants species, unless non-native species provide greater biodiversity and habitat net gain.</li> <li><u>Responding positively to the surrounding landscape setting,</u> by being designed and having appropriate regard to the East Devon and Blackdown Hills Landscape Character Assessment (2019) and relevant Devon Landscape Character Area Assessments.</li> <li><u>Requiring biodiversity gains of at least 10% (unless exceeded by national policy) on all development (exemptions: extensions and alterations) and a requirement that developers use the Defra biodiversity net gain metric to calculate the impact of their proposals.</u> Provision of wildlife travel corridors (e.g. bats, hedgehogs, badgers) enabling movement across roads and gardens are supported as a means of achieving a biodiversity gain.</li> </ol>	<p>No HRA implications.</p> <p>This is a development management policy relating to landscape and biodiversity. It is positive in that it provides for the protection of designated sites. However no further detail is provided. There are no linking impact pathways present/</p>

	<p>Biodiversity gain to extend to a gain rather than a loss of woodland canopy cover.</p> <p>e) Early on-site ecological surveys and evaluation at identified Unconfirmed Wildlife Sites to ensure an appropriate mitigation strategy where appropriate.</p> <p>Development proposals in the Parish at Westclyst and Tithebarn are to enhance the urban landscape character areas by the creation and enhancement of biodiversity, green infrastructure, or habitat creation within these sites.</p>	
<p><b>Policy NE6: Local Green Spaces</b></p>	<p>The following accessible community green spaces in Figure 61 have been demonstrated to be of significance to the local community. These sites which are all in Broadclyst Village have been designated as Local Green Spaces (in accordance with paragraphs 100 and 101 of the NPPF (2021) in Appendix 26):</p> <ol style="list-style-type: none"> <li>1. Oak Tree Close.</li> <li>2. Recreation Ground.</li> <li>3. Village Green.</li> <li>4. Holly Close Triangle.</li> <li>5. Chapel Orchard, Dog Village in Broadclyst Village.</li> </ol> <p>Development within these local green spaces will be limited to appropriate proposals that would enhance the accessibility, biodiversity, and community and/or educational value of these spaces and be in line with managing Green Belt (NPPF para 147 151).</p> <p>Proposals for the designation of additional local green spaces in the wider Broadclyst Parish in accordance with paragraphs 99 and 100 of the NPPF in the following areas will be supported:</p> <ul style="list-style-type: none"> <li>• Blackhorse.</li> <li>• Broadclyst Station.</li> <li>• Tithebarn.</li> <li>• Westclyst.</li> </ul>	<p>No HRA implication.</p> <p>This is a development management policy relating to local green space. It is noted that the provision of public green space has the potential to divert recreational pressure away from sensitive international wildlife sites. There are no linking impact pathways present.</p>
<p><b>Policy NE7: Flood Management</b></p>	<p>New development proposals where appropriate will be expected to demonstrate how Natural Flood Management (NFD) measures are to be accommodated to ensure the efficient management of flood risk. These will include:</p> <ul style="list-style-type: none"> <li>• Tree and hedgerow planting to slow the rate of water flow across a catchment.</li> <li>• River and floodplain naturalisation (reconnecting rivers to their floodplains).</li> <li>• Provision of woody debris dams.</li> </ul>	<p>No HRA implication.</p> <p>This is a development management policy relating to natural flood management. There are no linking impact pathways present.</p>

- Schemes which enhance and improve soil/land management.
- Creation of water storage capacity within the floodplain.
- Biodiversity enhancements that will help to deliver NFM measures.

If a demonstrable need is identified in the future for engineered flood defence scheme along the three rivers (the Culm, Cranny and Clyst) that will significantly improve natural flood and water management, such schemes will be supported if proposals:

- Provide natural biodiversity enhancement, river bank and aquatic habitat creation and water quality improvement.
- Minimise impacts listed in D1.

Flood defence schemes that also provide renewable energy through micro-hydro schemes are encouraged and supported where located appropriately to minimise 'bad neighbour' impacts as specified in D1.

# Appendix C Location of Site Allocations



