

Filtered Data Export

Full name: Helen Booker

Organisation (where relevant): RSPB

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This allocation remains of particular concern given its scale and proximity to the Pebblebed Heaths SPA/SAC and the RSPB nature reserve at Withycombe Raleigh. See comments to first Regulation 19 consultation. These comments are additional. While work is underway on an air quality mitigation strategy, considerable uncertainty remains over the availability of viable, effective measures, as expressed in the HRA. This allocation and others close to the heaths cannot proceed unless adverse impacts on the integrity of the heaths SPA/SAC can be ruled out. See comments on policy PB04. We note the additional information provided in this policy in relation to the heaths, however, there are ambiguities in the wording of the policy in relation to land use within the 400m. The policy also currently refers to 'unacceptable' impacts on the Pebblebed Heaths, which is unclear, rather than 'adverse' which follows specific tests and is in line with the legal requirements for the protection of SPAs/SACs. We note the policy includes a buffer for Nightjar foraging. However the buffer is not defined and does not remove the need for an assessment of use of the allocation (and others within foraging distance of the heaths) by Nightjars and how any adverse impacts on the Nightjar population will be avoided. The master plan and access strategy will require full assessment to ensure adverse impacts on the SPA/SAC can be ruled out. SANG need be sited to ensure people are not encouraged towards the designated sites for recreation and be of sufficient scale (NE advice is for double the standard provision) to function as an attractive alternative destination to the heaths. The requirement for SANG to be fenced to ensure onward access to the SPA/SAC is prevented is essential, however, the proposed access road would still bring residents very close to the heaths, potentially undermining the

effectiveness of the SANG. The RSPB's view remains that there is still a significant risk of impacts on the designated heathlands arising from the increased population in close proximity to the heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Clarity that this development will not proceed unless all adverse impacts on the Heaths SAC/SPA can be avoided, including an effective air quality mitigation strategy. Wording should state that a project level HRA will be required to assess impacts on nightjar foraging areas, urban impacts and SANG location and design. The wording of 400m policy should replace the word 'unacceptable' with 'adverse'. We recommend that EDDC works with Natural England over the wording of the policy to ensure clarity in relation to the SPA/SAC and designated species.

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Lymp_07

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: This allocation includes sports pitches which are just within 400m and only 1 or 2 fields away from the Exe Estuary SPA/Ramsar, with potential for lighting and noise impacts on the SPA wintering birds. Site design must ensure there is no adverse impact from sports pitch flood lighting or other light pollution to the estuary.

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