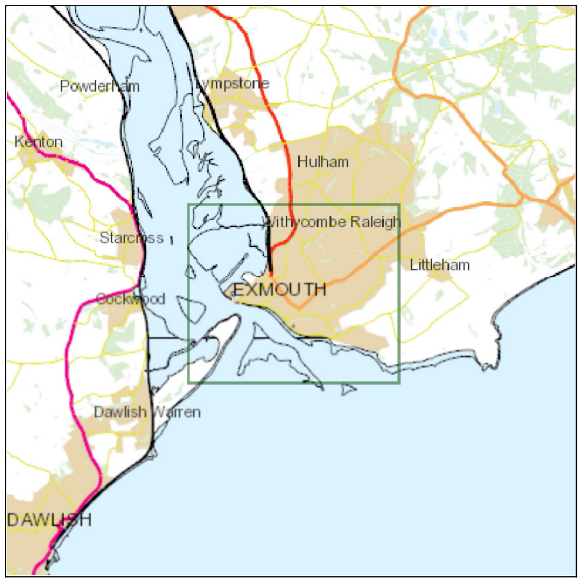
Ward Exmouth Town

Reference 20/0011/VAR

Applicant Mr David Hancock (Environment Agency)

Location Royal Avenue Car Park Camperdown Terrace And The Esplanade Exmouth

Proposal Variation of condition 2 (approved plans) of planning permission 18/2174/MOUT (Exmouth Tidal Defence Scheme) to allow changes to design, layout and materials of defences



RECOMMENDATION:
1. **That the Habitat Regulations Appropriate Assessment attached to the Committee Report be adopted; and,**
2. **That the application be APPROVED with conditions.**

		Committee Date: 15th July 2020
Exmouth Town (Exmouth)	**20/0011/VAR**	**Target Date: 14.04.2020**
Applicant:	**Mr David Hancock (Environment Agency)**	
Location:	**Royal Avenue Car Park Camperdown Terrace And The Esplanade**	
Proposal:	**Variation of condition 2 (approved plans) of planning permission 18/2174/MOUT (Exmouth Tidal Defence Scheme) to allow changes to design, layout and materials of defences**	

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1. That the Habitat Regulations Appropriate Assessment attached to the Committee Report be adopted; and,
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EXECUTIVE SUMMARY

This application is before Members because some of the land subject of this application is owned by East Devon District Council and an objection from a third party has been received.

The site lies within the built up area boundary of Exmouth and concerns the majority of the coastal fringe from just north of the boatyard at the northern end of Imperial Road Car Park around to the Premier Inn on the Esplanade.

There are 10 changes proposed to the previously consented Hybrid application that require consideration. The foremost noticeable change to the scheme as a result of this application would be the replacement of the sea wall in Area A with an embankment for a length of 40 metres, however, given that the area is a recreational area with a grassed appearance, the replacement of the approved wall with an embankment would be seen as a benefit to the overall character and appearance of the area. The Environment Agency raised no objections to this proposed amendment on flooding grounds.

Secondary in terms of impact would be the removal of the approved embankment near the boatyard in Area B to be replaced with a wall, however, as this would range from one block in height to a maximum of three blocks, the impact on the character and appearance of the area is considered to be minimal, furthermore, cladding the blocks in limestone to match the appearance of the sea wall would help to assimilate the wall into its surroundings.

The remainder of the changes are considered minor in their nature in terms of impacting upon the character and appearance of the locality in which they sit being predominantly minor design or layout changes. As such these other changes are also considered to be acceptable.

The integrity of the scheme is considered to be upheld and the protection of residents from flooding is maintained and therefore the proposed changes are considered acceptable and the application is recommended for approval with conditions.

CONSULTATIONS

Local Consultations

Parish/Town Council
Meeting 03.02.20

No objection, subject to concerns raised by the resident of Camperdown Terrace were considered.

Technical Consultations

Devon County Highway Authority
The variation from approved planning application 18/2174/MOUT will not adversely effect the users of the County highway network and therefore the County highway Authority has no objection to this planning application.

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Natural England
Our ref: 306503
Your ref: 20/0011/VAR

Thank you for your consultation.

Natural England currently has no comment to make on the variation of condition 2.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Further comments 22.06.20:

Thank you for your email of 3 June 2020 consulting Natural England on the Appropriate Assessment (AA) for the above development, in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017.

We concur with the conclusion that with the mitigation measures proposed, and these being secured, there will no no adverse effect on the integrity of the European sites.

However, from the information contained in the variation of condition application and the AA, we are unclear how these measures will be secured e.g. through planning condition. If this AA has been based on revised documentation such as a CEMP or a shadow HRA from the applicants, these documents will need to be referenced in the decision notice so that the mitigation measures are enforceable.

Environment Agency
We have no objection to the proposed variation of condition 2 (Approved Plans) on application 18/2174/MOUT.

Environmental Health
I have considered the application and do not anticipate any new environmental health concerns that have not already been accommodated by the applicant.

Contaminated Land Officer
I have considered the variation application and do not anticipate any potentially contaminated land concerns which have not already been considered by the applicant.

Conservation
CONSULTATION REPLY TO PLANNING WEST TEAM
PLANNING APPLICATION AFFECTING LISTED BUILDING AND CONSERVATION AREA

ADDRESS: Royal Avenue Car Park, Camperdown Terrace and The Esplanade, Exmouth

GRADE: II APPLICATION NO: 20/0011/VAR

CONSERVATION AREA: Exmouth

PROPOSAL: Variation of condition 2 (approved plans) of planning permission 18/2174/MOUT (Exmouth Tidal Defence Scheme) to allow changes to design, layout and materials of defences

BRIEF DESCRIPTION OF HISTORIC CHARACTER/ ARCHITECTURAL MERIT:

See listing descriptions and information on file

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF BUILDING AND ITS SETTING:

The flood defence works for Exmouth which have been developed in discussion with Historic England were approved under 18/2174/MOUT. This application seeks to amend

the approved application in relation to Areas A, B & C (Area A, Estuary Side, Area B, Camperdown Terrace and Area C which includes the seafront Esplanade from Mamhead slipway in the west, past Alexandra Terrace junction and the Clock Tower to Premier Inn and the Octagon in the east).

The proposed changes where they may impact on heritage assets within Area C are all relatively minor and it is considered that they will have no further impact on the heritage assets than the approved scheme. No objections.

PROVISIONAL RECOMMENDATION - PROPOSAL ACCEPTABLE

Historic England
Thank you for your letter of 20 January 2020 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

DCC Flood Risk Management Team
We have no in-principle objections to the above planning application, from a surface water drainage perspective, at this stage.

Observations:

The proposals appear to have negligible impact on surface water.

Other Representations
One representation has been received raising the following concerns

1 : The footpath needs to be wide enough for wheelchairs, mobility scooters and wheelbarrows etc. Accordingly, the ramp should not be too steep.

2 : There should be a drop kerb at the Camperdown Terrace end. (this pavement does not have a drop kerb anywhere along its entire length)

3 : The plans do not show a gate across the entrance to the alley behind nos 8 - 18 .. despite verbal agreement. When the slipway gate is in use there will be a powerful surge of water along the alleyway, even on normal spring tides.

4 : How will the gate be operated? Who cleans away the sand and seaweed when it is not being washed by rainwater coming down from the road and which could impede closing the gate.?

In addition how is the area to be finished on the SEAWARD side of the piles across the FORMER sea cadet slipway? Currently it has a deposit of scalpings and earth and no gabions or finishing wall to retain them. Work has stopped and it is an unsatisfactory state to leave it in.

PLANNING HISTORY

18/2174/MOUT - Hybrid application for Exmouth Tidal Defence Scheme to include full permission for a tidal defence scheme comprising flood walls, embankments and gates and outline permission for proposed road alignments and flood defence gate(s)/ wall(s) at Alexandra Terrace Junction with the Esplanade and in front of Moreton Crescent, with application accompanied by an Environmental Statement (all matters reserved) - Approved

18/2175/LBC - Proposed strengthening works, insertion of drainage holes, installation of square plates and works associated with installation of flood gates and posts to Exmouth Sea Wall - Approved

19/0542/MRES - Reserved matters application pursuant to application 18/2174/MOUT seeking access, appearance, landscaping, layout and scale for construction of a new flood wall (on line of existing wall) and pedestrian flood gates - Approved

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies
Strategy 6 (Development within Built-up Area Boundaries)

D1 (Design and Local Distinctiveness)

Strategy 22 (Development at Exmouth)

EN21 (River and Coastal Flooding)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN14 (Control of Pollution)

Government Planning Documents
NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

Other Plans
Exmouth Neighbourhood Plan (Made)

Site Location and Description

The site lies within the built up area boundary of Exmouth and concerns the majority of the coastal fringe from just north of the boatyard at the northern end of Imperial Road Car Park around to the Premier Inn on the Esplanade

Proposed Development

This application seeks planning permission for the variation of condition 2 of planning application 18/2174/MOUT to facilitate some changes in the design, layout and materials of the proposed sea wall. Full planning permission is sought and the changes can be split into 10 distinct areas as follows:

1. The approved defence Area B close to the Boatyard involved a localised raising of the land to form an embankment, following a review of the detailed design it transpires that there is insufficient space to accommodate an embankment especially if it is required to be raised further in the future and would prove unsafe to walk on. It is instead proposed to provide a redi-rock wall which will vary in height from three blocks by the car park to one block after chainage 168. The blocks would be clad in limestone of a similar colour to the flood wall.

2. The approved layout of the sea wall in Area A included a number of awkward angles that are difficult to construct, it is instead proposed to 'smooth' these angles and create a more visually pleasing design that would also be easier to construct.

3. The sea wall in Area A has been found to have been approved close to underground services operated by South West Water and the foundation would be likely to impact on their infrastructure, to enable the wall to be built further from the outfall near the Estuary View Car Park the wall needs to be moved 0.5 metres seawards

4. The pre-cast wall in Area A that extended onto the Imperial Recreational Ground is proposed to be reduced by 40 metres in length and be replaced by an earth bund for ease of construction and to reduce costs, the defence would remain marked by kerb stones

5. The headwall is failing and requires to be repaired by the Environment Agency whilst construction works are progressing, localised repairs where there is structural failure and below ground toe-strengthening with the confines of the existing structure that were not envisaged in the application are required

6. The sheet pile wall in Area B was proposed to terminate adjacent to the Sea Cadets building, it is proposed to reduce the length of the wall by 11 metres to tie into floodgate 1, floodgate 1 would be relocated further down the alleyway between properties towards the estuary and the stone slipway would be re-finished in tarmac to prevent material migration into drainage and reduced risk of settlement landward of the gate.

7. Floodgate 2 in Area B is proposed to be re-aligned to the backline of the adjacent property which would have less impact on resident access and reduce flood loading on the property.

8. Floodgate 5 in Area C is required to be amended due to the recent approval and implementation of planning permission 19/1028/FUL at The Grove Public House to the western side of the alleyway. The flood gate will be re-located to the other side of a boundary wall.

9. Devon County Council has requested that the road table raising around the sliding floodgate 5 be increased in size to enable pedestrians to be able to cross the road in a safer manner.

10. Floodgate 7 in Area C is proposed to be replaced with a wall, in consultation with the landowner it was agreed that the outhouse in the Grove Public House Garden would be bricked up instead of installing a floodgate which would reduce operation and maintenance costs.

ANALYSIS

The applicant originally considered that the 10 changes proposed could be dealt with as a minor amendment. Whilst it is considered that some of the elements are acceptable under that legislation (points 5,7,8, 9 and 10 above), some of the changes are integral to the scheme and require input from consultees which the minor amendment legislation does not allow for. Furthermore, cumulatively the changes are considered to represent more than a minor change to the whole development and as such a further planning application is required.

The main considerations in the determination of this application relate solely to the full element of the hybrid application (18/2174/MOUT) and the impact that the proposed changes would have on the integrity of the scheme, the impact on the character and appearance of the area, impact on flooding and impact on highway safety

Impact on the integrity of the scheme

A number of the proposed changes are justified by the applicant by the fact that they would be more cost effective or reduce costs. The recent revisions to the NPPF (Paragraph 130) have given Local Planning Authorities more powers in refusing applications that significantly dilute the scheme after an initial planning permission has been secured. In this instance whilst the majority of the changes are minor in nature, in combination it needs to be determined whether or not they would significantly dilute what was previously approved.

On balance however, and given the materials being chosen to link in with already approved materials and the alignment of the wall smoothed to create enhanced public realm, it is considered that the proposed amendments are acceptable and do not dilute the already approved scheme maintaining the flood defence benefits of the original proposal.

Impact on the character an appearance of the area

The foremost noticeable change to the scheme as a result of this application would be the replacement of the sea wall in Area A with an embankment for a length of 40 metres, however, given that the area is a recreational area with a grassed appearance, the replacement of the approved wall with an embankment would be seen as a benefit to the overall character and appearance of the area. The Environment Agency raised no objections to this proposed amendment on flooding grounds.

Secondary in terms of impact would be the removal of the approved embankment near the boatyard in Area B to be replaced with a wall, however, as this would range from one block in height to a maximum of three blocks, the impact on the character and appearance of the area is considered to be minimal. Furthermore, cladding the blocks in limestone to match the appearance of the sea wall would help to assimilate the wall into its surroundings.

The remainder of the changes are considered minor in their nature in terms of any impact upon the character and appearance of the locality in which they sit being predominantly minor design or layout changes to positions of gates, walls and road crossing levels.

Accordingly, the proposed amendments to the design, layout and materials are considered acceptable in relation to Policy D1 of the EDDC Local Plan not impacting unreasonably on their surroundings.

Impact on flooding

One of main the concerns with the various amendments proposed relates to whether the scheme would still perform the function it was designed for i.e. protect the residents of Exmouth from tidal flooding.

However, the Environment Agency are behind the proposal with the aim of protecting Exmouth and its residents and on consulting their specialist flood risk team, DCC Flood Risk and the Council's Engineers, they have all raised no objections to the proposed amendments and the proposal.

It is therefore considered acceptable in relation to Policy EN21 of the EDDC Local Plan.

Impact on highway safety

The majority of the sea wall does not impact on the public highway, however, in Area C there would be a number of sliding and folding gates that cross a highway or pedestrian access. Through detailed design work, and submission of the Section 278 Agreement (works on/to the public highway), the area around the Grove Public House where sliding floodgate 5 would be located is proposed to be amended by increasing the size of the road table top, re-alignment of the floodgate and replacement of gate 7 with a wall. These changes are considered to be appropriate to enable pedestrian safety to be maintained and the free flow of traffic. Devon County Highways have suggested the changes and consider the amendments to be acceptable in relation to Policy TC7 of the EDDC Local Plan.

Third party comments

Whilst the comments of the occupant of Camperdown Terrace are noted, the scheme has been designed with the prevention of flooding of residents foremost in its agenda.

Footpath are wide enough to protect user's safety whilst providing access for all

There is no requirement for the proposal to provide a dropped kerb to Camperdown Terrace. This is not required as a result of the flood prevention measures.

The plans do not show a gate to the alley behind number 8-18 Camperdown Terrace as one is not considered to be required by the Environment Agency as a flood defence gate is not required in this location and as the alley is already un-gated. These comments have however been forwarded to the Environment for consideration and it is understood that they have verbally agreed to provision of a gate in this location and for which planning permission would not be required.

The operation of the flood gates will be a matter between the Environment Agency and the residents with flood alerts issued by the Environment Agency when the gates need closing.

Whilst the works to the piles across the former sea cadet slipway have not been completed, the sheet piled wall is proposed to be finished with timber cladding.

Impact on sites of special protection and appropriate assessment

A Habitats Regulations Assessment (HRA) was submitted as part of the original application which outlines how development in each area could impact on the overwintering bird species. Because of the SPA and Ramsar designations the Conservation of Habitats and Species Regulations 2010 must be applied in the determination of this application. Regulation 61 requires East Devon District Council, as the competent authority, to undertake an Appropriate Impact Assessment (AIA) of the implications of this proposal on the site's conservation objectives before granting permission for a proposal which is likely to have a significant effect upon a European site.

East Devon District Council has therefore assessed the impact from this amended development upon the Exe Estuary. Given that the changes proposed through this application do not directly affect the estuary and habitats, the same conclusion can be drawn on this application as with the previous proposal.

A revised Appropriate Assessment has been prepared and is attached to this report but the findings can be summarised as follows:

Revetment repairs in Area A1 are relatively small scale and localised and can be carried out by a small workforce using wheelbarows which could have an impact on the sea grass beds, however, given the limited distance repairs are required over it is considered that these grasses could be avoided and therefore there would be no impact.

More significant works are required in Area A2 as the lower half of the revetment requires repair, it is likely that machinery would be required which would damage the sea grasses. The Environmental Statement on the original submission concludes that any damaged grasses would grow back within 3 years, furthermore, to limit the impact the works could be undertaken early in the growing season or by placing bog mats over the grasses to limit damage by vehicles. The applicants agree that the lifting and placement of bog mats to protect seagrass could result in ground disturbance affecting the rhizomes of the seagrass if it is present within the works area. They are therefore seeking to undertake the majority of these works from the land, reducing the amount of time that the bog mats will be required (if at all) and avoiding the need for lifting and replacing. This will be detailed in the EAP and the method statements once the detailed design is finalised at this location. Given the measures that could be put in place to limit the impact and the relatively short period of time for regrowth it is considered that there would be no impact.

Piling of the sheet pile wall in Area B would need to take place outside of the overwintering period to avoid noise and vibration disturbance.

Construction of two rock groynes in Area C would result in disturbance to gravels from construction machinery on the shore line, this does not support habitat features for the

SPA, however it is important to note that the re-instatement of the groynes may have an impact on the geomorphology and dune systems in the Dawlish Warren SAC. A report was commissioned by the applicants into how the groynes may impact the Dawlish Warren SAC, it concludes the following:

'The review has highlighted the significant links between the behaviour of the wider area and that of the local study area. In particular the frontage is critically influenced by the change in the distal end of Dawlish Warren. Given the developing management strategy for Dawlish Warren, it might be expected that significant change will continue to the distal end. As sediment is added to the Warren, this may encourage the distal end to grow forward, further towards the east, and, in this case, some of the existing pressures on the study frontage might in time reduce. However, should the additional sediment merely extend the present alignment of the distal end, then flows pressure principally during the flood over the upper tide but potentially at the sub-tidal level may increase. This linkage and the behaviour of the distal end, the channel and the response of the Exmouth frontage will require monitoring'.

As such it is considered that the re-instatement of the groynes are not likely to have a significant impact on the tidal processes affecting Dawlish Warren, however, with all modelling there is a risk that unforeseen circumstances could occur and it is recommended that regular monitoring of the tidal processes at Dawlish Warren are undertaken and could be conditioned as part of this application.

It is considered on the basis of the information available that the amended proposed Exmouth TDS will have no adverse effect on the integrity of the Exe Estuary SPA, Dawlish Warren SAC and Ramsar sites alone, or in-combination with other plans or projects. This conclusion and the attached Appropriate Assessment have been agreed with Natural England.

CONCLUSION

A number of changes are proposed to the flood defence scheme, the majority of which are fairly minor in terms of the re-location of gates, provision of walls in place of gates, a raised table-top road, and replacement headwall.

Although the remainder of the changes are more significant in terms of amending the design and route of the flood defence works, overall it is considered that the amendments to the proposed scheme would have a positive benefit.

Whilst this scheme would provide cost savings over the already approved scheme, these would not be to the detriment of the scheme which would maintain the resilience from flooding whilst not detrimentally impacting upon the character and appearance of the area or amenity of nearby residents.

RECOMMENDATION

1. That the Habitat Regulations Appropriate Assessment attached to the Committee Report be adopted; and,
2. That the application be APPROVED subject to the following conditions:

Full element of the scheme

1. The development hereby permitted shall be begun before the 17th January 2022 and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

3. The development shall not proceed other than in strict accordance with the Exmouth Tidal Defence Scheme Flood Risk Assessment (Revision 01/Final dated 19 September 2018) prepared by Team Van Oord).
(Reason -To ensure the development complies with the guidance as set out in the National Planning Policy Framework).

4. Development shall proceed in accordance with the following drawing numbers received on 20the December 2019:

   TV-XX-CC-DR-C 8895 Rev C1
   TV-XX-CC-DR-C 8896 Rev C1
   TV-XX-CC-DR-C 8897 Rev C1

   Which identify the location and detailed design of the drainage scuppers and associated baffles.
   (Reason - To ensure that the location and number of scuppers and baffles are appropriate to provide sufficient drainage of the area whilst respecting the historic integrity if the listed sea wall in accordance with Policy EN9 (Development Affecting a Designated Heritage Asset) of the East Devon Local Plan and guidance contained in the National Planning Policy Framework)

5. Development shall proceed in accordance with the Environment Action Plan ref no. 060319 IMSW002047-TVO-XX-MM-RP-Z3051-EAP received on 13th March 2019. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.
(Reason - To ameliorate and mitigate against the impact of the development on the local community in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan.

6. Development of the floodgates that cross any highway or pedestrian access points in Area C shall proceed in accordance with the following drawing numbers received on 18th November 2019:

   FC 17036-PLN-01-REV00 PAGE 1
   FC 17036-PLN-01-REV00 PAGE 3
   FC 17036-LHG-FB05 REV A PAGE 1
   FC 17036-LHG-FB05 REV A PAGE 2
   FC 17036-LHG-FB06 REV A PAGE 1
   FC 17036-LHG-FB06 REV A PAGE 2

FC 17036-LHG-FB08 REV A
FC 17036-LHG-FB09 REV A
FC 17036-LHG-FB16 REV A
FC 17036-LHG-FB25 REV A PAGE 1
FC 17036-LHG-FB25 REV A PAGE 2

And in accordance with the following drawing numbers received on 27th January 2020:

TV-XX-CC-DR-8970 REV P4
TV-XX-CC-DR-8971 REV P4
TV-XX-CC-DR-8972 REV P4
TV-XX-CC-DR-8973 REV P4

(Reason - To ensure that the design of the proposed flood gates are acceptable in their setting in accordance with Policy EN9 (Development Affecting a Designated Heritage Asset) and EN10 (Conservation Areas) of the East Devon Local Plan and advice contained in the National Planning Policy Framework).

7. Development of the flood wall in Area A shall proceed in accordance with Reckli type 2/31 – ILLER sample panel viewed in situ on site on 6th March 2019 and photographs of the sample panel (C) received on 12th April 2019.
(Reason - To ensure that the materials to be used in the construction of the wall and its intended finish are appropriate to its estuary side setting in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan).

8. Prior to their installation details of the size and species of replacement trees together with the design of the planting pits and what soil volumes are proposed, and how this will be incorporated into the design proposals of the specimen replacement trees in Area A shall be submitted to and approved in writing by the Local Planning Authority; The tree planting shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

9. Development of the flood wall in Area B shall proceed in accordance with the sample of EKKI recycled hardwood viewed on 1st July 2019 as per the submitted photograph agreed on 5th July 2019.
(Reason - To ensure that the materials to be used to clad the wall and its intended finish are appropriate to its estuary side setting in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan).

10. Development shall proceed in accordance with the following documents received on 13th March 2019:

    Construction Phase Plan ref no. TDSCPP 12032019
    Environment Risk Assessment ref no. SHEMS-FOR-GR-039
    Health and Safety ref no. SHEMS-FOR-GR-085

    (Reason - To ensure that the construction of the proposed development would not detrimentally impact on highway safety in accordance with Policy TC7 (Adequacy of Site Access and Local Highway Network) of the East Devon Local Plan)

11. Development shall proceed in accordance with the Tree Protection Statement received on 11th February 2019 reference A256_Exmouth_TDS_Tree_Project_Statement_V1.1_08022019.

    The development shall be carried out in accordance with the approved details. Provision shall be made for the supervision of the tree protection by a suitably qualified and experienced arboriculturalist and details shall be included within the AMS.

    The developer shall keep a monitoring log to record site visits and inspections along with: the reasons for such visits; the findings of the inspection and any necessary actions; all variations or departures from the approved details and any resultant remedial action or mitigation measures. On completion of the development, the completed site monitoring log shall be signed off by the supervising arboriculturalist and submitted to the Planning Authority for approval and final discharge of the condition.
    (Reason - To ensure the continued well being of retained trees in the interests of the amenity of the locality in accordance with Policy D3 (Trees and Development Sites) of the East Devon Local Plan).

12. Should any contamination of concern in soil and/or ground or surface water be discovered during excavation of the site or development, the Local Planning Authority should be contacted immediately. Site activities in the area affected shall be temporarily suspended until such time as a method and procedure for addressing the contamination is agreed upon in writing with the Local Planning Authority and/or other regulating bodies.
    (Reason - To ensure that any contamination existing and exposed during the development is identified and remediated in accordance with Policy EN16 (Contamination) of the East Devon Local Plan).

13. No construction works to the flood gates in Area C shall commence until a high-level operation procedure has been submitted to and approved by the Local Planning Authority. This will need to address the procedure for implementing the defences and evacuating the area of people and property. It would be appropriate for the submission to include details of the operational agreement, the mechanisms of warning, the order of gate closures, evacuation routes and threshold of gates.
    (Reason - To ensure that the procedure for operating the gates in times of flood are secured in the interests of public safety in accordance with advice contained in the National Planning Policy Framework)

14. Development shall proceed in accordance with the mitigation measures contained in Appendix C: Habitats Regulation Assessment of the Environment Statement dated 16th September 2018. In addition, following the 2 year monitoring period of the sea grasses and Dawlish Warren SAC contained in Appendix C, a report detailing the findings of the monitoring and proposing any necessary further mitigation if the predicted impacts have changed shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the agreed mitigation and those measures contained in the Habitat Regulations Assessment within the Environmental Statement.
(Reason - To provide ecological enhancement and protection in the interests of ecology and biodiversity in accordance with Policy EN6 (Wildlife Habitats and Features) of the Adopted East Devon Local Plan and the guidance contained within the National Planning Policy Framework.)

The historical planning application is referenced under (18/2174/MOUT) for which the approved plans were as follows:-

Number	Type of plan	Dated
TVO-XX-MM-DR-C-1000 REV P2 : AREA A (ESTUARYSIDE) + B (CAMPERDOWN TERRACE)	Location Plan	20.09.18
TVO-XX-MM-DR-C-1001 REV P2 : AREA A(CAMPERDOWN)+C (ESPLANADE)	Location Plan	20.09.18
TVO-XX-AA-DR-C-1040 REV P2 : AREA A SHEET 1 OF 6	Sections	20.09.18
TVO-XX-AA-DR-C-1043 REV P2 : AREA A SHEET 4 OF 6	Sections	20.09.18
TVO-XX-AA-DR-C-1044 REV P2 :	Sections	20.09.18

AREA A SHEET 5 OF 6		
TVO-XX-AA-DR-C-1045 REV P2 : AREA A SHEET 6 OF 6	Sections	20.09.18
TVO-XX-BB-DR-C-1050 REV P2 : AREA B SHEET 1 OF 1	Sections	20.09.18
TVO-XX-CC-DR-C-1055 REV P2 : AREA C SHEET 1 OF 3	Sections	20.09.18
TVO-XX-CC-DR-C-1056 REV P2 : AREA C SHEET 2 OF 3	Sections	20.09.18
TVO-XX-CC-DR-C-1057 REV P2 : AREA C SHEET 3 OF 3	Sections	20.09.18
TVO-XX-AA-DR-C-1010 REV P2 : AREA A SHEET 1 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-AA-DR-C-1011 REV P2 : AREA A SHEET 2 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-AA-DR-C-1012 REV P2 : AREA A SHEET 3 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-CC-DR-C-1016 REV P2 :	Other Plans	20.09.18

AREA B SHEET 7 OF 10 (EXISTING SITE)		
TVO-XX-AA-DR-C-1013 REV P2 : AREA A SHEET 4 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-BB-DR-C-1014 REV P2 : AREA B SHEET 5 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-BB-DR-C-1015 REV P2 : AREA B SHEET 6 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-CC-DR-C-1017 REV P2 : AREA C SHEET 8 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-CC-DR-C-1018 REV P2 : AREA C SHEET 9 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-CC-DR-C-1019 REV P2 : AREA C SHEET 10 OF 10 (EXISTING SITE)	Other Plans	20.09.18
TVO-XX-AA-DR-C-1025 REV P3 : AREA A SHEET 1 OF 10	Other Plans	20.09.18

(PROPOSED SITE)		
TVO-XX-MM-VF-L-7112 REV P2 : AREA B SHEET 2 OF 3 (DESIGN VISUALISATION)	Other Plans	20.09.18
TVO-XX-BB-DR-C-1030 REV P3 : AREA B SHEET 6 OF 10 (PROPOSED SITE)	Other Plans	20.09.18
TVO-XX-CC-DR-C-1033 REV P3 : AREA C SHEET 9 OF 10 (PROPOSED SITE)	Other Plans	20.09.18
TVO-XX-CC-DR-C-1034 REV P3 : AREA INSET 10 SHEET 10 OF 10 (PROPOSED SITE)	Other Plans	20.09.18
TVO-XX-MM-VF-L-7111 REV P2 : AREA A SHEET 1 OF 3 (DESIGN VISUALISATION)	Other Plans	20.09.18
TVO-XX-MM-VF-L-7113 REV P2 : AREA C SHEET 3 OF 3 (DESIGN VISUALISATION)	Other Plans	20.09.18
TVO-XX-AA-DR-C-1060 REV P2: AREA A SHEET 1 OF 6 (PROPOSED)	Sections	20.09.18

TVO-XX-AA-DR-C-1061 REV P2: AREA A SHEET 2 OF 6 (PROPOSED)	Sections	20.09.18
TVO-XX-AA-DR-C-1062 REV P2: AREA A SHEET 3 OF 6 (PROPOSED)	Sections	20.09.18
TVO-XX-AA-DR-C-1063 REV P2: AREA A SHEET 4 OF 6 (PROPOSED)	Sections	20.09.18
TVO-XX-AA-DR-C-1064 REV P2: AREA A SHEET 5 OF 6 (PROPOSED)	Sections	20.09.18
TVO-XX-AA-DR-C-1065 REV P2: AREA A SHEET 6 OF 6 (PROPOSED)	Sections	20.09.18
TVO-XX-BB-DR-C-1066 REV P2: AREA B SHEET 1 OF 1 (PROPOSED)	Sections	20.09.18
TVO-XX-CC-DR-C-1072 REV P2: AREA C SHEET 3 OF 3 (PROPOSED)	Sections	20.09.18
TVO-XX-MM-DR-L-7100 REV P2: SHEET 1 OF 9	Landscaping	20.09.18
TVO-XX-MM-DR-L-7101 REV P2: SHEET 2 OF 9	Landscaping	20.09.18

TVO-XX-MM-DR-L-7102 REV P2: SHEET 3 OF 9	Landscaping	20.09.18
TVO-XX-MM-DR-L-7103 REV P2: SHEET 4 OF 9	Landscaping	20.09.18
TVO-XX-MM-DR-L-7104 REV P2: SHEET 5 OF 9	Landscaping	20.09.18
TVO-XX-MM-DR-L-7105 REV P2: SHEET 6 OF 9	Landscaping	20.09.18
TVO-XX-MM-DR-L-7106 REV P2: SHEET 7 OF 9	Landscaping	20.09.18
TVO-XX-MM-DR-L-7107 REV P2: SHEET 8 OF 9	Landscaping	20.09.18
TVO-XX-MM-DR-L-7108 REV P2: SHEET 9 OF 9	Landscaping	20.09.18
TVO-XX-CC-DR-C-1032 Rev P4 Area C insert 8 - 8 of 10	Other Plans	09.11.18
TVO-XX-CC-DR-C-1070 Rev P3 Area C inset 7 - 1 of 3	Other Plans	09.11.18
TVO-XX-CC-DR-C-1071 Rev P3 Area C inset 8 - 2 of 3	Other Plans	09.11.18

This decision notice for the variation should be read in conjunction with these previously approved plans.

Plans relating to this application:

TVO-XX-AA-DR-C-1080 Rev P01: Area A Redi Rock Wall and Embankment Plan	Other Plans	03.01.20
TVO-XX-AA-DR-C-1081 Rev P01: Area A Redi Rock Wall and Embankment elevations/sections	Proposed Combined Plans	03.01.20
TVO-XX-AA-DR-C-8351 Rev C3: Flood Wall Plan Area A sheet 1 of 9	Other Plans	03.01.20
TVO-XX-AA-DR-C-8352 Rev C3: Flood Wall Plan Area A sheet 2 of 9	Other Plans	03.01.20
TVO-XX-AA-DR-C-8353 Rev C3: Flood Wall Plan Area A sheet 3 of 9	Other Plans	03.01.20
TVO-XX-AA-DR-C-8354 Rev C3: Flood Wall Plan Area A sheet 4 of 9	Other Plans	03.01.20
TVO-XX-AA-DR-C-8355 Rev C5: Flood Wall Plan Area A sheet 5 of 9	Other Plans	03.01.20

TVO-XX-AA-DR-C-8357 Rev C3: Flood Wall Plan Area A sheet 7 of 9	Other Plans	03.01.20
TVO-XX-AA-DR-C-8358 Rev C3: Flood Wall Plan Area A sheet 8 of 9	Other Plans	03.01.20
TVO-XX-AA-DR-C-8359 Rev C3: Flood Wall Plan Area A sheet 9 of 9	Other Plans	03.01.20
TVO-XX-BB-DR-C-8600 Rev P4 Area B Flood Gate 01: General Arrangement	Other Plans	03.01.20
TVO-XX-BB-DR-C-8640 Rev P1 Area B Flood Gate 02: Plan & Sections	Proposed Combined Plans	03.01.20
TVO-XX-BB-DR-C-8655 Rev C1 Area B Head Wall Details	Other Plans	03.01.20
TVO-XX-BB-DR-C-8840 Rev P1.3 Area C Flood Gate 05: Existing and Proposed General Arrangement Plan	Combined Plans	03.01.20
TVO-XX-AA-DR-C-8356 rev C3 : flood wall plan area A sheet 6 of 9	Other Plans	03.01.20

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Conditions in respect of the OUTLINE element of application no 18/2174/MOUT

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
   (Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.).

2. Approval of the details of the layout, scale and external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
   (Reason - The application is in outline with one or more matters reserved.)

3. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
   (Reason - For the avoidance of doubt.)

4. As part of any reserved matters application the design and materials for the proposed flood gates that cross any highway or are required at any pedestrian access point together with any flap valve to allow for drainage shall be submitted.
   (Reason - To ensure that the design of the proposed flood gates are acceptable in their setting and are considered during the determination of the reserved matters application in accordance with Policy EN9 (Development Affecting a Designated Heritage Asset) and EN10 (Conservation Areas) of the East Devon Local Plan and advice contained in the National Planning Policy Framework).

NOTE FOR APPLICANT

Informative:
In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

The historical planning application is referenced under (18/2174/MOUT) for which the approved plans were as follows:-

Number	Type of plan	Dated
TVO-XX-CC-DR-C-1031 Rev P4 Area C insert 7 - 7 of 10	Other Plans	09.11.18

TVO-XX-CC-DR-C-1032 Rev P4 Area C insert 8 - 8 of 10	Other Plans	09.11.18
TVO-XX-CC-DR-C-1070 Rev P3 Area C inset 7 - 1 of 3	Other Plans	09.11.18
TVO-XX-CC-DR-C-1071 Rev P3 Area C inset 8 - 2 of 3	Other Plans	09.11.18

List of Background Papers
Application file, consultations and policy documents referred to in the report.

Appropriate Assessment The Conservation of Habitats and Species Regulations 2017, Section (63)	
Application Reference	20/0011/VAR
Brief description of proposal	Variation of condition 2 (approved plans) of planning permission 18/2174/MOUT (Exmouth Tidal Defence Scheme) to allow changes to design, layout and materials of defences
Location	Royal Avenue Car Park, Camperdown Terrace And The Esplanade, Exmouth
Site is:	Within 10km of Dawlish Warren SAC and the Exe Estuary SPA site Within 10km of the East Devon Heaths SPA (UK9010121) Within 10km of the East Devon Pebblebed Heaths SAC (UK0012602) Within 10km of the Exe Estuary Ramsar (UK 542) (See Appendix 1 for list of interest features of the SPA/SAC)
Step 1 Screening for Likely Significant Effect on Royal Avenue Car Park, Camperdown Terrace And The Esplanade, Exmouth	
Risk Assessment	
Could the Qualifying Features of the European site be affected by the proposal? Consider both construction and operational stages.	Yes – potential for direct impacts on the SPA/SAC –*full Appropriate Assessment will be required – See Step 2 Appropriate Assessment.*
Conclusion of Screening	
Is the proposal likely to have a significant effect, either 'alone' or 'in combination' on a European site?	East Devon District Council concludes that there would be Likely Significant Effects 'alone' and/or 'in-combination' on features associated with the proposal at Royal Avenue Car Park, Camperdown Terrace And The Esplanade, Exmouth in the absence of mitigation. See evidence documents on impact of development on SPA/SAC at: East Devon District Council - http://eastdevon.gov.uk/media/369997/exe-overarching-report-9th-june-2014.pdf

	An Appropriate Assessment of the plan or proposal is necessary.	
Local Authority Officer		Date:

Step 2
Appropriate Assessment

NB: In undertaking the appropriate assessment, the LPA must ascertain whether the project would adversely affect the integrity of the European site. The Precautionary Principle applies, so to be certain the authority should be convinced that no reasonable scientific doubt remains as to the absence of such effects.

As identified by the applicant in their environmental statement the proposed tidal defence scheme is within the Exe Estuary Special Protection Area (SPA) and Ramsar site. These sites are designated for their overwintering wildfowl and waders. In addition the works are within close proximity to the Dawlish Warren Special Area of Conservation (SAC), designated for its coastal geomorphology and dune systems.
A Habitats Regulations Assessment (HRA) has been submitted as part of the application which outlines how development in each area could impact on the overwintering bird species. Because of the SPA and Ramsar designations the Conservation of Habitats and Species Regulations 2010 must be applied in the determination of this application. Regulation 61 requires East Devon District Council, as the competent authority, to undertake an Appropriate Impact Assessment (AIA) of the implications of this proposal on the site's conservation objectives before granting permission for a proposal which is likely to have a significant effect upon a European site.

East Devon District Council has therefore assessed the impact from the development upon the Exe Estuary and Dawlish Warren, building upon the content contained in the HRA (the majority of which has been used in this AIA) and concludes the following:

Construction phase:

Revetment repairs in Area A1 would be relatively small scale and localised and can be carried out by a small workforce using wheelbarrows which could have an impact on the sea grass beds, however, given the limited distance repairs are required over it is considered that these grasses could be avoided and therefore there would be no impact.
More significant works are required in Area A2 as the lower half of the revetment requires repair, it is likely that machinery would be required which would damage the sea grasses. The Environmental Statement concludes that damaged grasses would grow back within 3 years, furthermore, to limit the impact the works could be undertaken early in the growing season or by placing bog mats over the grasses to limit damage by vehicles. The applicants agree that the lifting

	and placement of bog mats to protect seagrass could result in ground disturbance affecting the rhizomes of the seagrass if it is present within the works area. They are therefore seeking to undertake the majority of these works from the land, reducing the amount of time that the bog mats will be required (if at all) and avoiding the need for lifting and replacing. This will be detailed in the EAP and the method statements once the detailed design is finalised at this location. Given the measures that could be put in place to limit the impact and the relatively short period of time for regrowth it is considered that there would be no impact. Construction of two rock groynes in Area C would result in disturbance to gravels from construction machinery on the shore line, this does not support habitat features for the SPA, however it is important to note that the re-instatement of the groynes may have an impact on the geomorphology and dune systems in the Dawlish Warren SAC. A report was commissioned by the applicants into how the groynes may impact the Dawlish Warren SAC, it concludes the following: 'The review has highlighted the significant links between the behaviour of the wider area and that of the local study area. In particular the frontage is critically influenced by the change in the distal end of Dawlish Warren. Given the developing management strategy for Dawlish Warren, it might be expected that significant change will continue to the distal end. As sediment is added to the Warren, this may encourage the distal end to grow forward, further towards the east, and, in this case, some of the existing pressures on the study frontage might in time reduce. However, should the additional sediment merely extend the present alignment of the distal end, then flows pressure principally during the flood over the upper tide but potentially at the sub-tidal level may increase. This linkage and the behaviour of the distal end, the channel and the response of the Exmouth frontage will require monitoring'. As such it is considered that the re-instatement of the groynes are not likley to have a significant impact on the tidal processes affecting Dawlish Warren, however, with all modelling there is a risk that unforeseen circumstances could occur and it is recommended that regular monitoring of the tidal processes at Dawlish Warren are undertaken and could be conditioned as part of this application. Exe Estuary SPA Coastal Squeeze The need for the Exmouth Flood Defence Scheme was identified in the Exe Estuary Flood and Coastal Erosion Risk Management Strategy which sets out the short, medium and long term aims for the Exe Estuary as a whole. A HRA was undertaken for this Strategy document which identified that there would be loss of internationally designated intertidal habitat in the footprint of new defences and due to coastal squeeze within the Exe Estuary European Marine site as a result of HTL policies, with associated impacts on waterbirds and therefore an effect on the integrity of the site. The scheme proposed in this Planning Application does not deviate from that outlined in the Exe Strategy; therefore, there are no changes to the impacts reported and no alteration to the amount of compensatory habitat required. The Environment Agency has been seeking opportunities for habitat creation to compensate for Coastal Squeeze in the Exe Estuary. A site in the Lower Otter Estuary has been identified and is being progressed by the Environment Agency. This will be functional by the time any significant impacts from coastal squeeze from Exmouth TDS are observed therefore it will offset the loss of intertidal habitats and there will be no impact.

	Exe Estuary SPA Indirect Disturbance to Supporting Habitats (and SPA Wintering Bird Species) due to Pollutants The main risk would be from a spillage event during construction; this would affect water quality and therefore the prey species available for foraging All construction activities will adhere to the Contractors Method Statement which will include a protocol for spillages. This will adhere to the guidelines set out in CIRIA`s Environment Good Practice on Site, 3rd Edition; and Construction Industry Publication (CIP) Construction Environmental Manual. The application of the above measures will reduce the risk of a pollution event to zero and therefore there would be no impact. Exe Estuary SPA - Noise and Visual Disturbance to Wintering Bird Species Some of the works in Area C are proposed during the wintering bird period; however this is located 420m from the nearest works. Noise and visual impacts are not predicted over this distance and therefore there will be no impact. The groynes will be constructed in April and May therefore there will be no impact. Table 2.6 identifies that the following species are present within 300m of the proposed works: cormorant, curlew, dark-bellied brent goose, dunlin, grey plover, oystercatcher, red-breasted merganser, Slavonian grebe, redshank and wigeon. All construction activities in Areas A and B that have the potential to disturb birds will be carried out between April and September, with Piling in Area B between June and August. All of these elements will be completed before the wintering bird commences, as such there would be no wintering bird species present (or present in very low numbers and not during any sensitive period and no disturbance is expected. There will therefore be no impact. The construction compound in Area A will be in place for 50 weeks, including during the overwintering period. There would be downward security lighting at the main site compound and this will be reviewed to determine whether the lighting would be motion activated. There is already street lighting along the estuaryside throughout the Royal Avenue Car Park, the presence of lighting at the compound will have no impact. The increase in vehicles to the main construction compound has the potential to disturb birds through noise and increased visual disturbance. Traffic movements are described in the construction methodology section of the ES (Table 4.3). At present there is already disturbance from movement of vehicles to boatyard, HGV and coach parking, and people walking. During the wintering bird period construction there would be 20 each way lorry movements per week and a maximum of 14 personnel car movements which is not a significant increase in traffic volumes from the baseline. Furthermore the compound is set back 20m from the boundary of the estuary therefore any increase in noise impacts would not cause a startle response. The additional vehicles to the compound will not result in a change from the baseline conditions and there will be no impact. Operation Phase Exe Estuary SPA Indirect Disturbance to Supporting Habitats (and SPA Wintering Bird Species) due to Pollutants There would be no activity associated with the operational phase of the Exmouth TDS other than routine inspections. Therefore, there would be no potential source of pollutants. There would therefore be no deterioration to the supporting

	habitats of the Exe Estuary SPA or Dawlish Warren SAC, and therefore no impact on prey resource availability or density. Exe Estuary SPA - Disturbance to Wintering Bird Species There would be no activity associated with the operational phase of the Exmouth TDS other than routine inspections. These would comprise a maximum of two people walking the scheme, and making observations and would most likely be undertaken outside of the wintering bird period. The inspections would be mainly carried out from the land; however it is likely that the revetments and gabions will need to be inspected from the shore. This would be undertaken as part of the ongoing existing asset checks, and will be carried out during the summer months at low tide when birds will be at a significant distance from the structures. Given that there are already revetment and gabions which are already inspected this would have no noticeable increase against the baseline levels of disturbance from people and therefore there would be no impact. All trees in Area A that require removal for construction will be replaced on completion of the works as shown on the Landscape General Arrangement Plan drawings. During operation, the physical presence of the sea defence and defensive planting will reduce levels of disturbance by reducing ease of access to the foreshore where it is currently an issue in Key bird Areas. All trees that require removal to enable construction along Area A and will be replaced with similar sized trees once construction is complete, however it should be noted that as the trees are tall and spaced out they do not currently provide any screening for birds. All trees that require removal to enable construction along Area A and will be replaced with similar sized trees once construction is complete, however it should be noted that as the trees are tall and spaced out they do not currently provide any screening for birds. Therefore there will be no change to the baseline and no impact from this planting. Where the footpath is to be raised between 60 and 75cm, there is no vegetation present between the path and the estuary therefore there is already disturbance to birds from the presence of people. At present there is vegetation alongside the boatyard which diffuses the views of people. This vegetation will be removed for construction and will be replanted once works are complete. While the vegetation is re-establishing to its pre-construction height there will be no background to reduce the visibility of the path. This could lead to an increased level of disturbance to birds on the estuary and will have a likely significant effect. This impact can be mitigated through the installation of a camouflage material, similar to that used at bird hides. This will provide an artificial backdrop whilst the vegetation establishes, and will ensure that additional visual disturbance does not occur. The works would also not result in any increase in access along the foreshore over and above that which currently exists. Therefore, there would be no increase in disturbance, furthermore the combination of walls and defensive planting will reduce public access in locations that are sensitive to birds. No impact. Effect on Achievement of Conservation Objectives and Site Integrity Table 3.2 considers the impacts assessed above in relation to the achievement of the conservation objectives for the Exe Estuary SPA. Given that no influences or changes arise which could result in the failure to achieve any of the conservation objectives for any of the qualifying habitats or species, it is concluded that <u>no adverse effect on the integrity of the Exe Estuary SPA</u> would occur.

Table 3.1: Consideration of Impacts in Relation to the Conservation Objectives for the Exe Estuary SPA

Feature	Conservation objective	Construction
Wintering Slavonian grebe	Subject to natural change, to maintain or restore the extent and distribution of the habitats of the qualifying features.	The footprint of the Exmouth TDS lies within the existing or on land outside of the site, and hence does not result in any change to the extent and distribution of the habitats of wintering Slavonian grebe. Objective achieved.
	Subject to natural change, to maintain or restore the structure and function of the habitats of the qualifying features.	The footprint of the Exmouth TDS lies within the existing or on land outside of the site, and hence does not result in any change to the extent and distribution of the habitats of wintering Slavonian grebe. Objective achieved.
	Subject to natural change, to maintain or restore the supporting processes on which the habitats of the qualifying features rely	The revetment repairs in Area A2 have the potential to damage seagrass beds which provide prey species for Slavonian Grebe, mitigation measures including the timing of works as early as possible in the growing season and use of bog mats will limit the opportunity for damage. Objective achieved.
	Subject to natural change, to maintain or restore the populations of the qualifying features.	No change to the supporting habitat would occur (see above). No disturbance to Slavonian grebe has been identified as a result of the noise and visual disturbance associated with the Exmouth TDS and therefore there would be no effect on the population of wintering Slavonian grebe. Objective achieved.
	Subject to natural change, to maintain or restore the distribution of the qualifying features within the site.	As there is no change to the extent, distribution, structure, and function of supporting habitats and no disturbance to Slavonian grebe during the Exmouth TDS, there would therefore be no change to the distribution of Slavonian grebe across the site. Objective achieved.
Over winter, the area regularly supports 23,513	Subject to natural change, to maintain or restore the extent and distribution of	The footprint of the Exmouth TDS lies within the existing or on land outside of the site, and hence does not result in any change to the extent and distribution of the

individual waterfowl including: black-tailed godwit, dunlin, lapwing, grey plover, oystercatcher, red-breasted merganser, wigeon, dark-bellied brent goose, cormorant, avocet, Slavonian grebe, and whimbrel	the habitats of the qualifying features.	habitats of any species of the wintering bird assemblage. Objective achieved.
	Subject to natural change, to maintain or restore the structure and function of the habitats of the qualifying features.	The footprint of the Exmouth TDS lies within the existing or on land outside of the site, and hence does not result in any change to the extent and distribution of the habitats of any species of the wintering bird assemblage. Objective achieved.
	Subject to natural change, to maintain or restore the supporting processes on which the habitats of the qualifying features rely.	No change to the supporting habitat would occur (see above). No disturbance to the waterfowl assemblage has been identified as a result of the noise and visual disturbance associated with the Exmouth TDS and therefore there would be no effect on the population of wintering Slavonian grebe. Objective achieved.
	Subject to natural change, to maintain or restore the populations of the qualifying features.	As there is no change to the extent, distribution, structure, and function of supporting habitats and no disturbance to Slavonian grebe during the Exmouth TDS, there would therefore be no change to the distribution of Slavonian grebe across the site. Objective achieved.
	Subject to natural change, to maintain or restore the distribution of the qualifying features within the site.	As there is no change to the extent, distribution, structure, and function of supporting habitats and no disturbance to the waterfowl assemblage during the Exmouth TDS, there would therefore be no change to the distribution of the waterfowl assemblage across the site. Objective achieved.

Table 3.2 considers the impacts assessed in Section 3.4 in relation to the achievement of the conservation objectives for the Exe Estuary SPA.

Sensitive Interest Feature:	Potential hazard:	Potential exposure to hazard and mechanism of effect/impact if known:
• **Avocet** • **Bar-tailed**	Habitat loss	No impact and no likely significant effect. All of the permanent works associated with the sea walls are located within the footprint of the existing. The groynes will result in additional loss of gravels, which is not a supporting habitat for these species. There will

	godwit • **Black-tailed godwit** • **Lapwing** • **Whimbrel**		be no direct loss of supporting habitats as a result of this project therefore a likely significant effect is not expected.
			No impact and no likely significant effect. All of these species are located at least 1km upstream, and therefore Coastal Squeeze will not affect the habitats on which these species rely on. There will be no impact.
		Habitat alteration	No impact and no likely significant effect. As described in Section 10.5 of the ES, there will be temporary disturbance to the seagrass beds in Area A from the working area of the revetment repairs. Avocet rely on prey that use the seagrass as a nursery habitat, however the nearest record of Avocet is over 2km upstream, therefore they are not likely to be utilising the seagrass in the site area. None of the other species rely on this food source and therefore a likely significant effect is not expected.
		Disturbance (e.g. access, noise)	Likely significant effect. Construction activities would not be visible and no experience of increased noise would extend to the areas where these species are found within the estuary given their distance from the works. As these species and the populations will not be disturbed, a likely significant effect is not expected.
	• **Cormorant** • **Curlew** • **Dark-bellied brent goose** • **Dunlin** • **Grey plover** • **Red-breasted merganser** • **Slavonian grebe** • **Wigeon** • **Red**	Habitat loss	No impact and no likely significant effect. All of the permanent works associated with the sea walls are located within the footprint of the existing. The groynes will result in additional loss of gravels, which is not a supporting habitat for these species. There will be no direct loss of supporting habitats as a result of this project therefore a likely significant effect is not expected.
			Potential for a likely significant effect. Coastal squeeze as a result of "
		Habitat alteration	Potential for a likely significant effect. As described in Section 10.5 of the ES, there will be temporary disturbance to the seagrass beds in Area A from the working area of the revetment repairs. Dark-bellied brent geese and wigeon are known to forage on this habitat within and adjacent to the proposed works[1]. The disturbance to this habitat could have a Likely Significant Effect on these species. None of the other species rely on this food source and therefore a likely significant effect is not expected.
			Potential for a likely significant effect. The presence

[1] **Goss-Custard (2007) National Cycle Network – Exe Estuary Proposals. Assessment of the anticipated Effects on the Exe Estuary Special Protection Area**

	shank		of plant and machinery during reinstatement works could result in the accidental or incidental discharge to an alteration of the supporting habitat for wintering birds.
		Disturbance (e.g. access, noise)	Potential for a likely significant effect. The revetment repairs in Area A, construction of the wall in Area A, and piling and gabion replacement in Area B would potentially be visible. The presence of plant and personnel on the shore or working on top of the defences could potentially result in disturbance to populations of these species. As such a potential likely significant effect could occur. During operation, the physical presence of the sea defence and defensive planting will reduce levels of disturbance by reducing ease of access to the foreshore where it is currently an issue in Key bird Areas. All trees that require removal to enable construction along Area A and will be replaced with similar sized trees once construction is complete, however it should be noted that as the trees are tall and spaced out they do not currently provide any screening for birds. Therefore there will be no change to the baseline and no impact from this planting. Where the footpath is to be raised between 60 and 75cm, there is no vegetation present between the path and the estuary therefore there is already disturbance to birds from the presence of people. At present there is vegetation alongside the boatyard which diffuses the views of people. This vegetation will be removed for construction and will be replanted once works are complete. While the vegetation is re-establishing to its pre-construction height there will be no background to reduce the visibility of the path. This could lead to an increased level of disturbance to birds on the estuary and will have a likely significant effect.
	• **Oystercatcher**	Habitat loss	No impact and no likely significant effect. All of the permanent works associated with the sea walls are located within the footprint of the existing. The groynes will result in additional loss of gravels, which is not a supporting habitat for these species. There will be no direct loss of supporting habitats as a result of this project therefore a likely significant effect is not expected.
			Potential for a likely significant effect. Coastal squeeze as a result of “
		Habitat alteration	No impact and no likely significant effect. There was one record of oystercatcher on the intertidal at Camperdown Creek where the gabions are to be

			replaced. Construction access on the foreshore will not disturb the gravelly sand habitats at this location therefore a likely significant effect is not expected.
			Potential for a likely significant effect. The presence of plant and machinery during reinstatement works could result in the accidental or incidental discharge to an alteration of the supporting habitat for oystercatcher.
		Disturbance (e.g. access, noise)	Potential for a likely significant effect. The revetment repairs in Area A, construction of the wall in Area A, and piling and gabion replacement in Area B would be visible across intertidal areas. The presence of plant and personnel along the shore or working on top of the revetment could potentially result in disturbance to populations of these species. As such a potential likely significant effect could occur. During operation, the physical presence of the sea defence and defensive planting will reduce levels of disturbance by reducing ease of access to the foreshore where it is currently an issue in Key bird Areas. All trees that require removal to enable construction along Area A and will be replaced with similar sized trees once construction is complete, however it should be noted that as the trees are tall and spaced out they do not currently provide any screening for birds. All trees that require removal to enable construction along Area A and will be replaced with similar sized trees once construction is complete, however it should be noted that as the trees are tall and spaced out they do not currently provide any screening for birds. Therefore there will be no change to the baseline and no impact from this planting. Where the footpath is to be raised between 60 and 75cm, there is no vegetation present between the path and the estuary therefore there is already disturbance to birds from the presence of people. At present there is vegetation alongside the boatyard which diffuses the views of people. This vegetation will be removed for construction and will be replanted once works are complete. While the vegetation is re-establishing to its pre-construction height there will be no background to reduce the visibility of the path. This could lead to an increased level of disturbance to birds on the estuary and will have a likely significant effecta likely significant effect is not expected.

Table 2.2: Exe Estuary Ramsar Screening

Sensitive Interest Feature:	Potential hazard:	Potential exposure to hazard and mechanism of effect/impact if known:
Bird assemblage - winter	Habitat loss	No impact and no likely significant effect. All of the permanent works associated with the sea walls are located within the footprint of the existing. The groynes will result in additional loss of gravels, which is not a supporting habitat for these species. There will be no direct loss of supporting habitats as a result of this project therefore a likely significant effect is not expected.
		Potential for a likely significant effect. Coastal Squeeze as a result of "
	Habitat alteration	Potential for a likely significant effect. As described in Section 10.5 of the ES, there will be temporary disturbance to the seagrass beds in Area A from the working area of the revetment repairs. Dark-bellied brent geese and wigeon are known to forage on this habitat within and adjacent to the proposed works.[2] The disturbance to this habitat could have a Likely Significant Effect on these species. There was one record of oystercatcher on the intertidal at Camperdown Creek where the gabions are to be replaced. Construction access on the foreshore will not disturb the gravelly sand habitats at this location therefore a likely significant effect is not expected. None of the other species rely on this food source and therefore a likely significant effect is not expected.
		Potential for a likely significant effect. The presence of plant and machinery during reinstatement works could result in the accidental or incidental discharge to an alteration of the supporting habitat for wintering birds.
	Disturbance (e.g. access, noise)	Potential for a likely significant effect. The revetment repairs in Area A, Construction of the wall in Area A and piling and gabion replacement in Area B would potentially be visible. The presence of plant and personnel on the shore or working on top of the defences could potentially result in disturbance to populations of these species. As such a potential likely significant effect could occur. During operation, the physical presence of the sea defence and defensive planting will reduce levels of disturbance by reducing ease of access to the foreshore where it is currently an issue in Key bird Areas. All trees that require removal to enable construction along Area A and will be replaced with similar sized trees once construction is complete, however it should be noted that as the trees are tall and spaced out they do not currently provide any

[2] **Goss-Custard (2007) National Cycle Network – Exe Estuary Proposals. Assessment of the anticipated Effects on the Exe Estuary Special Protection Area**

		screening for birds. All trees that require removal to enable construction along Area A and will be replaced with similar sized trees once construction is complete, however it should be noted that as the trees are tall and spaced out they do not currently provide any screening for birds. Therefore there will be no change to the baseline and no impact from this planting. Where the footpath is to be raised between 60 and 75cm, there is no vegetation present between the path and the estuary therefore there is already disturbance to birds from the presence of people. At present there is vegetation alongside the boatyard which diffuses the views of people. This vegetation will be removed for construction and will be replanted once works are complete. While the vegetation is re-establishing to its pre-construction height there will be no background to reduce the visibility of the path. This could lead to an increased level of disturbance to birds on the estuary and will have a likely significant effect

Table 2.3: Dawlish Warren SAC Screening

Sensitive Interest Feature:	Potential hazard:	Potential exposure to hazard and mechanism of effect/impact if known:
Dunes along the shoreline with *Ammophila arenaria* ("white dunes")	Habitat loss	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat loss will occur a likely significant effect is not expected.
		No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat loss within the Dawlish Warren site; a likely significant effect is not expected.
	Habitat alteration	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat alteration will occur a likely significant effect is not expected.
		No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat alteration within the Dawlish Warren site; a likely significant effect is not expected.
	Disturba	No impact and no likely significant effect. The proposed

		nce (e.g. access, noise)	works do not impact (through noise, vibration, or visual) on vegetation or the associated communities supported by this habitat, and there is no change to the activities or access in the area of this habitat as a result of the Exmouth TDS. As this habitat and its community will not be disturbed, a likely significant effect is not expected.
	Fixed dunes with herbaceous vegetation ("grey dunes")	Habitat loss	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat loss will occur a likely significant effect is not expected.
			No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat loss within the Dawlish Warren site; a likely significant effect is not expected.
		Habitat alteration	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat alteration will occur a likely significant effect is not expected.
			No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat alteration within the Dawlish Warren site; a likely significant effect is not expected.
		Disturbance (e.g. access, noise)	No impact and no likely significant effect. The proposed works do not impact (through noise, vibration, or visual) on vegetation or the associated communities supported by this habitat, and there is no change to the activities or access in the area of this habitat as a result of the Exmouth TDS. As this habitat and its community will not be disturbed, a likely significant effect is not expected.
	Humid dune slacks	Habitat loss	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat loss will occur a likely significant effect is not expected.
			No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat loss within the Dawlish Warren site; a likely significant effect is not

			expected.
		Habitat alteration	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat alteration will occur a likely significant effect is not expected.
			No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat alteration within the Dawlish Warren site; a likely significant effect is not expected.
		Disturbance (e.g. access, noise)	No impact and no likely significant effect. The proposed works do not impact (through noise, vibration, or visual) on vegetation or the associated communities supported by this habitat, and there is no change to the activities or access in the area of this habitat as a result of the Exmouth TDS. As this habitat and its community will not be disturbed, a likely significant effect is not expected.
	Petalwort	Habitat loss	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat loss will occur a likely significant effect is not expected.
			No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat loss within the Dawlish Warren site; a likely significant effect is not expected.
		Habitat alteration	No impact and no likely significant effect. The project site and works are located 440m away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat alteration will occur a likely significant effect is not expected.
			No impact and no likely significant effect. There would be no indirect changes to geomorphology and coastal processes and no subsequent habitat alteration within the Dawlish Warren site; a likely significant effect is not expected.
		Disturbance (e.g. access, noise)	No impact and no likely significant effect. The proposed works do not impact (through noise, vibration, or visual) on vegetation or the associated communities supported by this habitat, and there is no change to the activities or access in the area of this habitat as a result of the

		Exmouth TDS. As this habitat and its community will not be disturbed, a likely significant effect is not expected.

Table 2.4: East Devon Pebblebed Heaths SAC Screening

Sensitive Interest Feature:	Potential hazard:	Potential exposure to hazard and mechanism of effect/impact if known:
Northern Atlantic wet heaths with *Erica tetralix*	Habitat loss	No impact and no likely significant effect. The project site and works are located 4.8km away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat loss will occur a likely significant effect is not expected.
	Habitat alteration	No impact and no likely significant effect. The project site and works are located 4.8km away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat alteration will occur a likely significant effect is not expected.
	Disturbance (e.g. access, noise)	No impact and no likely significant effect. The proposed works do not impact (through noise, vibration or visual) on vegetation or the associated communities supported by this habitat (in particular as no disturbance effects would extend over 4.8km), and there is no change to the activities or access in the area of this habitat as a result of Exmouth TDS. As this habitat and its community will not be disturbed, a likely significant effect is not expected.
European dry heaths	Habitat loss	No impact and no likely significant effect. The project site and works are located 4.8km away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat loss will occur a likely significant effect is not expected.
	Habitat alteration	No impact and no likely significant effect. The project site and works are located 4.8km away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this habitat and no habitat alteration will occur a likely significant effect is not expected.
	Disturbance (e.g. access, noise)	No impact and no likely significant effect. The proposed works do not impact (through noise, vibration or visual) on vegetation or the associated communities supported by this habitat (in particular as no disturbance effects would extend over 4.8km), and there is no change to the activities or access in the area of this habitat as a result of Exmouth TDS. As this habitat and

		its community will not be disturbed, a likely significant effect is not expected.
Southern damselfly	Habitat loss	No impact and no likely significant effect. The project site and works are located 4.8km away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this species where it is present within the site and no habitat loss will occur to its supporting habitat a likely significant effect is not expected.
	Habitat alteration	No impact and no likely significant effect. The project site and works are located 4.8km away from the site boundary and no works will occur within the SAC. Given that no works are occurring in or close to this species where it is present within the site and no habitat alteration will occur to its supporting habitat a likely significant effect is not expected.
	Disturbance (e.g. access, noise)	No impact and no likely significant effect. The proposed works do not impact (through noise, vibration, or visual) on vegetation or the associated communities supported by this habitat (in particular as no disturbance effects would extend over 4.8km), and there is no change to the activities or access in the area of this habitat as a result of Exmouth TDS. As this habitat and its community will not be disturbed, a likely significant effect is not expected.

Table 2.5: East Devon Heaths SPA Screening

Sensitive Interest Feature:	Potential hazard:	Potential exposure to hazard and mechanism of effect/impact if known:
Dartford warbler	Habitat loss	No impact and no likely significant effect. This species has not been recorded in the site area or the surrounding area, and the designated site and any suitable nesting and foraging habitat is located in excess of 4km from the site and proposed reinstatement works. Therefore, no habitat loss would occur that could affect this species and a likely significant effect on these species is not expected.
	Habitat alteration	No impact and no likely significant effect. This species has not been recorded in the site area or the surrounding area, and the designated site and any suitable nesting and foraging habitat is located in excess of 4km from the site and proposed reinstatement works. Therefore, no habitat alteration would occur that could affect this species and a likely significant effect on these species is not expected.
	Disturbance (e.g.	No impact and no likely significant effect. The proposed works would be in excess of 4.8km away and

	access, noise)	would not be discernible at any level, particularly given the intervening settlement of Exmouth. There is also no change to the activities or access in the site that could impact on this species as a result of the Exmouth TDS. As this species and its population will not be disturbed, a likely significant effect is not expected.
Nightjar	Habitat loss	No impact and no likely significant effect. This species has not been recorded in the site area or the surrounding area, and the designated site and any suitable nesting and foraging habitat is located in excess of 4km from the site and proposed reinstatement works. Therefore, no habitat loss would occur that could affect this species and a likely significant effect on these species is not expected.
	Habitat alteration	No impact and no likely significant effect. This species has not been recorded in the site area or the surrounding area, and the designated site and any suitable nesting and foraging habitat is located in excess of 4km from the site and proposed reinstatement works. Therefore, no habitat alteration would occur that could affect this species and a likely significant effect on these species is not expected.
	Disturbance (e.g. access, noise)	No impact and no likely significant effect. The proposed works do not impact (through noise, vibration, or visual) on vegetation or the associated communities supported by this habitat (in particular as no disturbance effects would extend over 4.8km), and there is no change to the activities or access in the area of this habitat as a result of Exmouth TDS. As this habitat and its community will not be disturbed, a likely significant effect is not expected.

When considered against the criterion for the Exe Estuary Ramsar site (see Table 2.8), and taking into consideration the assessment of the effects on the achievement of favourable condition of the sites, it is concluded that no adverse effect on the integrity of the Exe Estuary Ramsar site would occur.

In-combination Assessment

Based on the nature of impacts of the proposed development, the potential cumulative impacts associated with the development have been considered with reference to other proposed developments in the surrounding area.
All key developments that are currently within the planning system have been screened to determine whether they are likely to result in cumulative effects

- **Exmouth Regeneration**
- **Mamhead slipway rock installation**
- **Exe Estuary Flood and Coastal Risk Management Strategy Other flood defence proposals around the estuary, such as at Starcross and Cockwood**

	• **Exmouth Beach Management Plan** • **A search for projects within the planning register of EDDC was made on 4th July 2018.** • **Coastal and marine habitat loss or alteration;** • **Disturbance to birds.** It is considered on the basis of the information available that the proposed Exmouth TDS will have no adverse effect on the integrity of the Exe Estuary SPA, Dawlish Warren SAC and Ramsar sites alone, or in-combination with other plans or projects.
Conclusion	
List of mitigation measures and safeguards	• Use of bog matting to reduce impact on se grasses • Timing of works at start of se grass growing season • Monitoring for at least 2 years of sea grasses to ensure re-growth and a feedback mechanism for works to take place should the sea grasses not re-grow as necessary • Monitoring of Dawlish Warren SAC and the distal end together with build up of sediment to ascertain whether coastal processes have been effected by the re-instatement of the two groynes and a feedback mechanism for work to take place should the impacts be different than anticipated • Provision of temporary camouflage netting to mimic bird habitat adjacent to boatyard until habitat re-establishes itself • Piling in Area B to take place in July and August (outside overwintering period) • Any activities that cause noise/vibration to be undertaken outside overwintering period • Groynes constructed in April/May outside overwintering period
The Integrity Test	Adverse impacts on features necessary to maintain the integrity of the Royal Avenue Car Park, Camperdown Terrace And The Esplanade, Exmouth can be ruled out.
Conclusion of Appropriate Assessment	East Devon District Council that there would be **NO** adverse effect on integrity of the Dawlish Warren SAC, Exe Estuary SPA or Pebblebed Heaths SPA/SAC or Exe Estuary Ramsar sites **provided** the mitigation measures are secured as above.
Local Authority Officer	Date:
21 day consultation to be sent to Natural England Hub on completion of this form.	

Appendix 1. List of interest features:

Exe Estuary SPA
Annex 1 Species that are a primary reason for selection of this site (under the Birds Directive):
Aggregation of non-breeding birds: Avocet *Recurvirostra avosetta*
Aggregation of non-breeding birds: Grey Plover *Pluvialis squatarola*
Migratory species that are a primary reason for selection of this site

Aggregation of non-breeding birds: Dunlin *Calidris alpina alpine*
Aggregation of non-breeding birds: Black-tailed Godwit *Limosa limosa islandica*
Aggregation of non-breeding birds: Brent Goose (dark-bellied) *Branta bernicla bernicla*
Wintering populations of Slavonian Grebe *Podiceps auritus*
Wintering populations of Oystercatcher *Haematopus ostralegus*
Waterfowl Assemblage
>20,000 waterfowl over winter

Habitats which are not notified for their specific habitat interest (under the relevant designation), but because they support notified species.
Sheltered muddy shores (including estuarine muds; intertidal boulder and cobble scars; and seagrass beds)
Saltmarsh NVC communities: SM6 *Spartina anglica* saltmarsh

SPA Conservation Objectives
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.

Dawlish Warren SAC
Annex I habitats that are a primary reason for selection of this site (under the Habitats Directive):
Annex I habitat: Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes'). (Strandline, embryo and mobile dunes.)
SD1 *Rumex crispus-Glaucium flavum* shingle community
SD2 *Cakile maritima-Honkenya peploides* strandline community
SD6 *Ammophila arenaria* mobile dune community
SD7 *Ammophila arenaria-Festuca rubra* semi-fixed dune community
Annex I habitat: Fixed dunes with herbaceous vegetation ('grey dunes').
SD8 *Festuca rubra-Galium verum* fixed dune grassland
SD12 *Carex arenaria-Festuca ovina-Agrostis capillaris* dune grassland
SD19 *Phleum arenarium-Arenaria serpyllifolia* dune annual community
Annex I habitat: Humid dune slacks.
SD15 *Salix repens-Calliergon cuspidatum* dune-slack community
SD16 *Salix repens-Holcus lanatus* dune slack community
SD17 *Potentilla anserina-Carex nigra* dune-slack community

Habitats Directive Annex II species that are a primary reason for selection of this site:
Petalwort (*Petalophyllum ralfsii*)

SAC Conservation Objectives
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.

List of interest features:

East Devon Heaths SPA:

A224 Caprimulgus europaeus; European nightjar (Breeding) 83 pairs (2.4% of GB population 1992)
A302 Sylvia undata; Dartford warbler (Breeding) 128 pairs (6.8% of GB Population in 1994)

Objectives:

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.

East Devon Pebblebed Heaths SAC:

This is the largest block of lowland heathland in Devon. The site includes extensive areas of dry heath and wet heath associated with various other mire communities. The wet element occupies the lower-lying areas and includes good examples of cross-leaved heath – bog-moss (Erica tetralix – Sphagnum compactum) wet heath. The dry heaths are characterised by the presence of heather Calluna vulgaris, bell heather Erica cinerea, western gorse Ulex gallii, bristle bent Agrostis curtisii, purple moor-grass Molinia caerulea, cross-leaved heath E. tetralix and tormentil Potentilla erecta. The presence of plants such as cross-leaved heath illustrates the more oceanic nature of these heathlands, as this species is typical of wet heath in the more continental parts of the UK. Populations of southern damselfly Coenagrion mercuriale occur in wet flushes within the site.

Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:

H4010. Northern Atlantic wet heaths with Erica tetralix; Wet heathland with cross-leaved heath
H4030. European dry heaths

Qualifying species: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:

S1044. Coenagrion mercuriale; Southern damselfly

Objectives:

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.

Exe Estuary SPA

Qualifying Features:
A007 Podiceps auritus; Slavonian grebe (Non-breeding)
A046a Branta bernicla bernicla; Dark-bellied brent goose (Non-breeding)
A130 Haematopus ostralegus; Eurasian oystercatcher (Non-breeding)
A132 Recurvirostra avosetta; Pied avocet (Non-breeding)
A141 Pluvialis squatarola; Grey plover (Non-breeding)
A149 Calidris alpina alpina; Dunlin (Non-breeding)
A156 Limosa limosa islandica; Black-tailed godwit (Non-breeding)
Waterbird assemblage

Objectives:

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.

Exe Estuary Ramsar

Principal Features (updated 1999)

The estuary includes shallow offshore waters, extensive mud and sand flats, and limited areas of saltmarsh. The site boundary also embraces part of Exeter Canal; Exminster Marshes – a complex of marshes and damp pasture towards the head of the estuary; and Dawlish Warren - an extensive recurved sand-dune system which has developed across the mouth of the estuary.

Average peak counts of wintering water birds regularly exceed 20,000 individuals (23,268*), including internationally important numbers* of Branta bernicla bernicla (2,343). Species wintering in nationally important numbers* include Podiceps auritus, Haematopus ostralegus, Recurvirostra avosetta (311), Pluvialis squatarola, Calidris alpina and Limosa limosa (594).

Because of its relatively mild climate and sheltered location, the site assumes even greater importance as a refuge during spells of severe weather. Nationally important numbers of Charadrius hiaticula and Tringa nebularia occur on passage. Parts of the site are managed as nature reserves by the Royal Society for the Protection of Birds and by the local authority. (1a,3a,3b,3c)