



EXMOOR

NATIONAL PARK

The Lyn Plan

Lynton & Lynmouth Neighbourhood Plan

Regulation 16 Consultation

Responses

July 2013

Submitted by:

Exmoor National Park Authority

Exmoor House

Dulverton

TA22 9HL

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2. Regulation 16 – Consultation Responses

2.1. Exmoor National Park Authority publicised The Lyn Plan (Lynton & Lynmouth Neighbourhood Plan) from Thursday 15th May to Friday 12th July 2013 in accordance with regulation 16 (Publicising a plan proposal) of The Neighbourhood Planning Regulations (General) 2012.

2.2. The following representations were made:

- i) 01-1305 Peter Thorn – Canoe England
- ii) 02-1305 Richard Briden – Lyn Economic Tourism Alliance (LETA)
- iii) 03-1305 Rachael Bust – The Coal Authority
- iv) 04-1305 Angela Atkinson – The Marine Management Organisation (MMO)
- v) 05-1305 David Stuart – English Heritage
- vi) 06-1305 Laura Horner – Natural England

3. 01-1305 Response



LYNTON & LYMOUTH NEIGHBOURHOOD PLAN CONSULTATION RESPONSE FORM

REGULATION 16 – THE NEIGHBOURHOOD PLANNING (GENERAL)
REGULATIONS 2012

Please ensure your response is returned to Exmoor National Park Authority by
4.00pm on 12th July 2013

By post to: David Wyborn, Exmoor National Park Authority, Exmoor House,
Dulverton, Somerset TA22 9HL. Or by email to: ldf@exmoor-nationalpark.gov.uk

NAME	Peter Thorn	
ADDRESS or EMAIL	peterthorn7@aol.co.uk	
YOUR CONSULTATION RESPONSE		
Paragraph or policy number	COMMENT	
4.61.9	Note that the East Lyn River is a top quality white water river, popular with expert canoeists. It is arguably the finest white water river at a top level of difficulty in England. It attracts relatively small numbers of canoeists during the wetter winter months. The river is generally too low during the summer and is left to anglers to enjoy. Canoeing creates helpful economic benefit in Lymouth, Brendon and local areas during lean winter months. Access issues can be contentious for some riparian owners but Natural England has few concerns about 'closed season' access. There is potential for this activity to be modestly increased.	
GENERAL COMMENTS		
If you would like to be notified on Exmoor National Park Authority's decision whether to bring the neighbourhood development plan into force please tick the box opposite.		

4. 02-1305 Response

4.1. Email sent by Richard Briden (LETA)

From: Shelley's [shelleys.hotel@virgin.net]
Sent: 17 May 2013 15:05
To: Tessa Saunders; LDF
Subject: RE: Lyn Plan Consultation
Attachments: LETA Business Engagement Meeting 3 & 10 October 2011 FEEDBACK 1.doc; Petition 1A No to the loss of car parking spaces in Lynmouth.docx.jpeg; Petition 1B No to the loss of car parking spaces in Lynmouth.docx.jpeg; Petition 1C No to the loss of car parking spaces in Lynmouth.docx.jpeg; Petition 2A Yes to extend the numbers of days that the Manor Grounds foreshore in Lynmouth is available for the provision of car parking and other events.jpeg; Petition 2B Yes to extend the numbers of days that the Manor Grounds foreshore in Lynmouth is available for the provision of car parking and other events.jpeg; Petition 2C Yes to extend the numbers of days that the Manor Grounds foreshore in Lynmouth is available for the provision of car parking and other events.jpeg

Tessa

I wish like to submit the attached two 2013 petitions that was signed by some 40+ Lynmouth businesses calling for:-

“No to the loss of car parking spaces in Lynmouth”

“Yes to extend the numbers of days that the Manor Grounds foreshore in Lynmouth is available for the provision of car parking and other events”

Evidence of need:-

Cllr Bryn Howells stated at a LLTC Full Council meeting in March 2013 that 75% of LLTC car park revenue comes from Lynmouth

Cllr Barry Hobbs stated at a LLTC Full Council meeting in March that in the last 20 years Lynmouth had lost in excess of 115 car parking spaces

Lynton TIC 2012 Visitor Survey stated that 95%+ of visitors come by car

LLTC Oct 2011 Tourism & Economy Public Meetings organised by LLTC Councillors Ian Rigby, Julian Gurney, Suzette Hibbert, Barry Hobbs and Tony Meakin at the Bath & Sandrock Hotels stated that *“Car Parking was by far the greatest issue that was raised.”* – see attached.

Richard

TOURISM & ECONOMY PUBLIC MEETINGS – FEEDBACK

Following the two well-attended public consultation meetings, held in Lynmouth and Lynton on the 3 & 10 October, the Town Council has been actively developing a strategy and actions in response to the issues raised.

We will be providing you with regular updates on how things are progressing and welcome any further comments and suggestions as the initiative develops. As was made clear at the meetings, however, there are some things the Council can help with but others that will need action by others in the community.

Prior to the public meetings the Council had already established a small sub-committee of three councillors tasked with addressing economy and tourism issues. This committee developed the idea of forming an alliance of existing local groups who are already working hard to promote our area. In this way it should be possible to avoid duplicating activities whilst at the same time, through collaborating together, achieving more effective ways of raising the profile of Lynton and Lynmouth and the surrounding area. To this end the Town Council, TIC, L&L Cliff Railway, LACT, Exmoor National Park Authority and the Lyn Community Development Trust are to meet on 2 December to explore the potential for working more closely together in an alliance of common cause. Suggested name is Lyn Economic & Tourism Alliance (LETA). This core group will also be looking for and welcome support and input from any other

organisation or individuals who would like to get involved.

The following are some of the key concerns and ideas that you expressed at the two meetings and the current 'work in progress' responses by the Town Council sub-committee (now expanded to 5 members).

Car Parking was by far the greatest issue that was raised. Having started to discuss this, the Council decided that the whole issue of parking in both villages would be best addressed at a special council meeting to be held at the Town Hall on Tuesday 6 December at 6.30 pm. Council meetings are open to the public and there is the opportunity to ask questions or comment prior to the start of the meeting.

Traders Staying Open Longer was suggested as a way of improving the visitor experience and increasing spend. It is proposed to ask traders to trial the idea next season, if only for a couple of evenings a week to start with. Street entertainment such as buskers, line dancing etc. on these occasions will also be encouraged.

Market Research by surveying visitors who stay or just pass through will provide valuable information on how visitors are hearing about us and why they choose to come to the area. The design of a survey form that can be used by accommodation providers, traders and others is well underway.

More Events & Attractions was raised as a way of raising profile. The Town Council will encourage this by promoting the Manor Green (free of charge) and the Town Hall as event venues, but again the ideas for such events need to come from local organisations and the community. It is envisaged that this will be actively supported by the emerging Lyn Economic & Tourism Alliance.

Dedicated Marketing Support (referred to as an Event Manager at the meetings) was highlighted as a major way of developing on-going promotion of the area. The Council sub-committee see this as an important development and are proposing that LETA look at the options and funding requirements for such an initiative to see if an affordable solution can be found.

Promotional Literature. LACT will no longer be producing the Exmoor Scene, which means there is now no official promotional document for visitors. Again this is something that LETA can look to address. Initial thoughts are for an attractive brochure/flier that details key attractions and locations for the use of visitors whilst here, but that could also be accessed on local web sites or be sent out as a means of promoting what the area has to offer.

Web Sites are now established as possibly the leading method of promotion, they certainly are the most cost effective. There are a number of web sites dedicated to promoting the area and each have their individual roles and strengths but our web presence is uncoordinated, and therefore, is likely to be less effective.

The Council sub-committee is conducting a review of all the local web sites with a view to opening up dialogue with the various host organisations to try and reconcile our internet presence. In addition a fact-finding meeting, of interested parties and a web SEO and promotion company, was held on 23 November to help evaluate future options.

Over the next few months we will keep you informed of progress, but would like to stress again the importance of us all working together to try to mitigate the dire effects of the economic downturn.

If you wish to be involved or feed in your ideas and views you can contact members of the Council sub-committee or any Town Councillor

Economy & Tourism Sub-Committee

Ian Rigby (Chairman)

Julian Gurney

Suzette Hibbert

Barry Hobbs

Tony Meakin

Contact details for further information or to get involved

Email: lrc@northdevon.gov.uk

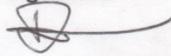
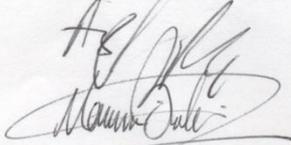
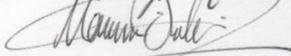
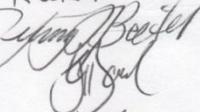
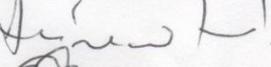
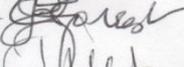
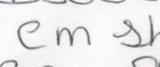
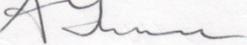
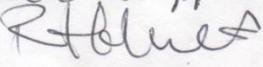
Tel: 01598 752384

No to the loss of car parking spaces in Lynmouth

LLTC-Lynton & Lynmouth Town Council have voted for the provision of 3 dedicated spaces in Lynmouth for vehicles in excess of 3.5 tonnes (motorhomes) with the resulting loss of 6 car park spaces.

Due to the detrimental effect this will have on Lynmouth businesses with the loss of income, we the undersigned Lynmouth businesses call upon LLTC to:-

1. reverse their decision and immediately reinstate the car parking spaces
2. object to any loss of car parking spaces in Lynmouth
3. object to the provision of motorhome parking spaces in Lynmouth
4. request an urgent consultation with LLTC to resolve the issue of inadequate car parking provision in Lynmouth

Business	Name	Signature
MAVIS THRUPTONS	TERRY McCOLLEY	
	ASHLEIGH BISHOP	—
	SALERY MAURICE BISHOP	—
BATH HOTEL Bonnicott House	Rachel Williams Jenny Bate JONNY BOWDEN	R. WILLIAMS 
LYNMOUTH STORES LYNTON - LYNMOUTH CLIFF RAILWAY BONNICOTT HOUSE ROCK HOUSE	JO BACKHOUSE A. IRELAND	 
RAFFERTYS HILLSIDE HOUSE	JEANNE TORREST DONNA FLY Paddy RAFFERTY DENISE SMITH	  
RIVER LYN VIEW	C SHEPPARD R. SHEPPARD	 C M Sheppard
HEATHERVILLE HOTEL GLENVILLE HOUSE	RICHARD HOLMES P. FRANCIS 	R. GE Sheppard  P. FRANCIS

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Signature

L Millward	5 Watersmeet Road Holidaylets
<i>[Signature]</i>	myrtle Cottage / Watersmeet Road
<i>[Signature]</i>	Shelley's
<i>[Signature]</i>	RISING SUN HOTEL
C. J. J.	Le Bistrot
<i>[Signature]</i>	LAURA McNEILL <i>[Signature]</i>
WOODSIDE COURT	Le Bistrot / Lynmouth Pavilion
S. Rhoden	<i>[Signature]</i> LYNDALE TEA ROOM
PB WAKEFAM	<i>[Signature]</i> PEBBLE AND STONE
S. LADDOJ	<i>[Signature]</i> THE TUCK BOX
C. GLOVER	<i>[Signature]</i> BRIDGE HOUSE
D. ROBERTS	<i>[Signature]</i> FISH ON HARBOUR
<i>[Signature]</i>	<i>[Signature]</i> Village Inn
M. RUDOCK	<i>[Signature]</i>
B. QUANSTON	<i>[Signature]</i>
	BJ Ward

**Yes to extend the numbers of days that the Manor
Grounds foreshore in Lynmouth is available for the
provision of car parking and other events**

It was minuted at LLTC-Lyton & Lynmouth Town Council organised Tourism & Economy Public Meetings at the Sandrock & Bath Hotels in October 2011 attended by local businesses that:-

"Car Parking was by far the greatest issue that was raised".

Since then the LLTC has not resolved the issue of inadequate car parking provision in Lynmouth.

We the undersigned Lynmouth businesses call upon LLTC:-
to apply for permission from Exmoor National Park Authority to extend the numbers of days that the Manor Grounds foreshore in Lynmouth is available for the provision of car parking and other events from the current permitted 28 days each year to 40, 50, 60, 75 or 90 days.

Signature	Business Name	Days
	5 Nataniel Road Holiday Centre	75
	Mytalé Coltrane	75
	Stellan's	75
	Bonnicott	90+
	LE BISTRO	75
	LYNMOUTH STORES	90
	LYNMOUTH PANINIS RESTAURANT	75
	PB WAIZEN	75 - 90
	PB W LYNDALE TEAROOMS	90
	CARAVEL LYNMOUTH ST	75
	PEEBIE PIND SCOVIE	75
	BONNICOTT HOUSE	90+
	THE TULK BOX	75-90
	D. ROBERTS	ALL YEAR (365)
	D. ISAAC RIVERSIDE Cottage	ALL YEAR.

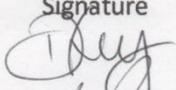
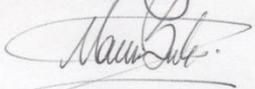
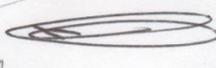
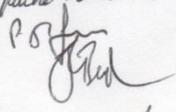
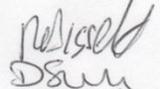
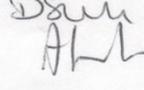
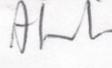
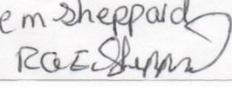
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Business	Name	Signature	Days
ROCK HOUSE	_____		240..
MAURICE BISHOP	_____		ALL YEAR 2365
MAURICE BISHOP	"	"	ALL YEAR
RAFFERTYS	Paddy Rafferty		6 MONTHS
Col. Roberts	Lynmouth Harbour		30 days
BATH HOTEL	R. WILLIAMS	Rachel Williams	ALL YEAR, 150 days.
THE COFFEE MILL	J. GLOVER JONNY BONDEN		ALL Year.
THE ESPERANDE	N. DUNN		90 DAYS
HILLSIDE HOUSE	D. SMITH		90 DAYS
LYNTHORP	A. IRVING		90 DAYS
CLIFF RAILWAY RIVER LYN VIEW	C. SHEPPARD R. SHEPPARD	em sheppard 	6 months "

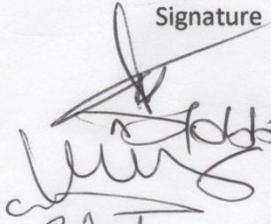
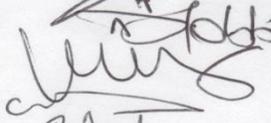
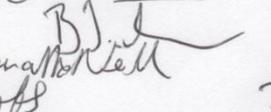
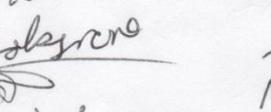
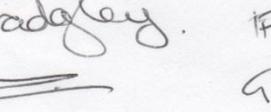
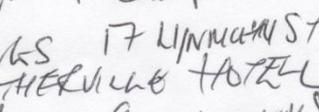
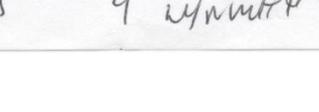
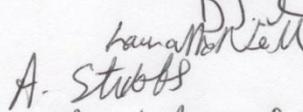
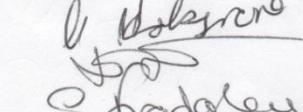
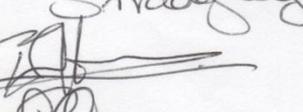
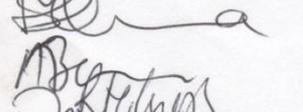
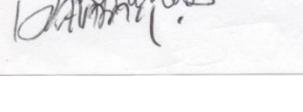
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Signature	Days
	FISH-ON-HARBUR 240
	CORNA BORING HOUSE 75
	ULLAGE INN 75-90
	RISING SUN HOTEL 75-90
	WOODSIDE COURT 75-90
	23 Watermeet Road 90
	25 MAUISTURPTON 75-90
	FRADGLEYS CAFE 75-90
	GIFT BOX LYNMOUTH 75-90
	Tranquility Cottage 75-100
	HARDINGS 17 LYNMOUTH ST. 75-90
	HEATHERLIFFE HOTEL 90+
	HARROWS 9 LYNMOUTH ST. 100
	A. Stubbs
	B. Holroyde
	Shadagey
	[unclear]
	[unclear]

5. 03-1305 Response



**The Coal
Authority**



INVESTOR IN PEOPLE

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG
DX: 716177 Legal Mansfield 5

Telephone: 01623 637 119 (Planning Enq)

Email: planningconsultation@coal.gov.uk

Web: www.coal.decc.gov.uk/services/planning

Ms Tessa Saunders – Planning Policy Officer
Exmoor National Park Authority

[BY EMAIL ONLY: ldf@exmoor-nationalpark.gov.uk]

12 June 2013

Dear Ms Saunders

Lynton and Lymouth Neighbourhood Plan – Consultation

Thank you for the email of the 15 May 2013 consulting The Coal Authority on the above.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware the Lynton and Lymouth parish area is outside of the defined coalfield and therefore The Coal Authority has no specific comments to make on the draft Neighbourhood Plan.

In the spirit of ensuring efficiency of resources and proportionality it will not be necessary for the Exmoor National Park Authority or the Town Council to provide The Coal Authority with any future drafts or updates to the emerging Neighbourhood Plan. This letter can be used as evidence for the legal and procedural consultation requirements.

The Coal Authority wishes the Town Council every success with the preparation of the Neighbourhood Plan.

Yours sincerely

R. A. Bust

Miss Rachael A. Bust B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI
Chief Planner / Principal Manager
Planning and Local Authority Liaison

Protecting the public and the environment in coal mining areas

6. 04-1305 Response



Marine
Management
Organisation

Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

T +44 (0)300 123 1032
F +44 (0)191 3796 2889
www.marinemanagement.org.uk

By email: ldf@exmoor-nationalpark.gov.uk

Our reference: 203

11 July 2013

Dear Sir/Madam,

Re: Lynton and Lynmouth Neighbourhood Plan consultation

Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. The MMO has reviewed this document and noticed that there is no mention of the MMO, marine planning, Marine Policy Statement or marine licensing despite the boundaries for the plan including both coastline and river under tidal influence.

The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to the achievement of sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.

As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring mark there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. In our duty to take all reasonable steps to ensure compatibility with existing development plans, which apply down to the low water mark, we are seeking to identify the 'marine relevance' of applicable plan policies. The Lynton and Lynmouth Neighbourhood Plan area is included within the South West marine plan area. As such, when the MMO begins marine planning for this area we will be working with all local authorities regarding this. Until such time as a marine plan is in place we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coast or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the UK Marine Policy Statement unless relevant considerations indicate otherwise. The Marine Policy Statement will also guide the development of Marine Plans across the UK. More information can be found at <http://www.defra.gov.uk/news/2011/03/18/marine-policy-statement/>

The MMO is also responsible for issuing marine licences under the Marine and Coastal Access Act 2009. A marine licence may be needed for activities involving a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. Any works may also require consideration under The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) and early consultation with the MMO is advised. We would suggest that reference to this be made within the document to ensure that necessary regulatory requirements are covered. We would encourage applicants to engage early with the MMO alongside any application for planning consent to ensure that the consenting process is as efficient as possible.

If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website www.marinemanagement.org.uk

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Atkinson', is placed on a light blue rectangular background.

Angela Atkinson
Stakeholder and Networks Officer

E angela.atkinson@marinemanagement.org.uk

7. 05-1305 Response



LYNTON & LYNMOUTH NEIGHBOURHOOD PLAN CONSULTATION RESPONSE FORM

REGULATION 16 – THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

Please ensure your response is returned to Exmoor National Park Authority by
4.00pm on 12th July 2013

By post to: David Wyborn, Exmoor National Park Authority, Exmoor House,
Dulverton, Somerset TA22 9HL. Or by email to: ldf@exmoor-nationalpark.gov.uk

NAME	David Stuart
ADDRESS or EMAIL	Historic Places Adviser, English Heritage, 29 Queen Square, Bristol, BS1 4ND david.stuart@english-heritage.org.uk
YOUR CONSULTATION RESPONSE	
GENERAL COMMENTS	
<p>We note that the Plan has generally set thematic rather than site specific policy objectives for its area and relies on the strategic policies in overarching Local Plan and related documents to address generic matters such as heritage protection and related objectives.</p> <p>We note too that the Sustainability Appraisal (SA) of the draft Plan provided a poor outcome when evaluating it against heritage criteria, concluding with zero or negative scores against the individual policies. It also provided a series of recommendations to address this situation, leading to amendments in the Plan which the SA in its scoring now regards as generally positive.</p> <p>While we are pleased with this improvement, overall we would have been more encouraged if the Plan had been more specific in its description, identification of issues and recommendations for local heritage assets, as recommended in the SA report, set out in the National Planning Policy Framework (NPPF), and as we outlined in our response to the Scoping Opinion consultation.</p> <p>It is obviously for the local community to identify those matters which it wishes its Plan to address but the omission of detailed and positive heritage objectives could be seen as a missed opportunity to formally define a local heritage agenda and give it statutory weight. Such provision would be particularly helpful, for example, when identifying outcomes or outputs sought from Community Infrastructure Levy contributions.</p>	

Overall, we therefore recommend that further thought be given to:

- A greater demonstration of conformity with the NPPF and Local Plan
- More specific and detailed coverage of, and provision for, the local historic environment
- In the absence of more robust provision in its Environment section (ENV1), the specific mention of the need to protect and enhance the historic environment as a criterion against individual policies.

8. 06-1305 Response

Date: 23 July 2013

Our Ref 86894

Your ref:

Tessa Saunders

Policy Planning Officer

Exmoor National Park Authority



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

T: 0300 060 3900

BY EMAIL ONLY

Dear Tessa,

Planning and Compulsory Purchase Act 2004

Localism Act 2011

Neighbourhood Plan Regulations 2012

Lyton and Lynmouth Neighbourhood Plan.

Thank you for consulting us on the above. This consultation was received on 17th May 2013, thank you for allowing us additional time to respond. I apologise for the lateness of my reply, this was due to staff resources and the need for internal specialist advice.

Technical Advice

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

We note that the neighbourhood plan must be in conformity with the current plan, in this case the saved policies of the Local Plan. We also note that the new Local Plan is at a very early stage which does not as yet provide for any scale of future allocation within the neighbourhood plan area although all three options include proposed increased development to greater or possibly lesser extent. We understand that capacity and sensitivity studies in respect of the scale of development have not yet been completed, we are also not aware of any such evidence base for this Plan in respect of development outside the settlement boundaries.

Natural England is responding to the Neighbourhood Plan as regards the potential impact regarding landscape and the special qualities of the Park and the

Natural England
Foundry House
3 Millsands
Barnstaple, Exmoor

potential impact of the Neighbourhood Plan as regards nature conservation interests including any impact on Natura 2000 sites.

There are two Natura 2000 sites within the Plan Area, the Exmoor and Quantock Oakwoods SAC and the Exmoor Heaths SAC. Schedule 2 of the 2012 Neighbourhood Plans regulations makes provision in relation to the Habitats Directive. The Directive requires that any plan or project, likely to have a significant effect on a European site, must be subject to an appropriate assessment. To achieve this, paragraph 1 of schedule 2 prescribes a basic condition that the making of a neighbourhood development plan is not likely to have a significant effect on a European site or a European offshore marine site. The qualifying features of the Exmoor and Quantock Oakwoods SAC are its sessile oak habitat (which includes its lichen and bryophytes) and its populations of otter. The qualifying features of Exmoor Heaths SAC are its wet and dry heathland and blanket bog.

We have the following comments to make regarding proposed policies within the Neighbourhood Plan

Env 1

The current Plan generally constrains housing development to within or adjacent to the settlement boundary defined within the existing Local Plan, the exception to this is Policy H7 in the current local plan which allows development in the countryside for proven agricultural and forestry need and for other local needs where the building is located in a hamlet or farmstead where there is an existing dwelling. We note that whilst in general the hierarchical approach to development is maintained, the neighbourhood plan proposes three exceptions to this.

- E7- The provision of new business space within and adjoining the settlements
- E8 -The provision of new storage space within and adjoining the settlements
- E9 -The reuse of farm and rural buildings outside the settlements for business purposes
- H4 -development to accommodate staff and seasonal workers

Policies E7 and E8

It is advised that we consider that policies E7 and E8 do not conflict with the current local plan. We advise that due to the location of the Exmouth and Quantock Oakwoods SAC and their proximity to potential development along the A39 at Countisbury and Watersmeet, there is the potential for likely significant effects (LSE) arising from development to otter natal holts as well as any water – based development such as small scale hydroelectric schemes on bryophytes within the watercourse. These are both localised impacts, and whilst we agree that scale is a factor, clearly location is as well, more so should buildings be occupied continuously if policy H4 is also applied. We therefore do not agree with the conclusion of the Habitat Regulation Assessment in this respect that limiting the scale of development will achieve certainty of no LSE. In the absence of evidence, it is necessary to take a precautionary approach so as to ensure certainty of no likely significant effects.

Policy E9

The re-use of farm and rural buildings outside settlements for business purposes needs to be read in conjunction with existing policy CRB1. The proposed policy is in conflict with policy CRB1 as it permits extensions and re-building. Providing that the form, character and setting of the building are maintained; protected and

important species are fully protected and the scale and nature of the proposed use and any associated activity or requirements does not detract from the character or appearance of the locality, landscape or ecology, a small extension or alteration may be appropriate. These factors should be also included in the proposed policy E9. Like Policies E7 and E8, there is the potential for likely significant effects (LSE) arising from development to both internationally designated sites.

Policy H4

The new neighbourhood plan proposes through policy H4 that development to accommodate staff and seasonal workers, particularly arising from the tourism industry should also be permitted, with a hierarchical approach, development within existing commercial sites outside settlement boundaries being considered before consideration of sites within or adjacent to the settlement boundary. This approach is not in conformity with the current local policy, which only permits residential conversions or alterations in existing hamlet or farmstead where there is an existing dwelling. It is advised that the policy should be in conformity with policy H7 of the local Plan. Moreover, it is also considered that scale is not the only constraint that rules out likely significant effects.

In order to comply with the regulations and in view of the potential effects to the international sites it is therefore advised that a precautionary approach is adopted.

We advise that Policy ENV1 should specifically exclude the spatial extent of the internationally designated areas and for the avoidance of doubt, an additional map included showing the extent of these sites. Without such changes to the Plan we believe it is not possible at this stage to conclude no adverse effect on integrity of Natura 2000 sites as set out in the conclusion of Habitat Regulation Assessment. Alternatively more evidence could be used to rule out any LSE from small scale development on natal holts and the heathland and blanket bog.

Other comments

We welcome the Plan's aspiration for enhancement of the natural environment, although this is not considered sufficiently robust enough in policy ENV1 given the value of the ecosystem to the Plan area and the environmental services it provides. The Plan should seek to achieve positive improvements in the quality of the natural environment and explicitly aim for net gains. It is considered that the words "where possible" should be removed so that the Plan is in conformity with the National Planning Policy Framework,(NPPF) and NERC Act 2006.

We welcome that Policy ENV1 encourages the effective use of land by re-using land that has been previously developed (brownfield land), but to be in conformity with the NPPF it should be noted that this should be provided, that it is not of high environmental value

I hope that these comments are helpful,

For any correspondence or queries relating to this consultation only, please contact Laura Homer on 0300 060 2018 laura.homer@naturalengland.org.uk For all other correspondence, please contact consultations@naturalengland.org.uk.

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

Yours sincerely

Laura Homer
Lead Adviser, Forward Planning Network