

## PLANNING COMMITTEE

CHAIRMAN: Cllr Dennis Smith

**DATE:** 20<sup>th</sup> March 2018

**REPORT OF:** Business Manager – Strategic Place

**SUBJECT:** South Hams Special Area of Conservation Joint Supplementary Planning Document

### RECOMMENDATION

Planning Committee is recommended to:

#### Resolve

That the draft South Hams Special Area of Conservation Greater Horseshoe Bats Joint Supplementary Planning Document (SPD) is approved for consultation.

#### 1. PURPOSE

To consider the draft South Hams Special Area of Conservation Greater Horseshoe Bats Joint SPD and to approve it for consultation purposes.

#### 2. BACKGROUND

- 2.1 The South Hams Special Area of Conservation, (SAC) and associated Consultation Zone, covers an area which lies within five local planning authority areas: Dartmoor National Park Authority, Devon County Council, South Hams District Council, Teignbridge District Council and Torbay Council.
- 2.2 This Supplementary Planning Document (SPD) updates and replaces the 'South Hams SAC Greater Horseshoe Bat Consultation Zone Planning Guidance' published by Natural England in 2010. The update takes on board feedback from developers, consultants and planners on the 2010 guidance, new data on greater horseshoe bats and experience gained over the last eight years. In addition, a draft Heart of Teignbridge and Bovey Tracey Mitigation Strategy was published and consulted upon by Teignbridge District Council in February 2017; the contents of this document and the outcomes of the consultation have been considered in the drafting of the new SPD.

## TEIGNBRIDGE DISTRICT COUNCIL

- 2.3 Unlike adopted Local Plans, an SPD does not form part of the statutory Development Plan and does not contain policies. Instead, the SPD is intended to sit alongside the relevant adopted and emerging Local Plans to help all developers, applicants and competent authorities determine, through a clear, rationalised decision process, whether plans and projects within the Consultation Zone require Habitats Regulations Assessment (HRA) in order to promote the protection and enhancement of the South Hams SAC greater horseshoe bat population.
- 2.4 The draft SPD has been prepared jointly by the authorities in partnership with Natural England and in consultation with specialist expert advice provided by Greenbridge Ltd., Biosciences Department (University of Exeter) and Marquis and Lord scientific consultancy (who developed the 2010 Guidance). The new document will accord with the Teignbridge Corporate Plan in terms of the 'Great Places To Live And Work' programme and in particular the action concerning protecting the most important habitats and investing in new wildlife areas.

### 3 MAIN IMPLICATIONS

- 3.1 The South Hams SAC has been designated in part for its population of greater horseshoe bats and includes both maternity and hibernation roosts vital to the survival of the species.
- 3.2 Unusually, the South Hams SAC comprises five separate but linked component Sites of Special Scientific Interest (SSSIs). A sixth site at High Marks Barn was designated as a SSSI in 2012 as an important greater horseshoe bat maternity roost. Whilst not formally part of the SAC, the colony is an integral part of the overall SAC population and accordingly it is considered important in terms of maintaining the integrity of the South Hams SAC.
- 3.3 Greater horseshoe bats travel relatively large distances across the landscape and have large foraging territories. As such, they are not confined to the designated SAC sites, but move across the wider landscape and between the SAC sites, using key features in the landscape to navigate and forage. The species are long-lived (in excess of 30 years) with the bats remaining faithful to the important roosting sites, returning year after year. They feed primarily in and around woodlands, hedges and grazed pasture (particularly cattle grazed). Any loss or degradation to such areas can have an impact, including removing key food sources and eradication of features used by the species to navigate and commute between roost sites and feeding areas.

#### **Approach of the SPD**

- 3.4 The SPD is aimed at anyone developing, determining and commenting on planning applications in the South Hams SAC Consultation Area (shown in Figure 1 of the document). It provides guidance on the implementation of national policy and local Development Plan policies with respect to the South

## TEIGNBRIDGE DISTRICT COUNCIL

Hams SAC by providing clarity on planning requirements, in order to reduce costs and delays to both developers and local planning authorities and to ensure that the legal duties associated with the Habitats Regulations are met with regard to the South Hams SAC.

- 3.5 It clearly sets out, through defining a South Hams SAC Consultation Area (encompassing Sustenance Zones and a Landscape Connectivity Zone), where and under what circumstances there is the potential for plans and projects to have a Likely Significant Effect on the South Hams SAC and therefore when an HRA Screening is required. In addition, an outline of the information required from the applicant at each stage of the planning process is given in the case of an HRA Screening being required, including survey, mitigation and monitoring requirements.
- 3.6 To support the guidance, important features of the South Hams SAC alongside data on potential 'pinch points' are mapped and will be available on Devon County Council's online Environment Viewer mapping service. This information will be publicly available to assist in the early identification of potential in-combination effects to be assessed through the HRA Screening process.
- 3.7 A series of Advice Notes are being developed to sit alongside the SPD to provide more detail and technical information. These Advice Notes do not form part of the South Hams SAC SPD and therefore are not subject to this consultation.

### **HRA Screening in Sustenance Zones**

- 3.8 Sustenance Zones are the area within 4km of designated maternity and hibernation roosts which include critical foraging habitat and commuting routes for bats using the roosts. The SSSI/SAC roosts and the Sustenance Zones are strategically important in maintaining the population of greater horseshoe bats across the South Hams SAC.
- 3.9 Development within, or in close proximity to, these sites could therefore have a Likely Significant Effect on the integrity of the South Hams SAC. Even small-scale changes to the landscape have the potential to affect the integrity of the SAC and therefore Screening will be required for any plan or project which impacts on greater horseshoe bat habitat or flight lines in a Sustenance Zone.

### **HRA Screening in Landscape Connectivity Zone**

- 3.10 The Landscape Connectivity Zone provides a different function to the Sustenance Zones, offering an important network of commuting routes used by the SAC population of greater horseshoe bats. In the Landscape Connectivity Zone, greater horseshoe bat activity occurs in smaller numbers than within the Sustenance Zones and bats are much more dispersed across this area. As such only developments which severely restrict the movement of bats at a landscape scale could impact on the SAC bat population (generally

## TEIGNBRIDGE DISTRICT COUNCIL

therefore large housing / road / quarry developments) and would be subject to HRA Screening.

### 4 GROUPS CONSULTED

- 4.1 The SPD has been produced in partnership between five local authorities and will be consulted upon by these authorities.
- 4.2 Consultation, lasting for 6 weeks, will be administered centrally by Devon County Council on behalf of the five local planning authorities. Documents will be available to view online, at the relevant Council offices and at libraries within the consulting authority areas. Paper copies of the document will be available on request to the County Council.
- 4.3 As part of the consultation, views on seven main questions are invited (listed on page 5 of the document) relating to changes to the draft SPD from the original 2010 guidance and concerning the clarity of aspects covered.
- 4.4 Comments will be able to be submitted by using a consultation response form available online or by post which can be submitted electronically or by post.

### 5 TIMESCALE

- 5.1 Following the end of the consultation period in May, the local planning authorities will consider all submitted representations and, having made any necessary amendments to reflect consultation responses, proceed to adoption of the SPD at an Executive meeting later in the year.
- 5.2 The adopted SPD will be published on the local planning authority websites together with an Adoption Statement and will be available for inspection in accordance with the relevant statements of community involvement for each local authority.

### 6 JUSTIFICATION

- 6.1 The main reasons are to update and replace the South Hams SAC Greater Horseshoe Bat Consultation Zone Planning Guidance published by Natural England in 2010. The draft document takes on board new data on greater horseshoe bats and experience gained over the last eight years. Other relevant details are contained in section 2 of the report.

**Nick Davies Business Manager, Strategic Place**

<b>Wards affected</b>	Ambrook, Ashburton & Buckfastleigh, Bishopsteignton, Bovey Tracey, Chudleigh, Ipplepen, Kerswell-with-Coombe, Kingsteignton, Newton Abbot
<b>Contact for any more information</b>	Trevor Shaw Senior Planning Officer 01626 215703
<b>Appendices attached:</b>	Appendix 1 - South Hams Special Area of Conservation, Greater Horseshoe Bats Supplementary Planning Document, Consultation Draft, February 2018